

# Kansas Register

Ron Thornburgh, Secretary of State

Vol. 15, No. 7

February 15, 1996

Pages 155-200

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## State of Kansas

**Kansas Advocacy and Protective Services, Inc.****Notice of Meeting**

The Kansas Advocacy and Protective Services will conduct a meeting of the Protection and Advocacy for Individuals with Mental Illness Advisory Council at 3 p.m. Wednesday, February 21, at the Washburn University Law School, Room 119, 17th and MacVicar, Topeka. For more information, call (913) 776-1541.

James L. Germer  
Executive Director

Doc. No. 017293

## State of Kansas

**Office of the State Treasurer****Notice of Investment Rates**

The following rates are published in accordance with K.S.A. 1995 Supp. 75-4210, as amended. These rates and their uses are defined in K.S.A. 75-4201(1), 12-1675(b)(c)(d) and 75-4209(a)(1)(B), as amended.

**Effective 2-19-96 through 2-25-96**

Term	Rate
0-90 days	5.17%
3 months	4.91%
6 months	4.90%
9 months	4.86%
12 months	4.83%
18 months	4.86%
24 months	4.90%
36 months	4.99%
48 months	5.16%

Sally Thompson  
State Treasurer

Doc. No. 017274

## State of Kansas

**Commission on Disability Concerns****Notice of Meeting**

The Kansas Commission on Disability Concerns will meet from 9:30 a.m. to 4 p.m. Friday, February 16, in the second floor auditorium at the Topeka-Shawnee County Public Library, 1515 S.W. 10th, Topeka.

Wayne L. Franklin  
Secretary of Human Resources

Doc. No. 017276

## State of Kansas

**Kansas Sentencing Commission****Notice of Meeting**

The Kansas Sentencing Commission will meet from 1:30 to 4 p.m. Thursday, February 22, in the Court of Appeals Courtroom, second floor, Kansas Judicial Center, 301 W. 10th, Topeka.

Barbara S. Tombs  
Executive Director

Doc. No. 017291

## State of Kansas

**Board of Adult Care Home Administrators****Notice of Meeting**

The Board of Adult Care Home Administrators will meet at 9:30 a.m. Friday, March 1, in the Wheatland Rehabilitation Center on the Kansas Neurological Institute campus at 3107 W. 21st, Topeka.

Lesla Bray, Director  
Health Occupations Credentialing

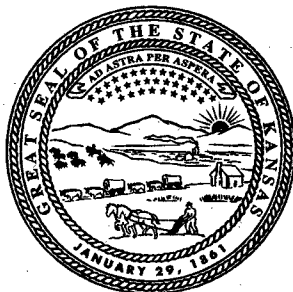
Doc. No. 017278

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



**Register Office:**  
Room 233-N, State Capitol  
(913) 296-3489

## State of Kansas

**Kansas Insurance Department****Notice of Hearing on Proposed  
Administrative Regulations**

A public hearing will be conducted at 10 a.m. Wednesday, April 17, in the third floor conference room, Kansas Insurance Department, 420 S.W. 9th, Topeka, to consider the adoption of proposed changes in existing rules and regulations.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed rules and regulations. All interested parties may submit written comments prior to the hearing to Thomas Wilder, Kansas Insurance Department, 420 S.W. 9th, Topeka, 66612-1678. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulations during the hearing.

A copy of the complete text of the regulations and the economic impact statement may be obtained by contacting the Kansas Insurance Department. A summary of proposed regulations and their economic impact follows.

**K.A.R. 40-4-35** is being revoked.

**K.A.R. 40-4-35b through 40-4-35w. Medicare supplement policies; minimum standards; requirements.** The regulation is revised to include the mandated changes to the 1991 NAIC model regulation to implement the requirements of the Medicare Supplement Minimum Standard Model Act as required by the Social Security Act Amendments of 1994. In addition to these mandated changes, changes were made which require that premiums for any Medicare supplement insurance benefit plan charged by issuers to individuals under the age of 65 but eligible for Medicare by reason of disability shall not exceed premium rates charged to individuals age 65 for the same plan. After the effective date of this revision, individuals who apply for Medicare supplement policies or certificates will have a six month open enrollment period beginning the first day of the first month that individual is enrolled under Medicare Part B. Changes were also made to make Medicare SELECT available to Kansas residents. The economic impact to the insureds currently covered under a Medicare supplement plan over the age of 65 should not be significant, while the premium rates charged to those disabled individuals applying for coverage after the effective date of this revision should be decreased compared to the rates currently being charged to disabled individuals.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulations and economic impact statements in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Tom Wilder at (913) 296-7807.

Kathleen Sebelius  
Commissioner of Insurance

Doc. No. 017295

## State of Kansas

**Criminal Justice Coordinating Council****Notice of Meeting**

The Kansas Criminal Justice Coordinating Council will meet from 10 a.m. to noon Thursday, February 22, in the Court of Appeals Courtroom, second floor, Kansas Judicial Center, 301 W. 10th, Topeka.

Barbara S. Tombs  
Executive Director

Doc. No. 017290

## State of Kansas

**University of Kansas****Notice to Bidders**

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

**Monday, February 26, 1996**

**RFQ 96-6467**

UV/VIS/NIR spectrophotometer

Dorothy Grant, CPPB  
Associate Director of Purchasing

Doc. No. 017286

## State of Kansas

**Department of Commerce  
and Housing****Notice of Hearing on Low Income  
Weatherization Assistance Program**

In accordance with Department of Energy regulations, the Kansas Weatherization Assistance Program will conduct a public hearing at 1 p.m. Wednesday, February 21, at Days Inn, 1501 Tuttle Creek Blvd., Manhattan, to receive comments on the 1996 Department of Energy State Plan.

A draft copy of the 1996 plan will be available upon request prior to the hearing by calling (913) 296-2686 (V/TTY 296-3487). Reasonable accommodations are available for persons needing assistance. Requests for accommodation should be submitted to Norma Phillips by February 19 at Department of Commerce and Housing.

All comments are to be followed in writing and submitted for incorporation into the minutes of the hearing. Written comments should be mailed to Norma Phillips, Director, Weatherization Assistance Program, Division of Housing, Department of Commerce and Housing, 700 S.W. Harrison, Suite 1300, Topeka, 66603-3712.

Gary Sherrer  
Secretary of Commerce  
and Housing

Doc. No. 017289

## State of Kansas

## Kansas Wheat Commission

Notice of Hearing on Proposed  
Administrative Regulations

A public hearing will be conducted at 9 a.m. Monday, April 22, at the Kansas Wheat Commission offices, 2630 Claflin Road, Manhattan, to consider the adoption of a proposed change in an existing regulation on a permanent basis.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed regulation. For a copy of the regulation and economic impact statement, please write to the following address. All interested parties may submit written comments prior to the hearing to the administrator of the Kansas Wheat Commission, 2630 Claflin Road, Manhattan, 66502. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulation during the hearing.

The Kansas Wheat Commission office provides handicapped parking located on the north side of the building and nearest the front door. Any individual with a disability may also request accommodation in order to participate.

A summary of the proposed regulation and its economic impact follows.

**K.A.R. 24-1-1, Mill levy assessment.** The Kansas Wheat Commission has proposed that this regulation be amended as follows: "Wheat marketed through commercial channels in the state of Kansas shall be assessed at 10 mills per bushel." If adopted, this regulation would increase the mill levy assessed to the wheat grower at the first point of sale from 7 mills per bushel to 10 mills (one cent per bushel). The wheat promotion levy is used to fund research and market development efforts on behalf of Kansas wheat farmers. Kansas is looked to for leadership in wheat and expected to lead in wheat research and market development, yet has fallen far behind other states and regions in terms of per bushel investment in these programs.

Based on current conditions, a yield estimate on the low side of average is reasonable for 1996. For discussion purposes, a ratio of 1 mill to \$300,000 for the 1996 harvest seems reasonable. An increase of more than 2 mills (\$600,000) is needed just to replenish carryover and budget cuts of this past year. An additional mill, or a 3 mill increase, is necessary to restore program levels in international promotion, maintain domestic promotion and provide needed support in research of new varieties and new uses for wheat.

David E. Frey  
Acting Administrator

Doc. No. 017284

## State of Kansas

## Pooled Money Investment Board

## Notice of Meeting

The Pooled Money Investment Board will meet at 1 p.m. Wednesday, February 21, in the State Treasurer's Office, Conference Room 203, Landon State Office Building, 900 S.W. Jackson, Topeka. All meetings of the board are open to the public. For more information, contact Diane Gates at (913) 296-3372.

Sally Thompson  
Chair

Doc. No. 017271

## State of Kansas

## Department of Transportation

## Notice to Consulting Engineers

Consultant engineering firms not currently qualified who would like to be qualified to perform engineering services for the Kansas Department of Transportation are requested to submit information to KDOT.

To become qualified, firms should request a DOT Form No. 1050, "Consulting Engineer Qualification Questionnaire," from Neil R. Rusch, P.E., Assistant to the Director, Division of Engineering and Design, Kansas Department of Transportation, Room 1084-West, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612. Seven signed copies of this form must be returned to the address above by March 11.

E. Dean Carlson  
Secretary of Transportation

Doc. No. 017285

## State of Kansas

Department of Administration  
Division of Purchases

## Notice to Bidders

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

Monday, February 26, 1996

31574 Rebid

Department of Wildlife and Parks—Heavy equipment work (Cheyenne Bottoms Wildlife Area)

31640

Department of Wildlife and Parks—Grass planting services (Glen Elder Public Lands)

31641

University of Kansas Medical Center—High efficiency air filters

03303

Pittsburg State University—Bleacher repair

03304

Department of Transportation—Steel delineator posts, Salina and Chanute

03305  
 Department of Wildlife and Parks—Construct distribution structure

03331  
 Winfield State Hospital—Furnish and install pump assembly

03332  
 Department of Administration, Division of Facilities Management—Tree removal and repair

Tuesday, February 27, 1996

31646  
 Statewide—Electric powered hand tools

31647  
 University of Kansas Medical Center—Medical gases (Class 04)

03302  
 Fort Hays State University—Unix server (DEC Alpha 2100 4/233)

03306  
 Pittsburg State University—Gas forklift

03307  
 Kansas Correctional Industries (Federal Surplus Property) and Department of Transportation—Automobiles, Topeka

03308  
 Department of Transportation—Crushed limestone rock, Winfield

03330  
 Wichita State University—Playground material (recycled tires)

Wednesday, February 28, 1996

A-7344(b)  
 Department of Corrections, Hutchinson Correctional Facility—Pave service roads and parking lots, Phase II

03311  
 Department of Transportation—Mower parts, various locations

03318  
 Pittsburg State University—Compact tractor

03319  
 Department of Transportation—Standby generator, various locations

03320  
 Department of Transportation—Portable electric generators, various locations

Thursday, February 29, 1996

31638  
 Statewide—Canned goods

03301  
 University of Kansas—Ultraviolet-visible spectrophotometer

03312  
 Kansas State University—Cooling tower pumps

03321  
 Lansing Correctional Facility—Hollow metal window frames

Friday, March 1, 1996

31639  
 Statewide—April (1996) meat products

03339  
 Department of Transportation—Pickup truck, Hutchinson and Salina

03340  
 Kansas Correctional Industries—Furnish and install air conditioning equipment

03344  
 University of Kansas Medical Center—Oscillatory lung ventilator

03345  
 Department of Transportation—Asphalt paving, Louisburg

03349  
 Pittsburg State University—Nonhighway enclosed van

Tuesday, March 5, 1996

A-7547, A-7756  
 University of Kansas—Reroof various buildings, Lippincott Hall and Blake Hall

A-7761  
 University of Kansas—Masonry repair, east wall, east wing of Murphy Hall

03328  
 Department of Health and Environment—Reclamation of West Union Cemetery, Crawford County

Wednesday, March 6, 1996

A-7721  
 Youth Center at Topeka—Remodel auditorium/gymnasium

A-7815  
 Department of Social and Rehabilitation Services—Replacement of fan coil units, Phase II, Chanute

Thursday, March 7, 1996

A-7788  
 Department of Transportation—Metal storage building, District Three, Norton

Monday, March 18, 1996

31648  
 Department of Wildlife and Parks—Agricultural lease, Francis Wachs Wildlife Area

31650  
 Department of Wildlife and Parks—Agricultural lease, Copan Wildlife Area

\*\*\*\*\*

Request for Proposals

Monday, February 26, 1996

03329  
 Vehicle tracting system for the Kansas Highway Patrol

Thursday, February 29, 1996

31645  
 Drycleaning facility release for the Department of Health and Environment

31662  
 Strategic information management plan for the Department of Administration

Tuesday, March 12, 1996

31644  
 Utilization and peer review for the Department of Human Resources

John T. Houlihan  
Director of Purchases

Doc. No. 017294

## State of Kansas

## State Corporation Commission

## Notice of Motor Carrier Hearings

Applications set for hearing are to be heard at 9:30 a.m. March 5 before the State Corporation Commission, 1500 S.W. Arrowhead Road, Topeka.

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

Questions concerning applications for hearing dates should be addressed to the State Corporation Commission, 1500 S.W. Arrowhead Road, Topeka, 66604-4027, (913) 271-3196 or 271-3146. Anyone needing special accommodations should give notice to the commission 10 days prior to the scheduled hearing date.

Your attention is invited to Kansas Administrative Regulation 82-1-228, "Rules of Practice and Procedure Before the Commission."

\*\*\*\*\*

## Applications set for March 5, 1996

## Re-Noticed Application for Certificate of Public Service:

Tom Alexander, dba ) Docket No. 193,640 M  
Alexander Trucking )  
202 N. Pine )  
Mullinville, KS 67109 ) MC ID No. 152656

Applicant's Attorney: None

*General commodities (except household goods, classes A and B explosives and hazardous materials),*

Between all points and places in the State of Kansas.

\*\*\*\*\*

## Application for Contract Carrier Permit:

Robert L. Anderson ) Docket No. 193,915 M  
6934 S.W. Montara Parkway )  
Topeka, KS 66619 ) MC ID No. 152675

Applicant's Attorney: None

*Newspapers,*

Between all points and places in the State of Kansas. Under contract with Wichita Eagle and Beacon Publishing Co., Inc., Wichita, KS.

\*\*\*\*\*

## Application for Certificate of Public Service:

Rita L. Baker, dba ) Docket No. 193,196 M  
Henderson Farms )  
Route 2, Box 18A )  
Carbondale, KS 66414 ) MC ID No. 152942

Applicant's Attorney: Clyde Christey, Southwest Plaza Bldg., Suite 124, 3601 W. 29th, Topeka, KS 66614

*General commodities (except household goods and hazardous commodities),*

Between all points and places in the State of Kansas.

\*\*\*\*\*

## Application for Extension of Certificate of Public Service:

Stephen Beckley, dba ) Docket No. 160,034 M  
Beckley Trucking )  
Route 1, Box 73 )  
Atwood, KS 67730-9739 ) MC ID No. 104642

Applicant's Attorney: None

*General commodities (except household goods and hazardous materials),*

Between all points and places in the State of Kansas.

\*\*\*\*\*

## Application for Certificate of Public Service:

James W. Chancellor, dba ) Docket No. 193,912 M  
J & B Farms )  
7220 N.E. 156th )  
Smithville, MO 64089-8865 ) MC ID No. 152672

Applicant's Attorney: None

*General commodities (except household goods),*

Between all points and places in the State of Kansas.

\*\*\*\*\*

## Application for Abandonment of Contract Carrier Permit:

Rose Henning, dba ) Docket No. 182,942 M  
Henning Trucking )  
Route 2, Box 8981 )  
Kingman, KS 67068 ) MC ID No. 145018

Applicant's Attorney: None

\*\*\*\*\*

## Application for Certificate of Public Service:

L & L Transport, Inc. ) Docket No. 189,988 M  
10039 S.W. 10th )  
Topeka, KS 66615 ) MC ID No. 150362

Applicant's Attorney: None

*General commodities (except classes A and B explosives, household goods and hazardous materials),*

Between all points and places in the State of Kansas.

\*\*\*\*\*

## Application for Contract Carrier Permit:

William F. Nigg ) Docket No. 193,913 M  
5111 N. Hoover )  
Wichita, KS 67205 ) MC ID No. 152673

Applicant's Attorney: None

*Newspapers,*

Between all points and places in the State of Kansas. Under contract with the Wichita Eagle, Wichita, Kansas.

\*\*\*\*\*

## Application for Certificate of Public Service:

P.D.Q. Delivery Service, Inc., ) Docket No. 193,914 M  
dba )  
Instant Delivery )  
3130 S. 24th ) MC ID No. 152674  
Kansas City, KS 66106

Applicant's Attorney: Alex Lewandowski, 4420 Madison Ave., Kansas City, MO 64111

*General commodities (except household goods and hazardous materials),*

Between all points and places in the State of Kansas.

\*\*\*\*\*

**Application for Certificate of Public Service:**

Rodney A. and Leslie A. ) Docket No. 192,192 M  
 Simonsen, dba )  
 Simag )  
 741 N. Cedar ) MC ID No. 151745  
 Red Cloud, NE 68970 )

Applicant's Attorney: None

*General commodities (except household goods and hazardous materials),*

Between all points and places in the State of Kansas.

\*\*\*\*\*

**Application for Extension of Certificate of Public Service:**

Mark A. Trummel, dba ) Docket No. 193,907 M  
 Trummel Harvesting )  
 206 N. Walnut )  
 Greensburg, KS 67054 ) MC ID No. 152667

Applicant's Attorney: None

*General commodities (except household goods and hazardous materials),*

Between all points and places in the State of Kansas.

\*\*\*\*\*

**Application for Certificate of Public Service:**

Van Waters & Rogers, Inc. ) Docket No. 62,085 M  
 6100 Carillon Point )  
 Kirkland, WA 98033 ) MC ID No. 107528

Applicant's Attorney: Michael Stecher, Silver, Rosen, Fischer & Stecher, 88 Kearny St., Suite 1500, San Francisco, CA 94108

*General commodities, including hazardous materials as defined in 49 CFR 171 (except household goods),*

Between all points and places in the State of Kansas.

\*\*\*\*\*

**Application for Certificate of Public Service:**

Brad Wimberly, dba ) Docket No. 193,910 M  
 B.A.W. Trucking )  
 Route 1, Box 62 )  
 Mayfield, KS 67103 ) MC ID No. 152670

Applicant's Attorney: Clyde Christey, Southwest Plaza Bldg., Suite 124, 3601 W. 29th, Topeka, KS 66614

*General commodities (except household goods and hazardous materials),*

Between all points and places in the State of Kansas.

\*\*\*\*\*

**Application for Certificate of Public Service:**

Donald J. Wonser, dba ) Docket No. 193,911 M  
 S & J Trucking )  
 1204 N. Olive )  
 Leon, KS 67074 ) MC ID No. 152671

Applicant's Attorney: None

*General commodities (except household goods and hazardous materials),*

Between all points and places in the State of Kansas.

\*\*\*\*\*

Don Carlile  
 Administrator  
 Transportation Division

Doc. No. 017292

State of Kansas

**Real Estate Commission**

**Notice of Hearing on Proposed Administrative Regulations**

A public hearing will be conducted at 9 a.m. Thursday, April 18, in the conference room in the office of the Kansas Real Estate Commission, Three Townsite Plaza, Suite 200, 120 S.E. 6th Ave., Topeka, to consider the adoption of a proposed rule and regulation.

This 60-day notice of public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed regulation. All interested parties may submit written comments prior to the hearing to the Kansas Real Estate Commission, Three Townsite Plaza, Suite 200, 120 S.E. 6th Ave., Topeka, 66603-3511. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulation 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 regulation is proposed for adoption on a permanent basis. A summary of the regulation and its economic impact follows.

**K.A.R. 86-1-5.** The amendment increases fees for original salesperson's licenses and renewal of salesperson's licenses from \$30 to \$40 (based on an annual amount) and for original broker's licenses and renewal of broker's licenses from \$50 to \$62.50 (based on an annual amount). Original licensure fees are prorated to the expiration date of the license.

The fiscal impact on applicants applying for original licenses will be an average of \$10 per salesperson applicants and \$12.50 for broker applicants. The fiscal impact for a two-year renewal license will be \$20 for salespersons and \$25 for brokers. Anticipated revenues from the fee increase for FY 1997 will be \$111,560 to the agency and \$27,890 to the state general fund.

Copies of the regulation and the economic impact statement may be obtained from the Kansas Real Estate Commission, (913) 296-3411.

Jean Duncan  
 Director

Doc. No. 017269

## State of Kansas

## Office of the Governor

## Executive Order No. 96-1

**Implementing the Governor's Public Trust Initiative  
by Establishing a Code of Conduct  
for Certain State Officers and Employees**

WHEREAS, when Kansans believe in the fairness and integrity of state government, the governmental process is vested with greater credibility and purpose; and

WHEREAS, primary responsibility for maintaining high standards of conduct rests with those who hold positions of public trust within government; and

WHEREAS, even the appearance of favoritism or special treatment undermines the public's trust in its government officials;

NOW, THEREFORE, by the authority vested in me as Governor of the State of Kansas, I hereby implement the Public Trust Initiative by establishing the Governor's Code of Conduct for certain state officers and employees. This order is effective immediately.

1. **PURPOSE.** The purpose of this code is to strengthen public trust and confidence in state government by maintaining standards of conduct worthy of that trust.

2. **SCOPE.** This code shall apply to the Governor; the Governor's spouse; the Governor's Office staff; cabinet officers; unclassified employees whose salaries are subject to the Governor's approval pursuant to K.S.A. 75-2935b and amendments thereto; and members of executive branch state boards, commissions and authorities who receive compensation in excess of the nominal amounts provided in K.S.A. 75-3223 or similar statutes. The code supplements and is in addition to existing ethics statutes and regulations.

3. **STANDARDS**

A. **GIFTS.** No one to whom this code applies may solicit or accept any gift, economic opportunity, loan, gratuity, special discount or service provided because of such person's official position, except:

(i) a gift worth less than \$40 given at a ceremony or public function where the person is accepting the gift in his or her official capacity; or

(ii) gifts from relatives, or gifts from personal friends when it is obvious to the person that the gift is not being given because of the person's official position; or

(iii) anything of value received by the person on behalf of the state that inures to the benefit of the state or that becomes the property of the state.

B. **MEALS.** No one to whom this code applies may solicit or receive free or special discount meals from a source outside of state government, except as provided below.

(i) The purpose of this section of the code is to avoid the use of providing meals as a pretext for exclusive or nearly exclusive access to those engaged in the formulation and implementation of public policy. The code does not prohibit a person

from accepting meals the provision of which is motivated by a personal or family relationship or at events which are widely attended. An occasion is widely attended when it is obvious to the person that the reason for providing the meal is not exclusive or nearly exclusive access to the person. Further, this portion of the code does not apply to public events in which the person is attending in an official capacity.

(ii) This portion of the code is intended to prevent the purchase of access. Nothing in the code prohibits the person from accepting modest items of food such as soft drinks, coffee or snack foods not offered as part of a meal.

C. **TRAVEL.** No one to whom this code applies may solicit or receive free or special discount travel or related expenses from a source outside state government, except:

(i) when it is obvious to the person that the free or special discount travel and related expenses are not being provided because of the person's official position; or

(ii) when the person's presence at a meeting, seminar or event serves a legitimate state purpose or interest and the person's agency authorizes or would be willing to pay for such travel and expenses.

D. **ENTERTAINMENT.** No one to whom this code applies may solicit or receive free or special discount tickets or access to entertainment or sporting events or activities such as plays, concerts, games, golf, exclusive swimming, hunting or fishing or other recreational activities when the free or special discount tickets or access are provided because of the person's official position.

This provision does not apply to persons whose official position requires or obliges them to be present at such events or activities.

4. **VIOLATIONS.** Willful violations of this code shall be considered personal conduct detrimental to the state service and shall provide a basis for disciplinary employment actions taken against the person, subject to applicable state law.

This document shall be filed with the Secretary of State as Executive Order 96-1 and shall be effective immediately. Upon filing with the Secretary of State, this order rescinds Executive Order 83-62.

Dated February 2, 1996.

Bill Graves  
Governor

Attest: Ron Thornburgh  
Secretary of State

Doc. No. 017277



State of Kansas

**Kansas Development Finance Authority**

**Notice of Change of Meeting Date**

The Kansas Development Finance Authority Board of Directors meeting scheduled for 9:30 a.m. Friday, June 7, has been changed to 9:30 a.m. Friday, June 14. For further information, contact the Kansas Development Finance Authority at (913) 296-6747.

Wm. F. Caton  
President

Doc. No. 017283

State of Kansas

**University of Kansas Medical Center**

**Notice to Bidders**

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

**Friday, March 1, 1996**  
**726229**  
LAN module data cabinets  
**726108A**  
Laminar air flow hood

Barbara Lockhart  
Purchasing Director

Doc. No. 017282

State of Kansas

**Legislature**

**Legislative Bills Introduced**

The following numbers and titles of bills and resolutions were recently introduced by the 1996 Kansas Legislature. Copies of bills and resolutions are available free of charge from the Legislative Document Room, 145-N, State Capitol, Topeka, 66612, (913) 296-4096.

**Bills introduced February 1-7:**

**House Bills**

**HB 2797**, by Committee on Local Government: An act concerning cities; relating to certain records; amending K.S.A. 12-120, 12-122 and 12-123 and repealing the existing sections.

**HB 2798**, by Committee on Local Government: An act repealing K.S.A. 12-142; concerning sales and excise taxes.

**HB 2799**, by Committee on Local Government: An act repealing K.S.A. 12-632 and 12-633; concerning grades of city streets and alleys.

**HB 2800**, by Committee on Local Government: An act repealing K.S.A. 12-1301, 12-1302, 12-1303 and 12-1304; concerning land for park purposes.

**HB 2801**, by Committee on Local Government: An act repealing K.S.A. 12-1704, 12-1705 and 12-1706; concerning the conveyance of certain property to patriotic corporations.

**HB 2802**, by Committee on Local Government: An act repealing K.S.A. 12-665 and 12-666; relating to the oiling and cleaning of city streets.

**HB 2803**, by Committee on Taxation: An act amending the homestead property tax refund act; indexing maximum refund amounts; amending K.S.A. 1995 Supp. 79-4509 and repealing the existing section.

**HB 2804**, by Committee on Taxation: An act relating to sales taxation; exempting sales to and by parent-teacher associations and organizations therefrom; amending K.S.A. 1995 Supp. 79-3606 and repealing the existing section.

**HB 2805**, by Committee on Taxation: An act relating to sales taxation; exempting sales by members of the girl scouts of America therefrom; amending K.S.A. 1995 Supp. 79-3606 and repealing the existing section.

**HB 2806**, by Committee on Taxation: An act relating to sales taxation; concerning exemption of political subdivisions therefrom; amending K.S.A. 1995 Supp. 79-3606 and repealing the existing section.

**HB 2807**, by Committee on Taxation: An act relating to sales taxation; concerning the definition of selling price regarding sales of motor vehicles; amending K.S.A. 1995 Supp. 79-3602 and repealing the existing section.

**HB 2808**, by Committee on Local Government: An act concerning rewards for information related to criminal acts; amending K.S.A. 12-1672a and repealing the existing section.

**HB 2809**, by Representatives Crabb, Goossen, Samuelson and Wempe: An act relating to counties; concerning the disposition of certain fines for vehicular size and weight violations; amending K.S.A. 1995 Supp. 8-1901 and repealing the existing section.

**HB 2810**, by Representative Weber: An act establishing an official state waltz.

**HB 2811**, by Representatives Packer and Hutchins: An act concerning counties; relating to county commissioner districts; amending K.S.A. 19-204 and repealing the existing section.

**HB 2812**, by Representative Flower: An act concerning municipalities; relating to charges for utility services; amending K.S.A. 12-631k, 12-693, 12-860 and 14-569 and repealing the existing sections.

**HB 2813**, by Committee on Health and Human Services: An act concerning the dental practices act; defining "proprietor"; providing for biennial issuance of licenses; concerning grounds for licensure actions; amending K.S.A. 65-1424, 65-1431, 65-1436, 65-1447 and 74-1404 and repealing the existing sections; also repealing K.S.A. 65-1463.

**HB 2814**, by Representatives Welshimer and Merritt and Miller, Powers and Pugh: An act concerning real estate transactions; relating to agency relationships; repealing the brokerage relationships in real estate transactions act; amending K.S.A. 1995 Supp. 58-3036, 58-3037, 58-3042, 58-3050, 58-3062, 58-3064, 58-3065, 58-3068 and 74-4202 and repealing the existing sections; also repealing K.S.A. 1995 Supp. 58-3035a, 58-3039a and 58-30,101 through 58-30,112.

**HB 2815**, by Representative Edmonds: An act concerning sale of medicines and drugs by vending machines; amending K.S.A. 65-650 and repealing the existing section.

**HB 2816**, by Representative Phil Kline: An act relating to architects; concerning the responsibility thereof; amending K.S.A. 75-1258 and repealing the existing section.

**HB 2817**, by Representatives Lawrence and McKechnie and Adkins, Alldritt, Allen, Ballard, Ballou, Becker, Beggs, Boston, Bradley, Bryant, Carmody, Compton, Cornfield, Correll, Cox, Crabb, Dawson, Dean, Dillon, Donovan, Edlund, Empson, Farmer, Feuerborn, Findley, Flaharty, Flora, Flower, Franklin, Freeborn, Garner, Gatlin, Geringer, Gilbert, Gilmore, Glasscock, Goodwin, Graeber, Grant, Gross, Haley, Hayzlett, Helgerson, Henderson, Henry, Hochhauser, Holmes, Horst, Howell, Hummerickhouse, Hutchins, Jennison, Jones, Kejr, King, Kirk, Phil Kline, Phill Kline, Krehbiel, Landwehr, Lane, Larkin, Lloyd, Long, Lowther, Luthi, Mason, Mayans, Mays, McClure, McKinney, Merritt, Miller, Minor, Mollenkamp, Morrison, Myers, Neufeld, B. Nichols, R. Nichols, O'Neal, Ott, Packer, Pauls, Pettey, Pottorff, Powers, Presta, Reardon, Reinhardt, Ruff, Samuelson, Sawyer, Shallenburger, Shore, Sloan, Smith, Snowbarger, Spangler, Standifer, Swenson, Tanner, Thimesch, Toelkes, Tomlinson, Toplikar, Vickrey, Wagle, Weber, Weiland, Wells, Welshimer, Wempe, Wilk, Wilson and Yoh: An act concerning military duty; requiring reemployment of certain persons called to duty by the state; providing remedies for violations.

**HB 2818**, by Committee on Transportation: An act relating to motor vehicles; providing for distinctive license plates for persons who are firefighters.

**HB 2819**, by Committee on Judiciary: An act concerning admissibility of report of forensic examiner at preliminary examination; amending K.S.A. 22-2902a and repealing the existing section.

**HB 2820**, by Committee on Education: An act concerning child care facilities established, operated and maintained by school districts; amending K.S.A. 1995 Supp. 72-8236 and repealing the existing section.

(continued)

**HB 2821**, by Committee on Education: An act concerning the Kansas school safety and security act; affecting definitions and provisions of policies required to be adopted by boards of education; amending K.S.A. 1995 Supp. 72-89b02 and 72-89b03, and repealing the existing sections.

**HB 2822**, by Committee on Education: An act concerning school districts; relating to the development and operation of early childhood education programs; imposing an excise tax on the furnishing of cable radio and television service in order to raise revenue for the funding of such programs.

**HB 2823**, by Committee on Taxation: An act relating to appointment of full-time county appraisers; amending K.S.A. 19-430 and repealing the existing section.

**HB 2824**, by Representatives Toelkes, Alldritt, Ballard, Beggs, Berton, Correll, Dean, Dillon, Empson, Feuerborn, Findley, Flaharty, Flora, Franklin, Gilbert, Glasscock, Goodwin, Graeber, Grant, Gross, Horst, Larkin, Lloyd, Luthi, Mason, Mays, Merritt, Minor, Ott, Packer, Pettey, Reardon, Reinhardt, Ruff, Sawyer, Shore, Sloan, Spangler, Tomlinson and Yoh: An act concerning adult care homes; restrictions on persons operating an adult care home or working or regularly volunteering at an adult care home.

**HB 2825**, by Committee on Economic Development: An act concerning Kansas, Inc. relating to the duties and organization thereof; amending K.S.A. 74-8003, 74-8006, 74-8007, 74-8009a, 74-8010 and 74-8011 and K.S.A. 1995 Supp. 74-8001, 74-8002, 74-8004 and 74-8005 and repealing the existing sections; and also repealing K.S.A. 74-8008.

**HB 2826**, by Committee on Economic Development: An act concerning electronic filing of business records.

**HB 2827**, by Committee on Economic Development: An act concerning vocational education instructional equipment aid; transferring administrative responsibilities therefor to the department of commerce and housing; amending K.S.A. 72-4436 and 72-4437 and repealing the existing sections.

**HB 2828**, by Representative Findley: An act relating to sales taxation; exempting sales of car washing services rendered through coin-operated devices; amending K.S.A. 1995 Supp. 79-3603 and repealing the existing section.

**HB 2829**, by Representatives Sloan and Tanner: An act concerning municipalities; relating to improvements and the financing thereof.

**HB 2830**, by Committee on Local Government: An act concerning bonds; relating to the sale thereof; amending K.S.A. 1995 Supp. 10-106 and repealing the existing section.

**HB 2831**, by Representative Toplikar: An act concerning libraries; relating to the governing body thereof; amending K.S.A. 12-1220, 12-1221, 12-1222, 12-1223, 12-1224, 12-1225 and 12-1226 and repealing the existing sections.

**HB 2832**, by Committee on Governmental Organization and Elections: An act concerning municipalities; relating to the consolidation of operations, procedures and functions; amending K.S.A. 12-3903 and repealing the existing section.

**HB 2833**, by Representatives Pettey, Adkins, Alldritt, Aurand, Ballard, Correll, Cox, Dean, Dillon, Empson, Feuerborn, Findley, Flaharty, Flora, Franklin, Gilbert, Goodwin, Gross, Haley, Hayzlett, Henderson, Henry, Horst, Howell, Kirk, Krehbiel, Larkin, Long, Luthi, McClure, Minor, Morrison, R. Nichols, Ott, Packer, Pauls, Powell, Powers, Presta, Reardon, Ruff, Samuelson, Sawyer, Sloan, Spangler, Standifer, Swenson, Toelkes, Tomlinson, Vickrey, Weiland, Wells, Wempe, Wilk, and Yoh: An act concerning crimes and punishment; relating to battery against a school employee.

**HB 2834**, by Representative Pettey: An act concerning bingo; relating to certain limits on games and prizes; amending K.S.A. 1995 Supp. 79-4706 and repealing the existing section.

**HB 2835**, by Representatives Aurand and Jennison: An act concerning school districts; authorizing the enrollment therein of nonresident pupils under certain circumstances; relating to transportation of such pupils to and from school; affecting the determination of transportation weighting and low enrollment weighting for finance purposes; amending K.S.A. 72-6411, 72-8302, 72-8303 and 72-8309, and K.S.A. 1995 Supp. 72-6412 and 72-6412a and repealing the existing sections.

**HB 2836**, by Committee on Appropriations: An act relating to per diem compensation for members of certain state boards and commissions; amending K.S.A. 75-3223 and repealing the existing section.

**HB 2837**, by Representative Wilk: An act concerning crimes and punishment; relating to traffic in contraband in correctional institutions; amending K.S.A. 21-3826 and repealing the existing section.

**HB 2838**, by Representatives Packer and Bradley, Hutchins, Kirk, Mays, R. Nichols and Toelkes: An act concerning crimes and punishments; defining and providing penalties for the crime of involuntary manslaughter while driving under the influence of alcohol or drugs; amending K.S.A. 21-3404, 21-4203, 21-4204 and 21-4711 and repealing the existing sections.

**HB 2839**, by Representative Packer: An act concerning annexation; relating to the powers and duties of the board of county commissioners; amending K.S.A. 1995 Supp. 12-521 and repealing the existing section.

**HB 2840**, by Representative Powers: An act concerning civil procedure; relating to costs in civil actions; amending K.S.A. 60-2003 and repealing the existing section.

**HB 2841**, by Representatives Swenson, Packer and Wilson and Ballou, Becker, Beggs, Benlon, Bradley, Bryant, Donovan, Empson, Farmer, Franklin, Freeborn, Hayzlett, Horst, Hutchins, Jennison, King, Phill Kline, Landwehr, Lawrence, Mayans, McKinney, Minor, Mollenkamp, Morrison, Myers, O'Connor, Powell, Powers, Shallenburger, Shore, Snowbarger, Tanner, Thimesch, Toplikar, Vickrey and Wagle: An act concerning the department of corrections; relating to disciplinary work action groups; amending K.S.A. 1995 Supp. 75-5211 and repealing the existing section.

**HB 2842**, by Representative Swenson: An act concerning civil procedure; relating to wrongful death; amending K.S.A. 60-1903 and repealing the existing section.

**HB 2843**, by Committee on Financial Institutions and Insurance: An act amending the uniform transfer on death security registration act; relating to certain definitions; amending K.S.A. 17-49a01 and repealing the existing section.

**HB 2844**, by Representative Benlon (By Request): An act amending the Kansas automobile injury reparations act; increasing minimum policy limitations; amending K.S.A. 40-3107 and repealing the existing section.

**HB 2845**, by Representative Wilson, Ballou, Becker, Carmody, Donovan, Franklin, Freeborn, Gilmore, Howell, Jones, Landwehr, Mayans, Minor, Myers, O'Connor, Packer, Powell, Reinhardt, Shallenburger, Snowbarger, Tanner, Tomlinson, Toplikar, Wagle, Weiland and Wilk: An act concerning crimes and punishment; relating to giving a worthless check; providing for administrative handling cost for collection of worthless checks; amending K.S.A. 21-3707 and repealing the existing section.

**HB 2846**, by Representative Swenson: An act amending the Kansas air quality act; concerning the impediment of traffic by smoke from open burnings; amending K.S.A. 1995 Supp. 65-3025 and 65-3026 and repealing the existing sections.

**HB 2847**, by Representative Swenson: An act concerning drug testing; relating to certain rules and regulations of the department of health and environment pertaining thereto; amending K.S.A. 1995 Supp. 65-1,107 and repealing the existing section.

**HB 2848**, by Representative Packer: An act concerning cities; relating to annexation.

**HB 2849**, by Committee on Agriculture: An act concerning animals; relating to brands; concerning infectious disease among domestic animals; relating to inspectors' appointments; concerning unlawful disposal of dead animals; amending K.S.A. 47-416, 47-417, 47-423, 47-429, 47-435, 47-1013 and 47-1219 and K.S.A. 1995 Supp. 47-635 and repealing the existing sections; also repealing K.S.A. 47-444.

**HB 2850**, by Representative Edmonds: An act relating to state governmental ethics; concerning lobbying and lobbyists; requiring certain reports; amending K.S.A. 46-269 and K.S.A. 1995 Supp. 46-268 and repealing the existing sections.

**HB 2851**, by Representative Edmonds: An act concerning the Kansas state high school activities association; revising the definition of activities; amending K.S.A. 72-133 and repealing the existing section.

**HB 2852**, by Representative Edmonds: An act establishing the Kansas state high school athletics association; providing for the governance, powers, duties and functions of the association; amending K.S.A. 72-132 and 72-133 and K.S.A. 1995 Supp. 72-130 and 72-134 and repealing the existing sections; also repealing K.S.A. 72-131.

**HB 2853**, by Representative Edmonds: An act relating to crimes and punishment; relating to criminal use of weapons; amending K.S.A. 21-4201 and repealing the existing section.

**HB 2854**, by Representatives Lowther, Adkins, Shore and Tomlinson: An act concerning school district finance; authorizing boards of education to adopt local option budgets; providing a procedure for authorization to increase such budgets; amending K.S.A. 1995 Supp. 72-6433 and repealing the existing section.

**HB 2855**, by Representatives Kejr, Ballou, Cornfield, Donovan, Edmonds, Farmer, Geringer, Gilmore, Graeber, Hayzlett, Howell, Jennison, Jones, Phill Kline, Landwehr, Long, Mayans, Mays, McClure, Merritt, Mollenkamp, Myers, Neufeld, O'Connor, Pauls, Powell, Ruff, Swenson, Thimesch, Toplikar, Vickrey, Weber, Wilson and Yoh: An act concerning school districts; providing for boards of education to authorize certificated employees to read and post certain documents on American history.

**HB 2856**, by Representatives Larkin, Alldritt, Feuerborn, Flora, Goodwin, Gross, Henry, Krehbiel, McClure, Mollenkamp, Sawyer, Thimesch and Wells: An act concerning agricultural corporations; relating to swine production facilities and dairy production facilities; amending K.S.A. 17-5904, 17-5907 and 17-5908 and repealing the existing sections.

**HB 2857**, by Committee on Education: An act concerning teachers; relating to hearings provided upon notice of nonrenewal or termination of contracts of employment; amending K.S.A. 72-5436, 72-5438, 72-5439, 72-5440, 72-5441, 72-5442, 72-5443 and 72-5446 and repealing the existing sections.

**HB 2858**, by Representative Garner: An act concerning crimes and punishment; relating to criminal use of weapons; amending K.S.A. 21-4201 and repealing the existing section.

**HB 2859**, by Representative Benlon: An act concerning crimes and punishment; relating to mitigating circumstances during sentencing; amending K.S.A. 21-4626, 21-4637, 21-4703 and 21-4716 and repealing the existing sections.

**HB 2860**, by Representative Swenson: An act concerning school districts; authorizing adoption by boards of education of teacher reimbursement plans; providing state aid to school districts which adopt such plans.

**HB 2861**, by Representatives O'Connor, Aurand, Donovan, Farmer, Graeber, Landwehr, Merritt, Powell and Wagle: An act enacting the Kansas parent control of education act; amending K.S.A. 1995 Supp. 72-1046a and 72-6407 and repealing the existing sections.

**HB 2862**, by Representative Reinhardt: An act relating to countywide retailers' sales tax; relating to the use of the proceeds thereof; amending K.S.A. 1995 Supp. 12-187 and 12-189 and repealing the existing sections.

**HB 2863**, by Representative Reinhardt: An act concerning countywide retailers' sales tax; relating to the use of the proceeds thereof; amending K.S.A. 1995 Supp. 12-187 and 12-189 and repealing the existing sections.

**HB 2864**, by Committee on Business, Commerce and Labor: An act concerning Kansas industries for the blind; amending K.S.A. 75-3317, 75-3320 and 75-3321 and repealing the existing sections.

**HB 2865**, by Representatives Edlund, Cox, Dillon, Haley, Long, Minor and Spangler: An act concerning crimes and punishments; relating to the criminal use of weapons; amending K.S.A. 21-4201 and repealing the existing section.

**HB 2866**, by Representatives Franklin and Gilmore, Adkins, Alldritt, Ballard, Ballou, Becker, Beggs, Benlon, Boston, Bradley, Bryant, Compton, Cornfield, Correll, Cox, Crabb, Dean, Dillon, Edlund, Empson, Farmer, Feuerborn, Findley, Flaharty, Flower, Freeborn, Gilbert, Glasscock, Goodwin, Graeber, Grant, Gross, Hayzlett, Helgerson, Henderson, Henry, Horst, Howell, Humerickhouse, Hutchins, Jones, King, Phill Kline, Landwehr, Larkin, Long, Luthi, Mason, Mayans, Mays, McClure, McKechnie, Minor, Mollenkamp, Myers, B. Nichols, O'Connor, O'Neal, Ott, Pauls, Pettey, Pottorff, Powers, Presta, Ruff, Sawyer, Shallenburger, Shore, Sloan, Snowbarger, Spangler, Standifer, Swenson, Tanner, Thimesch, Toelkes, Toplikar, Vickrey, Weber, Wells, Welshimer, Wempe, Wilk, Wilson and Yoh: An act concerning crimes and punishment; relating to rape; amending K.S.A. 21-3502 and repealing the existing section.

**HB 2867**, by Representative Helgerson: An act concerning the Kansas tort claims act; defining charitable health care provider; amending K.S.A. 1995 Supp. 75-6102 and repealing the existing section.

**HB 2868**, by Representative Haley: An act concerning elections; relating to advance voting; amending K.S.A. 1995 Supp. 25-1120 and repealing the existing section.

**HB 2869**, by Representative Haley: An act concerning the medical student loan act; prohibiting loan agreements thereunder; providing for expiration of the act and lapse of the medical student loan program; amending K.S.A. 1995 Supp. 76-380 and repealing the existing section.

**HB 2870**, by Representative Henry: An act designating the Topeka Shiner (*Notropis Topeka*, Gilbert) as the official state fish.

**HB 2871**, by Representative Haley: An act concerning the medical student loan act; affecting the definition of service commitment area;

relating to criteria for the award of a loan; amending K.S.A. 1995 Supp. 76-381 and 76-382 and repealing the existing sections.

**HB 2872**, by Representatives Horst, Pettey and Wagle: An act establishing the school district technology education incentive grant program; amending K.S.A. 1995 Supp. 79-4803 and repealing the existing section.

**HB 2873**, by Representatives Horst, Beggs and Pettey: An act concerning school district finance; authorizing the imposition of school district retailers' sales taxes for the purpose of financing technology education programs.

**HB 2874**, by Committee on Financial Institutions and Insurance: An act relating to insurance; concerning professional liability insurance for teachers or law enforcement officers.

**HB 2875**, by Representatives Gilmore, Becker, Carmody, Cornfield, Freeborn, Hayzlett, Horst, Howell, Kejr, King, Merritt, Mollenkamp, Myers, B. Nichols, O'Connor, Powell, Powers, Snowbarger, Vickrey and Wilson: An act concerning adoption; relating to adoptions in foreign countries; amending K.S.A. 59-2144 and K.S.A. 1995 Supp. 65-2423 and repealing the existing sections.

**HB 2876**, by Representatives Goodwin, Aurand, Ballou, Benlon, Flaharty, Franklin, Garner, Gilbert, Kirk, Landwehr, Ott, Pauls, Pettey, Ruff, Standifer, Tomlinson and Yoh: An act concerning crimes and punishment; relating to criminal trespass; amending K.S.A. 21-3721 and repealing the existing section.

**HB 2877**, by Representative Carmody: An act relating to state governmental ethics; concerning lobbyists and reports filed by lobbyists; amending K.S.A. 46-222 and 46-269 and repealing the existing sections.

**HB 2878**, by Representative Weber: An act concerning housing; relating to certain improvements to existing structures; amending K.S.A. 1995 Supp. 12-17,115, 12-17,116, 12-17,117, 12-17,118 and 79-32,176 and repealing the existing sections.

**HB 2879**, by Representative Toplikar: An act amending the Kansas and Missouri metropolitan culture district compact; amending K.S.A. 1995 Supp. 12-2536 and 12-2539 and repealing the existing sections.

**HB 2880**, by Representative Franklin: An act concerning school district finance; affecting the procedure for adoption by boards of local option budgets; amending K.S.A. 1995 Supp. 72-6433 and repealing the existing section.

**HB 2881**, by Representative Franklin: An act concerning school district finance; relating to determination of transportation weighting, low enrollment weighting and correlation weighting; requiring adoption of a certain plan for budgeting purposes; amending K.S.A. 72-6411 and K.S.A. 1995 Supp. 72-6407, 72-6412 and 72-6442 and repealing the existing sections.

**HB 2882**, by Representative Garner: An act concerning leases of office and storage space for state agencies; prescribing certain competitive bidding and bid award procedures therefor; amending K.S.A. 75-3739 and repealing the existing section.

**HB 2883**, by Representatives Ballard, Alldritt, Allen, Ballou, Benlon, Bradley, Compton, Correll, Cox, Dean, Dillon, Empson, Findley, Flora, Garner, Gilbert, Glasscock, Goodwin, Grant, Haley, Henderson, Henry, Hochhauser, Horst, Kirk, Krehbiel, Larkin, Long, Lowther, Luthi, Mays, McClure, McKechnie, R. Nichols, Packer, Pauls, Pettey, Pottorff, Ruff, Samuelson, Sawyer, Smith, Standifer, Toelkes, Tomlinson, Toplikar, Weber, Wells, Welshimer, Wempe and Yoh: An act concerning the extending of the neighborhood improvement and youth employment act; repealing K.S.A. 1995 Supp. 44-1408.

**HB 2884**, by Representatives R. Nichols, Alldritt, Ballard, Bradley, Dean, Findley, Flora, Flower, Goodwin, Hutchins, Kirk, Mays, Pettey, Reardon, Ruff, Sawyer, Spangler, Toelkes and Welshimer: An act concerning salaries and compensation for state officers and employees; making appropriations for the fiscal year ending June 30, 1997; amending K.S.A. 1995 Supp. 46-137a, 46-137b, 75-3111a and 75-3120f and repealing the existing sections.

**HB 2885**, by Representatives Hayzlett and Aurand, Ballou, Beggs, Bryant, Cornfield, Dawson, Donovan, Farmer, Horst, Howell, Hutchins, Jennison, Jones, Kejr, King, Landwehr, Lawrence, Lloyd, Mayans, Merritt, Mollenkamp, Morrison, Myers, Neufeld, O'Connor, Ott, Packer, Powell, Pugh, Shore, Snowbarger, Tanner, Toplikar, Weber and Yoh: An act providing for licensure to carry certain concealed weapons; prohibiting certain acts and prescribing penalties for violations; amending K.S.A. 21-4201 and repealing the existing section.

**HB 2886**, by Representative Dawson: An act concerning the Kansas police and firemen's retirement system; relating to elections by certain members; amending K.S.A. 74-4955a and repealing the existing section.

(continued)

**HB 2887**, by Representatives Merritt, Hayzlett, Jennison, Reardon, Sawyer, Shallenburger, Snowbarger, Wagle: An act relating to state governmental ethics; amending 46-233, 46-235, 46-242 and 46-246a and repealing the existing sections.

**HB 2888**, by Representatives Krehbiel and McKechnie, Sawyer, Shore, Sloan and Toplikar: An act concerning high school athletics sponsored by the Kansas state high school activities association.

**HB 2889**, by Representatives Dean, Flora, Gilbert, Hochhauser, Pauls, Ruff, Sawyer, Spangler, Toelkes and Welshimer: An act concerning employment contracts; relating to terms implied therein.

**HB 2890**, by Representatives Dean, Ballard, Findley, Flora, Gilbert, Haley, King, Kirk, Mason, R. Nichols, Pauls, Pettey, Powers, Ruff, Sawyer, Spangler, Swenson, Toelkes, Wells and Welshimer: An act concerning the minimum wage and maximum hours law; amending K.S.A. 44-1203 and repealing the existing section.

**HB 2891**, by Representatives Yoh, Ballard, Ballou, Becker, Franklin, Goodwin, Grant, Haley, Henderson, Horst, Humerickhouse, Jones, Landwehr, Merritt, Morrison, Myers, B. Nichols, Pettey, Spangler, Swenson and Wilson: An act concerning school districts; authorizing suspension or revocation of pupil transportation privileges or entitlements under certain circumstances; amending K.S.A. 72-8302 and repealing the existing section.

**HB 2892**, by Representatives R. Nichols, Bradley, Flora, Grant, Hutchins, Kirk, Mays, Packer and Toelkes: An act rejecting the recommendations of the hospital closure commission that Topeka state hospital be closed.

**HB 2893**, by Representatives R. Nichols, Ballard, Dillon, Edlund, Flora, Garner, Gilbert, Haley, Henderson, Kirk, Long, Luthi, McKechnie, Reardon, Ruff, Sawyer, Toelkes and Wells: An act establishing the advisory commission on African-American affairs; composition thereof; election of officers; powers and duties.

**HB 2894**, by Representatives R. Nichols, Dean, Dillon, Edlund, Flora, Garner, Henderson, Kirk, Long, Pettey, Reardon, Ruff, Spangler, Toelkes and Wells: An act concerning the minimum wage and maximum hours law; amending K.S.A. 44-1203 and repealing the existing section.

**HB 2895**, by Representatives R. Nichols and Flora, Garner, Kirk and Toelkes: An act concerning firearms; requiring certain criminal history record checks before certain transfers or sales; providing for amendment of criminal history records under certain circumstances; prohibiting certain acts and providing penalties for violations.

**HB 2896**, by Representatives Landwehr and Ballou, Aurand, Dean, Farmer, Gilbert, Gilmore, Jones, Mason, Mayans, Merritt, Ott, Powell, Toplikar, Wagle and Yoh: An act providing educational benefits for dependents of deceased public safety officers.

**HB 2897**, by Representatives Landwehr, Cornfield, Freeborn, Horst, Howell, Jones, King, Mayans, Myers, Ott, Samuelson, Snowbarger, Wagle and Welshimer: An act concerning setoffs against debtors; relating to child support owed; amending K.S.A. 1995 Supp. 75-6202, 75-6203, 75-6204, 75-6205, 75-6206, 75-6207, 75-6210, 75-6211, 75-6212 and 75-6214 and repealing the existing sections.

**HB 2898**, by Representatives Landwehr, Adkins, Goodwin, Hochhauser, Horst, King, Mayans, Myers, Ott, Pottorff, Samuelson, Toplikar and Welshimer: An act concerning civil procedure; relating to service of process; amending K.S.A. 60-303 and repealing the existing section.

**HB 2899**, by Representative Gilmore (By Request): An act concerning criminal procedure; relating to diversion and probation.

**HB 2900**, by Representatives Adkins, Shallenburger, Sawyer, O'Neal and Garner and Alldritt, Becker, Beggs, Benlon, Boston, Compton, Correll, Empson, Findley, Flora, Freeborn, Glasscock, Goodwin, Graeber, Grant, Haley, Henry, Horst, Humerickhouse, Kirk, Landwehr, Lane, Larkin, Lowther, Mays, McKechnie, R. Nichols, Ott, Packer, Pettey, Pottorff, Ruff, Spangler, Standifer, Swenson, Tanner, Toelkes, Tomlinson, Weiland, Wempe, Wilk, Wilson and Yoh: An act concerning juveniles; amending K.S.A. 10-1208, 20-302b, 21-2511, 21-3413, 21-3611, 21-3612, 21-3826, 22-4701, 28-170, 28-170a, 28-172b, 38-1506, 38-1507, 38-1507b, 38-1508, 38-1522, 38-1522, 38-1562, 38-1569, 38-1601, 38-1604, 38-1605, 38-1609, 38-1610, 38-1613, 38-1614, 38-1617, 38-1617, as amended by section 52 of this bill, 38-1618, 38-1618, as amended by section 54 of this bill, 38-1622, 38-1624, 38-1624, as amended by section 57 of this bill, 38-1626, 38-1632, 38-1633, 38-1636, 38-1637, 38-1638, 38-1639, 38-1640, 38-1653, 38-1656, 38-1657, 38-1658, 38-1661, 38-1662, 38-1665, 38-1666, 38-1672, 38-1674, 38-1681, 38-1682, 38-1691, 38-16,111, 38-16,116, 38-16,117, 38-16,118, 38-16,119, 38-16,120, 39-713c, 39-754, 39-756, 39-756a, 39-1301, 39-1302, 39-1303, 39-1307, 40-1909, 60-460, 65-1626, 72-978, 72-1111, 74-5344, 74-5363, 76-2101, 76-2101a, 76-2101b, 76-2111, 76-2112, 76-2125, 76-2128, 76-2201,

76-2201a, 76-2219 and 76-2220 and K.S.A. 1995 Supp. 8-237, 38-1502, 38-1528, 38-1602, 38-1602, as amended by section 38 of this bill, 38-1606a, 38-1607, 38-1607, as amended by section 43 of this bill, 38-1608, 38-1611, 38-1616, 38-1635, 38-1641, 38-1652, 38-1655, 38-1663, 38-1664, 38-1668, 38-1671, 38-1673, 38-1675, 38-1676, 38-1677, 38-1692, 38-1813, 39-708c, 39-709, 40-19a10, 40-19b10, 40-19c09, 40-19d10, 41-727, 65-516, 72-962, 72-1113, 74-7335, 74-8810, 74-9501, 75-3765, 75-5206, 75-5220, 75-5229, 75-7001, 75-7002, 75-7008, 75-7009, 76-375, 76-381, 76-12a21, 76-12a25 and repealing the existing sections; also repealing K.S.A. 38-1507a, 38-16,112, 75-3335, 75-3335a, 75-3336, 75-3336a, 76-12a18, 76-12a19, 76-2210 and 76-2211 and K.S.A. 1995 Supp. 76-12a20 and 76-12a21, as amended by section 138 of this bill.

**HB 2901**, by Representative Empson: An act concerning the employment security law; relating to school bus drivers; amending K.S.A. 1995 Supp. 44-703 and repealing the existing section.

**HB 2902**, by Representative Haley: An act concerning local government; relating to rehabilitation of abandoned structures; amending K.S.A. 1995 Supp. 12-1750, 12-1752, 12-1753, 12-1756a, 12-1756b, 12-1756c, 12-1756d, 12-1756e and 79-3102 and repealing the existing sections.

**HB 2903**, by Representative Haley: An act concerning real property; relating to transfer on death.

**HB 2904**, by Representatives Kirk, Bradley, Flora, Goodwin, Grant, Hutchins, Mays, R. Nichols, Spangler and Toelkes: An act concerning the Kansas public employees retirement system; relating to certain members who are laid off; affiliation of certain employers; vesting; participating service credit; amending K.S.A. 74-4910 and K.S.A. 1995 Supp. 74-4917 and repealing the existing sections.

**HB 2905**, by Representatives Kirk, Bradley, Flora, Goodwin, Grant, Mays, R. Nichols, Spangler and Toelkes: An act concerning training and retraining programs; relating to employees of closed institutions.

**HB 2906**, by Representatives Kirk, Bradley, Flora, Goodwin, Grant, Hutchins, Mays, R. Nichols, Spangler and Toelkes: An act concerning the closure of certain institutions; relating to compensation and benefits for certain laid off state officers and employees; prescribing procedures therefor.

**HB 2907**, by Representatives Kirk, Bradley, Flora, Goodwin, Grant, Hutchins, Mays, R. Nichols, Spangler and Toelkes: An act concerning the Kansas civil service act; relating to the closure, abolition or cessation of operations of certain institutions; prescribing certain procedures and preferences relating thereto.

**HB 2908**, by Representatives Snowbarger, Ballou, Becker, Cornfield, Crabb, Donovan, Edmonds, Farmer, Flower, Franklin, Hutchins, Landwehr, Mayans, Mays, Mollenkamp, B. Nichols, O'Connor, O'Neal, Powers, Pugh, Swenson, Tanner, Toplikar, Vickrey, Wagle and Weber: An act relating to property taxation; concerning certain mandated levy rates; amending K.S.A. 1995 Supp. 72-6431 and 79-5105 and repealing the existing sections.

**HB 2909**, by Representative Larkin: An act concerning livestock; relating to the ownership of cattle.

**HB 2910**, by Representatives Yoh, Alldritt, Ballou, Freeborn, Howell, Humerickhouse, Morrison, Swenson, Weiland and Wilson: An act concerning minors; relating to hotels renting rooms to minors; requiring parents to pay for damages; amending K.S.A. 1995 Supp. 38-120 and repealing the existing section.

**HB 2911**, by Representatives Yoh, Adkins, Cornfield, Donovan, Edmonds, Empson, Findley, Franklin, Gilbert, Gilmore, Glasscock, Goodwin, Haley, Henderson, Horst, Humerickhouse, Jones, Landwehr, Lloyd, Mason, Merritt, Morrison, O'Connor, Ott, Pettey, Powell, Powers, Swenson, Toplikar, Wagle and Welshimer: An act relating to property taxation; concerning the valuation of vessels.

**HB 2912**, by Representatives Yoh, Ballou, Franklin, Freeborn, Goodwin, Grant, Haley, Henderson, Horst, Howell, Humerickhouse, Jones, Merritt, Morrison, Myers, Ott, Smith, Spangler and Swenson: An act concerning juveniles; relating to prosecution as adults and sentencing; amending K.S.A. 21-4603d and 38-1636 and repealing the existing sections.

**HB 2913**, by Representatives Benlon and Tomlinson, Adkins, Aurand, Ballard, Becker, Beggs, Bradley, Bryant, Carmody, Cornfield, Cox, Crabb, Farmer, Findley, Flower, Franklin, Gilbert, Haley, Henry, Horst, Humerickhouse, Hutchins, Jones, Krehbiel, Larkin, Long, Lowther, Mayans, Mays, McClure, McKechnie, Merritt, Minor, Mollenkamp, Morrison, B. Nichols, O'Connor, Packer, Reinhardt, Shore, Spangler, Swenson, Toplikar, Weiland, Wells, Wilson and Yoh: An act concerning school districts; authorizing boards of education to enter into meal service contracts with certain nonpublic schools and child-care institutions.

**HB 2914**, by Representatives Benlon, Adkins and Tomlinson: An act relating to sales taxation; exempting certain sales associated with educational institution functions; amending K.S.A. 1995 Supp. 79-3606 and repealing the existing section.

**HB 2915**, by Representative Lowther: An act concerning charter schools; revising certain statutory provisions relating to the establishment thereof; amending K.S.A. 1995 Supp. 72-1906, 72-1907, 72-1908 and 72-1909 and repealing the existing sections.

**HB 2916**, by Representatives Ballou and Mason, Becker, Gilmore, Landwehr, O'Connor, Tomlinson and Vickrey: An act relating to tattooing; licensure of tattoo artists; limitation on body piercing; amending K.S.A. 74-2701 and repealing the existing section.

**HB 2917**, by Representatives Edmonds and Aurand, Ballou, Cornfield, Hayzlett, Howell, Humerickhouse, Jennison, Kejr, Phill Kline, Mays, Minor, Mollenkamp, Myers, Neufeld, O'Connor, Packer, Shallenburger, Snowbarger and Swenson: An act concerning crimes and punishments; providing for imposition of the death penalty or a mandatory term of imprisonment for certain crimes under certain circumstances; amending K.S.A. 21-4622, 21-4623, 21-4624, 21-4625, 21-4631, 21-4634, 21-4635, 21-4636, 21-4641, 21-4706 and 22-3717 and repealing the existing sections; also repealing K.S.A. 21-3439.

**HB 2918**, by Representatives R. Nichols, Dean, Dillon, Edlund, Flora, Henderson, Kirk, Long, Reardon, Ruff, Sawyer and Toelkes: An act concerning economic development programs; relating to recoupment of economic development benefits; amending K.S.A. 74-5066 and 74-50,105 and K.S.A. 1995 Supp. 12-1742, 74-5089, 74-50,115, 74-50,131, 74-50,144, 74-50,151 and 79-32,153 and repealing the existing sections.

**HB 2919**, by Representatives Sawyer and Dean, Findley, Flora, Hochhauser, Kirk, Luthi, R. Nichols, Pettey and Toelkes: An act concerning employers' immunity for job references; repealing K.S.A. 1995 Supp. 44-119a.

**HB 2920**, by Representatives Findley, Dean, Flora, Garner, Hochhauser, Kirk, Luthi, R. Nichols, Ruff, Sawyer and Spangler: An act relating to election campaign finance; concerning reports filed by treasurers; amending K.S.A. 25-4148 and repealing the existing section.

**HB 2921**, by Representatives R. Nichols, Bradley, Flora, Grant, Hutchins, Kirk, Mays, Packer and Toelkes: An act concerning forfeiture; relating to forfeiting a vehicle involved in a violation of driving under the influence; amending K.S.A. 60-4104 and 60-4105 and K.S.A. 1995 Supp. 8-1567 and repealing the existing sections.

**HB 2922**, by Representatives R. Nichols, Bradley, Flora, Grant, Hutchins, Kirk, Mays, Packer and Toelkes: An act concerning driving; relating to a canceled or suspended license, driving under the influence and fleeing or attempting to elude a police officer; amending K.S.A. 1995 Supp. 8-262, 8-1567 and 8-1568 and repealing the existing sections.

**HB 2923**, by Representatives Flora, Ballard, Bradley, Findley, Grant, Henderson, Kirk, Mays, McClure, R. Nichols and Toelkes: An act concerning abandoned property; relating to the rehabilitation thereof; amending K.S.A. 1995 Supp. 12-1756a and 12-1756b and repealing the existing sections.

**HB 2924**, by Representative Alldritt: An act concerning state governmental ethics; relating to reports of expenditures by lobbyists; amending K.S.A. 46-269 and repealing the existing section.

**HB 2925**, by Representative Edlund: An act concerning crimes and punishments; relating to the criminal use of weapons; amending K.S.A. 21-4201 and repealing the existing section.

**HB 2926**, by Representatives Sawyer, Dean, Dillon, Findley, Flora, Garner, Gilbert, Hochhauser, Kirk, Long, R. Nichols, Pettey, Reardon, Ruff, Spangler, Thimesch, Toelkes and Wells: An act concerning property taxation; aggregate and fund levy limitations; amending K.S.A. 1995 Supp. 79-5038 and repealing the existing section.

**HB 2927**, by Representatives Sawyer, Findley, Flora, Garner, Hochhauser, Kirk, Luthi, R. Nichols, Toelkes and Welshimer: An act concerning the employment security law; relating to the definition of misconduct; amending K.S.A. 1995 Supp. 44-706 and repealing the existing section.

**HB 2928**, by Representatives Kirk, Bradley, Flora, Goodwin, Grant, Hutchins, Mays, R. Nichols, Spangler and Toelkes: An act concerning state governmental ethics; relating to contracts involving state officers and employees; prohibition on accepting certain private employment; exception for agency closures and budget reductions; amending K.S.A. 1995 Supp. 46-233 and repealing the existing section.

**HB 2929**, by Representative Wagle: An act designating English as the common language and requiring its use as the language of public record and public meetings.

**HB 2930**, by Representatives Goodwin, Ballard, Bradley, Dillon, Donovan, Edlund, Feuerborn, Flaharty, Flower, Gilbert, Grant, Humerickhouse, Hutchins, Jones, Kirk, Larkin, Long, Luthi, Mays, R. Nichols, Packer, Pauls, Pettey, Reinhardt, Ruff, Smith and Wells: An act concerning the Kansas public employees retirement system; relating to vesting; members who are laid off; amending K.S.A. 1995 Supp. 74-4917 and repealing the existing section.

**HB 2931**, by Representatives Landwehr, Adkins, Flaharty, Hochhauser, Horst, King, Mayans, Myers, Ott, Pottorff, Samuelson, Toplikar and Welshimer: An act concerning child support enforcement; amending K.S.A. 23-4,106 and 60-2404 and K.S.A. 1995 Supp. 60-1610 and 60-2403 and repealing the existing sections.

**HB 2932**, by Representatives Landwehr, Adkins, Benlon, Flaharty, Hochhauser, Horst, King, Mayans, Myers, Ott, Pottorff, Samuelson, Toplikar and Welshimer: An act concerning criminal procedure; relating to the payment of child support and employment as a condition of parole, probation and postrelease supervision; amending K.S.A. 21-4610 and 22-3717 and K.S.A. 1995 Supp. 75-5216 and repealing the existing sections.

**HB 2933**, by Representatives Landwehr, Adkins, Boston, Cornfield, Edmonds, Freeborn, Gilmore, Howell, Jones, King, Mason, Mayans, Myers, B. Nichols, Pottorff, Powell, Snowbarger, Toplikar and Wagle: An act concerning driving under the influence; relating to penalties thereof; amending K.S.A. 1995 Supp. 8-1567 and repealing the existing section.

**HB 2934**, by Representatives Helgerson and Dean, Feuerborn, Larkin, R. Nichols, Sawyer, Smith, Toelkes and Weiland: An act concerning long-term care services and other programs and services for the elderly; transferring certain programs and services from the department of social and rehabilitation services to the department on aging; prescribing powers, duties and functions for the secretary on aging and the secretary of social and rehabilitation services; prescribing certain budgeting procedures; amending K.S.A. 75-5902 and 75-5908 and repealing the existing sections.

**HB 2935**, by Representatives Sawyer, Dean, Flaharty, Flora, Gilbert, Goodwin, Hochhauser, Kirk, Krehbiel, Larkin, Luthi, R. Nichols, Pettey, Reardon, Ruff, Spangler, Toelkes and Welshimer: An act relating to income taxation; concerning the basis and rates thereof; amending K.S.A. 1995 Supp. 79-32,110 and repealing the existing section; also repealing K.S.A. 79-32,116, 79-32,118 and 79-32,121 and K.S.A. 1995 Supp. 79-32,119 and 79-32,120.

**HB 2936**, by Representatives Findley, Dean, Flora, Garner, Goodwin, Hochhauser, Luthi, R. Nichols, Pettey, Reinhardt, Sawyer, Spangler, Standifer and Toelkes: An act relating to sales taxation; concerning refunds thereof paid upon sales of food; amending K.S.A. 79-3635 and repealing the existing section.

**HB 2937**, by Representatives Dean, Flaharty, Flora, Gilbert, Henry, Larkin, Luthi, McKechnie, Pettey, Reardon, Ruff, Sawyer, Spangler, Toelkes and Wells: An act concerning school district finance; increasing base state aid per pupil; amending K.S.A. 1995 Supp. 72-6410 and repealing the existing section.

**HB 2938**, by Representatives Wagle, Ballou, Boston, Bradley, Carmody, Cornfield, Dean, Donovan, Edmonds, Farmer, Flower, Franklin, Freeborn, Gilmore, Graeber, Hayzlett, Henry, Howell, Hutchins, Jennison, Jones, Kejr, King, Phill Kline, Landwehr, Larkin, Lloyd, Mason, Mayans, Mays, McClure, McKinney, Merritt, Mollenkamp, Morrison, Myers, Neufeld, O'Connor, Pauls, Powell, Powers, Presta, Reardon, Reinhardt, Shallenburger, Shore, Snowbarger, Swenson, Tanner, Thimesch, Toplikar, Vickrey, Weber, Wilk, Wilson and Yoh: An act enacting the woman's-right-to-know act; establishing requirements for informed consent relating to abortions; providing penalties for violations; repealing K.S.A. 65-6706.

**HB 2939**, by Representative Adkins: An act concerning criminal procedure; relating to arrest powers; amending K.S.A. 22-2401a and repealing the existing section.

**HB 2940**, by Representatives Sawyer, Dean, Findley, Flora, Kirk, Krehbiel, Larkin, Long, Luthi, Pettey, Reardon, Ruff, Spangler, Toelkes and Wells: An act prohibiting reimbursement for certain out-of-state travel for legislators.

**HB 2941**, by Representative Pettey: An act concerning wildlife and parks; relating to park and recreation motor vehicle permits; amending K.S.A. 32-901 and repealing the existing section.

**HB 2942**, by Representatives Gilmore and Adkins, Ballard, Cornfield, Franklin, Freeborn, Phill Kline, Landwehr, B. Nichols, O'Connor, Powell, Toplikar, Wagle and Yoh: An act relating to income taxation; allow-

(continued)

ing the deduction of long-term care insurance premium costs; amending K.S.A. 1995 Supp. 79-32,117 and repealing the existing section.

**HB 2943**, by Representatives McKinney and Yoh and Alldritt, Correll, Garner, Goodwin, Henry, Humerickhouse, Jones, Luthi, Minor, Reinhardt, Smith, Thimesch, Weiland and Wempe: An act relating to the state health care benefits program; allowing certain employees of cities of third class to participate in such plan; amending K.S.A. 1995 Supp. 75-6506 and 75-6508 and repealing the existing sections.

**HB 2944**, by Representatives Kirk, Bradley, Flora, Goodwin, Grant, Mays, R. Nichols, Spangler and Toelkes: An act concerning the Kansas public employee retirement system; relating to certain members who are laid off; normal retirement date; state employees benefit program; amending K.S.A. 75-6501 and K.S.A. 1995 Supp. 74-4914 and repealing the existing sections.

**HB 2945**, by Representatives Yoh, Haley, Henry and Spangler: An act concerning the Kansas public employees retirement system; relating to prior service; purchase of additional benefits for certain persons.

**HB 2946**, by Representatives Franklin, Powers, Swenson, Tanner and Toplikar: An act concerning school districts; relating to accreditation, curriculum, pupil assessments; affecting composition of school site councils; requiring provision of certain information; amending K.S.A. 1995 Supp. 72-6439 and repealing the existing section.

**HB 2947**, by Representatives Powell, Aurand, Ballou, Howell, Jones, Landwehr, Mason, Mayans, B. Nichols, Ott, Packer, Pugh, Tanner, Toplikar, Wilk and Wilson: An act concerning juveniles; relating to prosecution as an adult; amending K.S.A. 1995 Supp. 38-1602 and repealing the existing section.

**HB 2948**, by Representatives Landwehr, Adkins, Benlon, Boston, Cornfield, Edmonds, Freeborn, Hochhauser, Horst, Howell, Jones, King, Mayans, Myers, Ott, Pottorff, Powell, Samuelson, Snowbarger, Toplikar, Wagle and Welshimer: An act concerning domestic disputes; relating to case management.

**HB 2949**, by Representatives Ballard, Findley, Freeborn, Garner, Goodwin, Grant, Horst, Kirk, R. Nichols, Pauls, Pettey, Toelkes and Yoh: An act enacting the partnership for prevention of teenage pregnancy act; establishing a teenage pregnancy prevention program; including teenage boys and teen fathers under such program; providing grants to local community agencies for teenage pregnancy prevention programs; providing for administration of act; establishing a council to assist in the administration and development of the program.

**HB 2950**, by Representatives Findley, Flora, Garner, Gilbert, Henry, Hochhauser, Kirk, Luthi, R. Nichols, Pauls, Ruff, Sawyer, Spangler, Welshimer and Wempe: An act relating to election campaign finance; providing campaign expenditure limitations for certain offices; waiving the payment of certain fees and prescribing certain penalties; amending K.S.A. 25-206 and 25-4153 and repealing the existing sections.

**HB 2951**, by Representatives McClure, Alldritt, Garner, Larkin, Lloyd and Weiland: An act concerning swine production facilities; relating to the issuance of bonds, grants, loans and programs; amending K.S.A. 74-5056, 74-5060, 74-5065 and 74-50,103 and K.S.A. 1995 Supp. 74-50,131, 74-50,151, 74-8902 and 74-8905 and repealing the existing sections.

**HB 2952**, by Representatives B. Nichols, Franklin, Landwehr and Wilson, Adkins, Aurand, Ballou, Becker, Beggs, Benlon, Boston, Bradley, Bryant, Compton, Cornfield, Cox, Donovan, Edmonds, Farmer, Flower, Geringer, Gilmore, Graeber, Haley, Hayzlett, Horst, Howell, Humerickhouse, Hutchins, Jennison, Jones, Kejr, King, Phill Kline, Lane, Lawrence, Lloyd, Mason, Mayans, Merritt, Mollenkamp, Morrison, Myers, Neufeld, O'Connor, O'Neal, Ott, Packer, Powell, Powers, Presta, Pugh, Shallenburger, Shore, Snowbarger, Swenson, Tanner, Thimesch, Toplikar, Wagle, Weber, Wilk and Yoh: An act making and concerning appropriations for the fiscal year ending June 30, 1997, for certain state agencies; authorizing certain transfers and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts and disbursements and acts incidental to the foregoing.

**HB 2953**, by Representative B. Nichols: An act concerning election campaign finance; relating to limitations on amounts of contributions; amending K.S.A. 25-4153 and repealing the existing section.

**HB 2954**, by Committee on Energy and Natural Resources: An act concerning water pollution prevention; amending K.S.A. 65-164 and 65-165 and K.S.A. 1995 Supp. 65-171d and repealing the existing sections; also repealing K.S.A. 65-171j.

**HB 2955**, by Committee on Energy and Natural Resources: An act concerning the secretary of health and environment; requiring publication of certain information and documents of the division of environment.

**HB 2956**, by Committee on Appropriations: An act concerning insurance; relating to the powers and duties of the commissioner of insurance; amending K.S.A. 40-110 and repealing the existing section.

**HB 2957**, by Select Committee on Developmental Disabilities: An act concerning social and rehabilitation services institutions and community care; communication; amending K.S.A. 76-12b01 and 76-12b11 and repealing the existing sections.

**HB 2958**, by Committee on Local Government: An act concerning the secretary of the department of human resources; relating to the powers and duties thereof; relating to the regulation of certain places of business; amending K.S.A. 44-636 and repealing the existing section.

**HB 2959**, by Committee on Education: An act relating to sales taxation; exempting therefrom certain sales of admissions; amending K.S.A. 1995 Supp. 79-3603 and repealing the existing section.

**HB 2960**, by Select Committee on Telecommunications: An act concerning telecommunications services; relating to resale thereof.

**HB 2961**, by Select Committee on Telecommunications: An act concerning telecommunications; relating to small telephone companies; establishing lifeline and universal service funds; amending K.S.A. 66-1,187 and repealing the existing section.

**HB 2962**, by Committee on Energy and Natural Resources: An act concerning certain standards and guidelines of the secretary of health and environment; requiring adoption by rules and regulations; amending K.S.A. 65-171h, 65-3006, 65-3010, 65-3016, 65-3308, 65-3309, 65-3310, 65-3311, 65-3405, 65-3410, 65-3424b, 65-3439, 65-3442, 65-3488 and 65-34,109 and K.S.A. 1995 Supp. 65-171d, 65-3005, 65-3027, 65-3406, 65-3407, 65-3409, 65-3415, 65-3431 and 65-3441 and repealing the existing sections.

**HB 2963**, by Committee on Energy and Natural Resources: An act concerning telecommunications; relating to the practice of slamming.

**HB 2964**, by Committee on Energy and Natural Resources: An act amending the Kansas emergency planning and community right-to-know act; providing for a statewide one-call reporting system; amending K.S.A. 65-5706 and repealing the existing section.

**HB 2965**, by Committee on Energy and Natural Resources: An act concerning public water supply systems; amending K.S.A. 65-171m and K.S.A. 1995 Supp. 65-163 and 65-163d and repealing the existing sections.

**HB 2966**, by Committee on Energy and Natural Resources: An act concerning certain limits on the aboveground petroleum storage tank release trust fund; amending K.S.A. 65-34,117 and repealing the existing section.

**HB 2967**, by Committee on Education: An act concerning school districts; affecting the determination of grants of state moneys for the provision of educational services for pupils at Flint Hills job corps center, in juvenile detention facilities, or at Forbes juvenile attention facility; amending K.S.A. 1995 Supp. 72-8187 and repealing the existing section.

**HB 2968**, by Committee on Appropriations: An act concerning longevity bonus payments for state officers and employees; amending K.S.A. 1995 Supp. 75-5541 and repealing the existing section.

**HB 2969**, by Committee on Appropriations: An act concerning salaries and compensation for certain state officers; amending K.S.A. 1995 Supp. 40-102, 46-137a, 46-137b, 75-3101, 75-3103, 75-3104, 75-3108, 75-3110 and 75-3111a and repealing the existing sections.

**HB 2970**, by Committee on Appropriations: An act concerning capital improvements for state agencies; making and concerning appropriations for the fiscal years ending June 30, 1996, June 30, 1997, June 30, 1998, June 30, 1999, June 30, 2000, and June 30, 2001, and authorizing certain financing for certain capital improvement projects for the Kansas department of agriculture, state fair board, department of social and rehabilitation services, Larned state hospital, Kansas state school for the blind, Kansas state school for the deaf, department of corrections, state historical society, insurance department, department of administration, department of commerce and housing, state board of regents, Fort Hays state university, Kansas state university, Kansas state university—Salina, college of technology, Emporia state university, Pittsburg state university, university of Kansas, university of Kansas medical center, Wichita state university, department of human resources, Kansas commission on veterans affairs, attorney general—Kansas bureau of investigation, Kansas highway patrol, adjutant general, department of wildlife and parks and Kansas state university—extension systems and agriculture research programs; authorizing the initiation and completion of certain capital improvement projects; and directing or authorizing certain disbursements and acts incidental to the foregoing; amending K.S.A. 76-6b02 and repealing the existing section.

**HB 2971**, by Committee on Governmental Organization and Elections: An act concerning the election of members of the boards of education; amending K.S.A. 25-2005, 25-2022a, 72-7903, 72-8001, 72-8002, 72-8003 and 72-8005 and repealing the existing sections.

**HB 2972**, by Committee on Local Government: An act repealing K.S.A. 19-1403a and 28-120; relating to certain county officers.

**HB 2973**, by Committee on Local Government: An act concerning county roads; relating to the powers and duties of the county engineer; amending K.S.A. 68-501 and repealing the existing section; also repealing K.S.A. 68-502, 68-504, 68-505, 68-508, 68-540 and 68-541.

**HB 2974**, by Committee on Local Government: An act repealing K.S.A. 68-128a; concerning certain roads through pasture lands.

**HB 2975**, by Committee on Local Government: An act repealing K.S.A. 68-151f and 68-571; concerning roads and bridges in certain routes.

**HB 2976**, by Committee on Local Government: An act concerning counties; relating to roads and bridges; amending K.S.A. 68-520 and K.S.A. 1995 Supp. 68-521 and repealing the existing sections.

**HB 2977**, by Committee on Local Government: An act concerning the marking of vehicles owned or leased by political subdivisions; amending K.S.A. 8-305 and repealing the existing section.

**HB 2978**, by Committee on Energy and Natural Resources: An act concerning permits for waste tire processing facilities; amending K.S.A. 65-3424b and repealing the existing section.

**HB 2979**, by Committee on Appropriations: An act concerning claims against the state; relating to reports to the legislature by the director of accounts and reports of certain claims; amending K.S.A. 46-925 and repealing the existing section.

**HB 2980**, by Committee on Local Government: An act concerning drainage districts; relating to the apportionment of certain costs; amending K.S.A. 24-628 and repealing the existing section.

**HB 2981**, by Committee on Financial Institutions and Insurance: An act concerning professional liability insurance for health care providers; relating to certain reports; amending K.S.A. 40-1128 and 40-1129 and K.S.A. 1995 Supp. 40-1126 and repealing the existing sections.

### House Resolutions

**HR 6005**, A resolution relating to the rules of the House of Representatives for the 1995-1996 biennium; amending Rule 103, relating to first business each legislative day.

**HR 6006**, A resolution in memory of Ambrose Dempsey.

### Senate Bills

**SB 575**, by Committee on Judiciary: An act concerning liens; relating to liens for materials and service; amending K.S.A. 58-201 and repealing the existing section.

**SB 576**, by Committee on Judiciary: An act requiring the establishment of school attendance review boards in school districts; providing for the powers and duties thereof.

**SB 577**, by Committee on Judiciary: An act concerning hospital liens; amending K.S.A. 65-406 and repealing the existing section.

**SB 578**, by Committee on Judiciary: An act concerning criminal procedure; relating to abatement of common nuisances; amending K.S.A. 22-3901 and repealing the existing section.

**SB 579**, by Committee on Local Government: An act concerning fire code inspections; relating to powers and duties of the fire marshal; amending K.S.A. 31-139 and repealing the existing section.

**SB 580**, by Senators Salisbury, Bond, Burke, Clark, Corbin, Downey, Feleciano, Gooch, Hardenburger, Harrington, Harris, Hensley, Jones, Jordan, Karr, Kerr, Langworthy, Lawrence, Lee, Martin, Moran, Morris, Oleen, Papay, Petty, Praeger, Ramirez, Ranson, Reynolds, Rock, Sallee, Steffes, Tillotson, Vancrum, Vidricksen, Walker and Wisdom: An act providing educational benefits for dependents of deceased law enforcement officers.

**SB 581**, by Committee on Federal and State Affairs: An act relating to the legislative coordinating council; concerning the membership thereof; amending K.S.A. 46-1201 and repealing the existing section.

**SB 582**, by Committee on Federal and State Affairs: An act concerning the Kansas commission on veterans affairs; relating to certain employees; amending K.S.A. 73-1210a and repealing the existing section.

**SB 583**, by Committee on Judiciary: An act concerning the Kansas juvenile offenders code; relating criteria for detention of juvenile in detention facility; amending K.S.A. 38-1640 and repealing the existing section.

**SB 584**, by Committee on Judiciary: An act concerning mediation; relating to confidentiality; amending K.S.A. 23-605, 44-817, 60-452a, 72-5427, 74-545 and 75-4332 and K.S.A. 1995 Supp. 5-512 and repealing the existing sections.

**SB 585**, by Committee on Judiciary: An act concerning crimes, criminal procedure and punishment; relating to certain reports and forms; information to sentencing commission and Kansas bureau of investigation; period of suspension of sentence, probation or assignment to community corrections; amending K.S.A. 21-4611, 21-4714, 22-3426 and 22-3426a and repealing the existing sections.

**SB 586**, by Senators Hensley and Petty: An act enacting the Kansas accountability in state government spending act.

**SB 587**, by Committee on Ways and Means: An act concerning the medical student loan act; criteria for awarding loans; amending K.S.A. 1995 Supp. 76-382 and repealing the existing section.

**SB 588**, by Committee on Ways and Means: An act concerning the university of Kansas medical center; constructing, repairing, remodeling and renovating buildings with private moneys; exemptions from certain statutory requirements; reviving and amending K.S.A. 1995 Supp. 76-833 and repealing the revived section.

**SB 589**, by Committee on Ways and Means: An act concerning state educational institutions under the control and supervision of the state board of regents; insurance for participation in study abroad programs; amending K.S.A. 76-749 and repealing the existing section.

**SB 590**, by Committee on Ways and Means: An act concerning the university of Kansas medical center; providing for the administration of the university of Kansas hospital depreciation reserve fund; crediting of interest earned to the fund.

**SB 591**, by Senator Reynolds: An act concerning cities and counties; relating to the consolidation of law enforcement; amending K.S.A. 19-4402 and 19-4403 and repealing the existing sections.

**SB 592**, by Senator Reynolds: An act concerning cities and counties; relating to the consolidation of law enforcement and police protection; amending K.S.A. 19-4425 and 19-4426 and repealing the existing sections.

**SB 593**, by Committee on Financial Institutions and Insurance: An act concerning social welfare; medical assistance provided by the state; right to coordinate benefits with a private carrier.

**SB 594**, by Senators Oleen, Bond, Corbin, Downey, Hensley, Jones, Langworthy, Martin, Papay, Praeger, Ranson, Reynolds and Tillotson: An act concerning docket fees; creating the Kansas endowment for youth trust fund and the Kansas trust fund for prevention of domestic violence; amending K.S.A. 20-367, 20-3129, 38-1511, 38-1613, 59-618a, 61-2501 and 61-2704 and K.S.A. 1995 Supp. 8-2107, 28-172a, 59-104 and 60-2001 and repealing the existing sections; also repealing K.S.A. 1995 Supp. 28-172c.

**SB 595**, by Senators Hensley and Karr: An act relating to concern fiscal emergencies caused by the failure to receive federal funds; authorizing certain allocations and expenditures from the state emergency fund and prescribing guidelines for the state finance council with respect thereto.

**SB 596**, by Senator Hensley: An act concerning the minimum wage and maximum hours law; amending K.S.A. 44-1203 and repealing the existing section.

**SB 597**, by Committee on Local Government: An act concerning sand products; relating to the distribution of the proceeds from the sale thereof; amending K.S.A. 1995 Supp. 82a-309 and repealing the existing section.

**SB 598**, by Senator Karr: An act concerning state agencies; relating to proposals to delegate services to the private sector.

**SB 599**, by Committee on Judiciary: An act concerning the Kansas guardianship program; relating to the probate code; amending K.S.A. 59-3009, 59-3014 and 59-3029 and K.S.A. 1995 Supp. 74-9602 and 74-9604 and repealing the existing sections.

**SB 600**, by Committee on Agriculture: An act concerning certain county elections and protest petitions; relating to the powers and duties of the board of county commissioners in relation thereto; amending K.S.A. 17-5907 and 17-5908 and repealing the existing sections.

**SB 601**, by Committee on Assessment and Taxation: An act relating to property taxation; concerning practices and procedures relating to clerical errors; amending K.S.A. 79-1701a and 79-1702 and repealing the existing sections.

**SB 602**, by Committee on Assessment and Taxation: An act relating to property taxation; concerning times of payment thereof; amending K.S.A. 12-1678a and K.S.A. 1995 Supp. 79-2004a, 79-2005 and 79-2101 and repealing the existing sections.

(continued)

**SB 603**, by Senator Rock and Petty: An act relating to insurance; certain medical conditions to be covered notwithstanding ERISA; amending K.S.A. 40-2,105 and repealing the existing section.

**SB 604**, by Senator Morris: An act concerning water pollution control; relating to swine confined feeding facilities; amending K.S.A. 1995 Supp. 65-166a and 65-171d and repealing the existing sections.

**SB 605**, by Senator Moran: An act concerning durable power of attorney; relating to civil cause of action; providing civil penalties.

**SB 606**, by Senator Lawrence: An act authorizing the establishment of state charter schools.

**SB 607**, by Senators Hensley, Petty and Salisbury: An act rejecting the recommendations of the hospital closure commission that Topeka state hospital be closed.

**SB 608**, by Senator Harris: An act concerning divorce; relating to grounds; amending K.S.A. 60-1601 and repealing the existing section.

**SB 609**, by Senators Jordan, Bond, Burke, Clark, Corbin, Emert, Feleciano, Hardenburger, Harrington, Harris, Kerr, Langworthy, Lawrence, Moran, Morris, Oleen, Papay, Parkinson, Praeger, Ramirez, Ranson, Reynolds, Salisbury, Sallee, Steffes, Tillotson and Vidricksen: An act concerning crimes and punishment; relating to rape; amending K.S.A. 21-3502 and repealing the existing section.

**SB 610**, by Senators Petty, Hensley, Rock, Salisbury and Walker: An act concerning state governmental ethics; relating to contracts involving state officers and employees; prohibition on accepting certain private employment; exception for agency closures and budget reductions; amending K.S.A. 1995 Supp. 46-233 and repealing the existing section.

**SB 611**, by Senator Vancrum: An act concerning child support; secretary of social and rehabilitation services; court trustees; amending K.S.A. 1995 Supp. 39-755 and repealing the existing section.

**SB 612**, by Senator Harris: An act providing for licensure to carry certain concealed weapons; prohibiting certain acts and prescribing penalties for violations; amending K.S.A. 21-4201 and repealing the existing section.

**SB 613**, by Senators Petty, Hensley, Rock and Walker: An act concerning training and retraining programs; relating to employees of closed institutions.

**SB 614**, by Senators Petty, Hensley, Rock and Walker: An act concerning the closure of certain institutions; relating to compensation and benefits for certain laid off state officers and employees; prescribing procedures therefor.

**SB 615**, by Senators Petty, Hensley, Rock and Walker: An act concerning the Kansas civil service act; relating to the closure, abolition or cessation of operations of certain institutions; prescribing certain procedures and preferences relating thereto.

**SB 616**, by Senators Petty, Hensley, Rock and Walker: An act concerning the Kansas public employees retirement system; relating to certain members who are laid off; affiliation of certain employers; vesting; participating service credit; amending K.S.A. 74-4910 and K.S.A. 1995 Supp. 74-4917 and repealing the existing sections.

**SB 617**, by Committee on Federal and State Affairs: An act concerning sand dredging; relating to dredging in and along certain portions of the Kansas river; amending K.S.A. 70a-102 and 82a-301 and repealing the existing sections.

**SB 618**, by Senators Bond, Burke, Clark, Emert, Feleciano, Hardenburger, Hensley, Kerr, Langworthy, Lawrence, Martin, Morris, Oleen, Papay, Petty, Praeger, Ramirez, Ranson, Reynolds, Salisbury, Sallee, Tillotson and Vidricksen: An act concerning juveniles; amending K.S.A. 10-1208, 20-302b, 21-2511, 21-3413, 21-3611, 21-3612, 21-3826, 22-4701, 28-170, 28-170a, 28-172b, 38-1506, 38-1507, 38-1507b, 38-1508, 38-1522, 38-1562, 38-1569, 38-1601, 38-1604, 38-1605, 38-1609, 38-1610, 38-1613, 38-1614, 38-1617, 38-1617, as amended by section 52 of this bill, 38-1618, 38-1618, as amended by section 54 of this bill, 38-1622, 38-1624, 38-1624, as amended by section 57 of this bill, 38-1626, 38-1632, 38-1633, 38-1636, 38-1637, 38-1638, 38-1639, 38-1640, 38-1653, 38-1656, 38-1657, 38-1658, 38-1661, 38-1662, 38-1665, 38-1666, 38-1672, 38-1674, 38-1681, 38-1682, 38-1691, 38-16,111, 38-16,116, 38-16,117, 38-16,118, 38-16,119, 38-16,120, 39-713c, 39-754, 39-756, 39-756a, 39-1301, 39-1302, 39-1303, 39-1307, 40-1909, 60-460, 65-1626, 72-978, 72-1111, 74-5344, 74-5363, 76-2101, 76-2101a, 76-2101b, 76-2111, 76-2112, 76-2125, 76-2128, 76-2201, 76-2201a, 76-2219 and 76-2220 and K.S.A. 1995 Supp. 8-237, 38-1502, 38-1528, 38-1602, 38-1602, as amended by section 38 of this bill, 38-1606a, 38-1607, 38-1607, as amended by section 43 of this bill, 38-1608, 38-1611, 38-1616, 38-1635, 38-1641, 38-1652, 38-1655, 38-1663, 38-1664, 38-1668, 38-1671, 38-1673, 38-1675, 38-1676, 38-1677, 38-1692, 38-1813, 39-708c, 39-709, 40-19a10, 40-19b10, 40-19c09, 40-19d10, 41-727, 65-516, 72-962,

72-1113, 74-7335, 74-8810, 74-9501, 75-3765, 75-5206, 75-5220, 75-5229, 75-7001, 75-7002, 75-7008, 75-7009, 76-375, 76-381, 76-12a21, 76-12a25 and repealing the existing sections; also repealing K.S.A. 38-1507a, 38-16,112, 75-3335a, 75-3335a, 75-3336, 75-3336a, 76-12a18, 76-12a19, 76-2210 and 76-2211 and K.S.A. 1995 Supp. 76-12a20 and 76-12a21, as amended by section 138 of this bill.

**SB 619**, by Committee on Judiciary: An act concerning the Kansas tort claims act; relating to exceptions from liability; amending K.S.A. 1995 Supp. 75-6104 and repealing the existing section.

**SB 620**, by Committee on Judiciary: An act concerning crimes and criminal procedure; relating to community corrections officers and directors; amending K.S.A. 21-3110 and 22-2202 and repealing the existing sections.

**SB 621**, by Committee on Energy and Natural Resources: An act concerning sand and gravel pits; relating to evaporation of water from such pits; amending K.S.A. 1995 Supp. 82a-734 and repealing the existing section.

**SB 622**, by Committee on Public Health and Welfare: An act concerning fire protection; creating the crime of failure to place or maintain a smoke detector; penalty.

**SB 623**, by Committee on Public Health and Welfare: An act concerning the state board of pharmacy; amending K.S.A. 1995 Supp. 65-1627 and repealing the existing section.

**SB 624**, by Committee on Public Health and Welfare: An act relating to allowing continuing care retirement community residents who are health maintenance organization or managed care organization enrollees to utilize their retirement community to receive covered services.

**SB 625**, by Committee on Public Health and Welfare: An act concerning the dental practices act; retired licensees authorized to provide charitable dental services; amending K.S.A. 65-1431 and repealing the existing section.

**SB 626**, by Committee on Federal and State Affairs: An act designating the Kansas lottery as the state gaming agency for purposes of tribal-state gaming compacts.

**SB 627**, by Committee on Federal and State Affairs: An act relating to contracts for the payment of royalties; prohibiting and prescribing penalties for certain acts.

**SB 628**, by Committee on Public Health and Welfare: An act concerning assistive devices used for major life activities; warranties for such devices; rights of consumer to return such devices; refunds and allowances; providing for arbitration of disputes in certain circumstances.

**SB 629**, by Committee on Judiciary: An act concerning residential building contractors; providing for licensure and regulation as a technical profession; amending K.S.A. 74-7005 and 74-7006 and K.S.A. 1995 Supp. 74-7003, 74-7004, 74-7007 and 74-7013 and repealing the existing sections.

**SB 630**, by Committee on Judiciary: An act amending the Kansas code for care of children; amending K.S.A. 38-1523, 38-1524 and 38-1542 and K.S.A. 1995 Supp. 38-1502, 38-1528, 38-1543, 38-1563 and 38-1565 and repealing the existing sections.

**SB 631**, by Committee on Public Health and Welfare: An act concerning pharmacists and pharmacies; placing certain drugs with home health agencies; protocols for drug handling and storage.

**SB 632**, by Committee on Transportation and Utilities: An act relating to the records of the division of vehicles; amending K.S.A. 1995 Supp. 74-2012 and repealing the existing section.

**SB 633**, by Committee on Elections, Congressional and Legislative Apportionment and Governmental Standards: An act concerning state governmental ethics; relating to staff officers and employees; restrictions on compensation; amending K.S.A. 46-235 and repealing the existing section.

**SB 634**, by Committee on Elections, Congressional and Legislative Apportionment and Governmental Standards: An act concerning state governmental ethics; relating to reports filed by lobbyists; inspection of records; amending K.S.A. 46-269 and repealing the existing section.

### Senate Concurrent Resolutions

**SCR 1619**, A concurrent resolution establishing a joint committee on weights and measures and providing for a legislative study, inquiry and investigation.

### Senate Resolutions

**SR 1810**, A resolution congratulating and commending Raytheon-Beech Aircraft Company on being selected the prime contractor for the United States Air Force and Navy Joint Primary Aircraft Training System (JPATS).

Doc. No. 017275



State of Kansas

Department of Health and Environment

Request for Air Quality Class I (Title V) Operating Permit Applications

The Kansas Department of Health and Environment, Bureau of Air and Radiation, is notifying each owner or operator of any existing stationary source that is required by K.A.R. 28-19-500(a) to obtain a Class I (Title V) operating permit to submit a complete Class I operating permit to the Kansas Department of Health and Environment, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, 66620, according to the following schedule:

Source Description	Primary SIC Code	Application Due Date
Group A: Natural gas transmission.	4922	October 25, 1996
Group B: Agriculture, forestry, and fishing; mining, and construction. Retail Trade.	0111 through 1799 5211 through 5999	November 25, 1996
Group C: Manufacturing, Transportation, communications, electric, gas, and sanitary services. All other sources not otherwise listed.	2011 through 3999  4011 through 4971 (except 4922) All other applicable SIC codes or sources with no SIC code.	March 1, 1997

SIC codes are those defined in the Standard Industrial Classification Manual, 1987 edition.

Applications for Class I operating permits must be on forms developed by the Kansas Department of Health and Environment, Bureau of Air and Radiation. Forms may be obtained by contacting the Bureau of Air and Radiation. Forms also may be downloaded from the Bureau of Air and Radiation electronic bulletin board system, (913) 291-3954.

A complete application must be filed with the Kansas Department of Health and Environment, or postmarked if submitted by mail, not later than the applicable date specified above in order for the application to be considered timely filed.

This action does not change the permit application deadlines for sources subject to Title IV, acid deposition control, of the federal Clean Air Act as specified in K.A.R. 28-19-510(b) or any later application due date authorized by K.A.R. 28-19-510(c), (d), (e) or (f).

This notice is being given pursuant to the requirements of K.A.R. 28-19-510(a).

Any questions regarding this notice should be directed to the Operating Permit Unit of the Air Permit Section, Bureau of Air and Radiation, Kansas Department of Health and Environment, (913) 296-1570.

James J. O'Connell  
Secretary of Health and Environment

Doc. No. 017281

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, 28-16-150 through 154, 28-46-7, and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, draft permits have been prepared for discharges to the waters of the United States and the State of Kansas for the class of dischargers described below. The determinations for permit content are based on 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 subject to certain conditions.

Public Notice No. KS-AG-96-43/51

Name and Address of Applicant	Legal Description	Receiving Water
Geotz and Sons Feedyard Route 1, Box 26 Park, KS 67751	NE/4, Sec. 30, T10S, R27W, Sheridan County	Saline River Basin

Kansas Permit No. A-SASD-C002 Federal Permit No. KS-0092371

This is an existing facility for 3,000 head (3,000 animal units) of cattle, Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided for 7.56 acre-feet, which meets or exceeds KDHE minimum requirements.

Compliance Schedule: A livestock waste management plan for the facility shall be developed. The plan shall cover, but not be limited to, the following items: handling and disposal 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. Detailed guidance and requirements will be provided by the department. A plan shall be submitted to the department within six months following receipt of detailed requirements. The approved plan will become part of this permit.

Name and Address of Applicant	Legal Description	Receiving Water
Joe Befort Route 2, Box 110 Lebanon, KS 66952	SE/4, Sec. 9, T4S, R11W, Smith County	Solomon River Basin

Kansas Permit No. A-SOSM-S004

This is an existing facility for 300 head (60 animal units) of swine. Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided for 25,808 cubic feet, which meets or exceeds KDHE minimum requirements.

Compliance Schedule: A livestock waste management plan for the facility shall be developed. The plan shall cover, but not be limited to, the following items: handling and disposal 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. Detailed guidance and requirements will be provided by the department. A plan shall be submitted to the department within six months following receipt of detailed requirements. The approved plan will become part of this permit.

(continued)

Name and Address of Applicant	Legal Description	Receiving Water
Hoxie Feeders, Inc. Box 65 Hoxie, KS 67740	N/2, Sec. 33 and SW/4, Sec. 28, T7S, R29W, Sheridan County	Solomon River Basin

Kansas Permit No. A-SOSD-C002

This is an existing facility for 13,000 head (13,000 animal units) of cattle.

**Wastewater Control Facilities:** Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided for 36.85 acre-feet, which meets or exceeds KDHE minimum requirements.

**Compliance Schedule:** A livestock waste management plan for the facility shall be developed. The plan shall cover, but not be limited to, the following items: handling and disposal 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. Detailed guidance and requirements will be provided by the department. A plan shall be submitted to the department within six months following receipt of detailed requirements. The approved plan will become part of this permit.

Name and Address of Applicant	Legal Description	Receiving Water
Leibbrandt Farms Ben Leibbrandt Route 1, Box 306 St. Francis, KS 67756	SW/4, Sec. 30, T2S, R40W, Cheyenne County	Upper Republican River Basin

Kansas Permit No. A-URCN-S011

This is an existing facility for 400 head (80 animal units) of swine.

**Wastewater Control Facilities:** Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided for 14,400 cubic feet, which meets or exceeds KDHE minimum requirements.

**Compliance Schedule:** A livestock waste management plan for the facility shall be developed. The plan shall cover, but not be limited to, the following items: handling and disposal 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. Detailed guidance and requirements will be provided by the department. A plan shall be submitted to the department within six months following receipt of detailed requirements. The approved plan will become part of this permit.

Name and Address of Applicant	Legal Description	Receiving Water
Rick Gibson Route 1, Box 222 Circleville, KS 66548	NW/4, Sec. 2, T6S, R14E, Jackson County	Kansas River Basin

Kansas Permit No. A-KSJA-M013

This is an existing facility for 60 head (84 animal units) of dairy cattle.

**Wastewater Control Facilities:** Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided for 28,500 cubic feet, which meets or exceeds KDHE minimum requirements.

**Compliance Schedule:** The waste management plan developed by the designer and approved by the department shall be adhered to as a condition of this permit. The plan calls for nutrient analysis of both liquids and solids with applications to meet crop nutrient needs. If wastes are not analyzed for nutrient content, wastewater shall be applied at not greater than 2 acre inch per acre per year and solids shall be applied at not greater than 10 ton per acre.

Name and Address of Applicant	Legal Description	Receiving Water
Randy Tanking Route 1, Box 93 Wetmore, KS 66550	NW/4, Sec. 32, T5S, R15E, Jackson County	Kansas River Basin

Kansas Permit No. A-KSJA-M014

This is an existing facility for 60 head (84 animal units) of dairy cattle.

**Wastewater Control Facilities:** Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Waste-

water storage capacity is provided for 55,100 cubic feet, which meets or exceeds KDHE minimum requirements.

**Compliance Schedule:** The waste management plan developed by the designer and approved by the department shall be adhered to as a condition of this permit. The plan calls for nutrient analysis of both liquids and solids with applications to meet crop nutrient needs. If wastes are not analyzed for nutrient content, wastewater shall be applied at not greater than 2 acre inch per acre per year and solids shall be applied at not greater than 10 ton per acre.

Name and Address of Applicant	Legal Description	Receiving Water
Crystalline 7 Feeders Alan W. Marietta 281 S. Penn Oberlin, KS 67749	SW/4, Sec. 25, T5S, R29W, Decatur County	Upper Republican River Basin

Kansas Permit No. A-URDC-C004 Federal Permit No. KS-0092428

This is an existing facility for 2,500 head (625 animal units) of cattle.

**Wastewater Control Facilities:** Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided for 21.77 acre-feet, which meets or exceeds KDHE minimum requirements.

**Compliance Schedule:**

- 1) The solid manure waste accumulations stockpiled in the silage pits, southwest of the cattle facilities, shall be removed and spread on cropland within two years of the issuance of this permit. Failure to complete the requirement will be considered a violation of the permit and compliance conditions.
- 2) 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. Detailed guidance and requirements will be provided by the department. A plan shall be submitted to the department within six months following receipt of detailed requirements. The approved plan will become part of the permit.

Name and Address of Applicant	Legal Description	Receiving Water
Russell Livestock Commission c/o Brandford Jay Sweeney S. Highway 281 Russell, KS 67665	SE/4, Sec. 34, T13S, R14W, Russell County	Smoky Hill River Basin

Kansas Permit No. A-SHRS-BD01

This is an existing facility for 750 head (750 animal units) of cattle, average for 1.5 days per week.

**Wastewater Control Facilities:** Wastewater will be spread over agricultural land for beneficial use. Runoff from pens, alleys, dirt lots, etc. will be collected by waterways and directed to filter strips for removal of solids and nutrients.

**Compliance Schedule:**

1. The runoff filtration system (diversion, berms, and waterway) shall be installed by June 1, 1996.
2. Grass is to be established in the runoff filter channel to the property line north of the sale barn facility by June 1, 1996.

Name and Address of Applicant	Legal Description	Receiving Water
4-Mile Feeders, Inc. Wayne L. Carpenter 2257 County Road Brewster, KS 67732	NW/4, Sec. 16, T8S, R34W, Thomas County	Upper Republican River Basin

Kansas Permit No. A-URTH-C004 Federal Permit No. KS-0092461

This is an existing facility for 2,500 head (1,250 animal units) of cattle.

**Wastewater Control Facilities:** Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided for 177,725 cubic feet, which meets or exceeds KDHE minimum requirements.

**Compliance Schedule:** A livestock waste management plan for the facility shall be developed. The plan shall cover, but not be limited to, the following items: handling and disposal 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. Detailed guidance and requirements will be provided by the department. A plan shall be submitted to the department within six months following receipt of detailed requirements. The approved plan will become part of this permit.

**Public Notice No. KS-96-029/032**

Name and Address of Applicant	Waterway	Type of Discharge
Johnson County Unified WWD Blue River MSD 1 10881 Lowell, Suite 100 Overland Park, KS 66210	Blue River via Negro Creek	Treated domestic wastewater

Legal: NE½, S10, T14S, R25E, Johnson County  
Kansas Permit No. M-MO26-DI01 Federal Permit No. KS-0079910

Facility Description: The proposed permit is for expansion of an existing wastewater treatment facility from 1 MGD to 3 MGD to accommodate additional growth in the service area. The effluent limitations are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria, and are water quality based.

Name and Address of Applicant	Waterway	Type of Discharge
Reno County Commissioners Reno County SD 202 c/o David McComb 206 W. 1st Hutchinson, KS 67501	Arkansas River via unnamed tributary	Treated domestic and processed wastewater

Legal: SE¼, S29, T24S, R5W, Reno County  
Kansas Permit No. I-AR98-PO01 Federal Permit No. KS-0091715

Facility Description: The proposed permit is for re-issuance of an existing permit for operation of an existing wastewater treatment lagoon system treating domestic and processed wastewater. The effluent limitations are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria, and are water quality based.

Name and Address of Applicant	Waterway	Type of Discharge
Bishop Carroll High School 8101 W. Central Wichita, KS 67212	Cowskin Creek via drainage ditch	Noncontact cooling water

Kansas Permit No. I-AR94-CO64 Federal Permit No. KS-0091545  
Facility Description: The proposed permit is for issuance of a new permit for discharge of noncontact cooling water to surface waters of the state. The water source is on-site groundwater. Chlorine is added six months of the year. The design flow is 0.36 million gallons per day. Monitoring requirements are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria.

Name and Address of Applicant	Waterway	Type of Discharge
City of Larned P.O. Box 70 Larned, KS 67550	Arkansas River via Pawnee River via storm sewer	Treated processed wastewater

Legal: S32, T21S, R16W, Pawnee County  
Kansas Permit No. I-UA25-PO01 Federal Permit No. KS-0079693

Facility Description: The proposed permit is for re-issuance of an existing permit for operation of an existing standby electrical generating station used for peaking and emergency power. Wastewater from the facility consists of cooling tower blowdown, boiler blowdown, water softener regenerate, evaporator blowdown and floor drain discharges. The facility is normally operated during the months of May through September each year. Water treatment chemical additives are used in the cooling tower, boiler, and evaporator. The flow is 0.08 million gpd. The effluent limitations are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria, and are water quality based.

**Public Notice No. KS-PT-96-001/003**

Name and Address of Applicant	Receiving Facility	Type of Discharge
Deluxe Specialities Mfg. Co. P.O. Box 979 Hutchinson, KS 67504	Reno County SD 202	Process water

Kansas Permit No. P-AR98-PO01  
Facility Description: This facility manufactures customized fuel tanks and oil reservoirs. Regulated operations and wastes generated include a three-stage conversion coating (phosphating) operation, hydrostatic test water, resistance cooling water, and metal cleaning (flush) wastewater. The permit limits are pursuant to state and federal pretreatment requirements.

Name and Address of Applicant	Receiving Facility	Type of Discharge
General Electric Co. Strother Field P.O. Box 797 Arkansas City, KS 67005	Strother Field WWTF	Process water

Kansas Permit No. P-WA17-IO01  
Facility Description: This facility performs anodizing and chemical etching and milling on aluminum parts and cleaning of steel parts. The permit limits are pursuant to state and federal pretreatment requirements.

Name and Address of Applicant	Receiving Facility	Type of Discharge
Deines MFG. Co P.O. Box 266 Ransom, KS 67572	Ransom WWTF	Process water

Kansas Permit No. P-UA34-OO01  
Facility Description: This facility manufactures commercial lawn mowers and uses a conversion coating process to phosphate steel parts prior to painting them. The permit limits are pursuant to state and federal pretreatment requirements.

**Public Notice No. KS-EG-96-014/021**

In accordance with K.A.R. 28-46-7 and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, draft permits have been prepared for the continued use of Class I nonhazardous waste injection wells for the applicants described below.

Name and Address of Applicant	Well Location
Mid-America Pipeline Co. Well Identification #1 Route 2, Box 174 McPherson, KS 67460	NW SW SW S24, T19S, R5W, McPherson County, 1055' FSL and 4790' FEL of SE corner of section

Kansas Permit No. KS-01-113-001  
Description: The station is an underground storage facility for hydrocarbon gas products.

Name and Address of Applicant	Well Location
Colorado Interstate Gas Co. Well Identification #1 Lakin Facility 2 N. Nevada Colorado Springs, CO 80903	SE NW NE S29, T24S, R36W, Kearny County, 4365' FSL and 1792' FEL of SE corner of section

Kansas Permit No. KS-01-093-001  
Description: The facility is a field and main line gas compressor station and gas plant.

Name and Address of Applicant	Well Location
Northern Natural Gas Co. Bushton Facility 777 Avenue Y Bushton, KS 67427-9703	

(continued)

<b>Well Number 2</b> KS Permit No. KS-01-053-001	SW SW NE, S31, T17S, R9W, Ellsworth County, 2970' fsl and 2310' fel from SE corner of section
<b>Well Number 3</b> KS Permit No. KS-01-053-002	SE NE SE, S31, T17S, R9W, Ellsworth County, 1740' fsl and 430' fel from SE corner of section
<b>Well Number 4</b> KS Permit No. KS-01-053-003	NW NW NE, S31, T17S, R9W, Ellsworth County, 4750' fsl and 2250' fel from SE corner of section
<b>Well Number 5</b> KS Permit No. KS-01-053-004	NE NE SE, S31, T17S, R9W, Ellsworth County, 2335' fsl and 332' fel from SE corner of section
<b>Well Number 6</b> KS Permit No. KS-01-053-005	SE NE SE, S31, T17S, R9W, Ellsworth County, 1465' fsl and 289' fel from SE corner of section
<b>Well Number Rolfs #1</b> KS Permit No. KS-01-159-003	NW NE NE, S6, T18S, R9W, Rice County, 4964' fsl and 875' fel from SE corner of section

Description: The station is an underground storage facility for liquid petroleum gas products.

#### Public Notice No. KS-EG-96-022/024

In accordance with K.A.R. 28-46-7 and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, draft permits have been prepared for the re-permitting of three brine clarification wells constructed within the State of Kansas for the applicant described below.

Name and Address of Applicant	Well Location
Morton International, Inc. Morton Salt Division P.O. Box 1547 Hutchinson, KS 67504-1547	
<b>Well Number W-24</b> Kansas Permit No. KS-03-155-052	SW NE NE S22, T23S R6W, Reno County, 1680' fsl and 1100' fel of SE corner of section
<b>Well Number W-25</b> KS Permit No. KS-03-155-053	SW NE SE S22, T23S R6W, Reno County, 1970' fsl and 1210' fel from SE corner of section
<b>Well Number W-26</b> KS Permit No. KS-03-155-054	SE NW SE S22, T23S R6W, Reno County, 1680' fsl and 1380' fel from SE corner of section

Written comments on the draft permits must be submitted to the attention of Lisa Duncan for agricultural permits, or to the permit clerk for all other permits, at the Kansas Department of Health and Environment, Division of Environment, Bureau of Water, J Street and 2 North, Forbes Field, Building 283, Topeka, 66620. All comments post-marked or received on or before March 15 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate public notice number (KS-AG-96-43/51, KS-96-029/032, KS-PT-96-001/003, KS-EG-96-014/021, KS-EG-96-022/024) and the name of applicant as listed when preparing comments.

If no objections are received during the public notice period, the Secretary of Health and Environment will issue the final determinations. If response to this notice indicates significant public interest, a public hearing may be held in conformance with state regulation 28-16-61 (28-46-21 for UIC). Media coordination for publication and/or announcement of the public notice or public hearing is handled by the Kansas Department of Health and Environment.

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

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

James J. O'Connell  
Secretary of Health  
and Environment

Doc. No. 017288

#### State of Kansas

### Department of Health and Environment

#### Request for Comments

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality operating permit. Bettis Asphalt has applied for a Class II operating permit in accordance with the provisions of K.A.R. 28-19-540. Emissions of PM<sub>10</sub> were evaluated during the permit review process. The purpose of a Class II permit is to limit the potential-to-emit for these pollutants to below major source thresholds.

Bettis Asphalt owns and operates a batch hot-mix facility located at 420 N.W. MacVicar, Sec. 25, Township 11, Range 15 in Topeka.

A copy of the proposed permit, permit application, all supporting nonconfidential documentation and all information relied upon during the permit application review process is available for public review during normal business hours at the KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, and at the Topeka-Shawnee County Health Agency, 1615 W. 8th, Topeka. To obtain or review the proposed permit and supporting documentation, contact Cheryl Evans, (913) 296-6438, at the KDHE central office, or Mike Lohmeyer, (913) 295-3650, ext. 287, at the Topeka-Shawnee County Health Agency. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Cheryl Evans, KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, 66620. Written comments must be received by the close of business March 18 in order to be considered in formulating a final permit decision.

A person may request a public hearing be conducted on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Connie Carreno, Bureau of Air and Radiation, not later than the close of business March 18 in order for the Secretary of Health and Environment to consider the request.

James J. O'Connell  
Secretary of Health  
and Environment

Doc. No. 017280

## State of Kansas

## Office of the Securities Commissioner

Notice of Hearing on Proposed  
Administrative Regulations

A public hearing will be conducted from 9 to 9:30 a.m. Tuesday, April 16, at the Office of the Kansas Securities Commissioner, 618 Kansas Ave., second floor, Topeka, to consider the revocation or amendment of 16 regulations.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulations and economic impact statement in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Diane Cashman at (913) 296-3308 or the Kansas Relay Center at 1-800-766-3777.

The period of 60 days notice constitutes a public comment period for the purpose of receiving written public comments on the proposed amendments. All interested parties may submit written comments prior to the hearing to the commissioner at the address above. All interested parties will be given a reasonable opportunity at the hearing to express their views orally in regard to adoption of the amendments. Following the hearing, all written and oral comments submitted by interested parties will be considered by the commissioner as a basis for making changes to the proposed amendments.

K.A.R. 81-3-4, 81-5-1, 81-5-2, 81-8-1, 81-9-1, and 81-13-1 have been proposed for revocation because they are unnecessary or their provisions have been included in other regulations. The requirements of K.A.R. 81-8-1 and 81-9-1 that concern the registration of securities are proposed as amendments to K.A.R. 81-4-1 in order to consolidate the information regarding registration in K.A.R. 81-4-1.

The proposed amendment to K.A.R. 81-1-1 deletes the definition of "public offering" from that regulation. The substance of the definition has been moved to K.A.R. 81-5-3, and has been expanded to cover activities on computer bulletin boards and online services.

The proposed amendments to K.A.R. 81-5-4 and 81-5-9 are to correct or clarify a reference in the regulations.

The proposed amendment to K.A.R. 81-2-1 provides for the electronic filing of registration forms in conjunction with other states at a centralized location.

The proposed amendment to K.A.R. 81-5-7 adds Tier II of the Philadelphia Stock Exchange to the listing exemption.

The proposed amendments to K.A.R. 81-3-1, 81-6-1, and 81-7-2 adopt federal rules and forms, or national statements of policy, which should improve uniformity with other states and reduce the regulatory burden on businesses and the securities industry. A proposed amendment to K.A.R. 81-3-1 also provides for annual reports to be filed only upon request.

There is no determinable economic impact of the proposed revocations or amendments on this agency, other governmental agencies or units, the general public or the persons or businesses regulated by this agency.

A complete copy of the proposed amendments and the economic impact statement may be obtained by writing to the Office of the Securities Commissioner.

John R. Wine, Jr.

Kansas Securities Commissioner

Doc. No. 017296

## State of Kansas

Department of Health  
and Environment

## Request for Comments

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality construction permit. Lone Star Industries has applied for a Class II operating permit in accordance with the provisions of K.A.R. 28-19-540. Lone Star Industries operates a Portland cement distribution terminal. Emissions of PM<sub>10</sub> were evaluated during the permit review process. The purpose of the Class II operating permit is to limit the potential-to-emit of PM<sub>10</sub> to below 100 tons per year.

Lone Star Industries, Inc., Stamford, Connecticut, owns and operates the stationary source located at 12200 Kaw Drive, Bonner Springs.

A copy of the proposed permit, permit application, all supporting nonconfidential documentation and all information relied upon during the permit application review process is available for public review during normal business hours at the KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, and at the Wyandotte County Health Department—Department of Air Quality, 619 Ann Ave., Kansas City. To obtain or review the proposed permit and supporting documentation, contact Michael Lewis, (913) 573-6700, at the Wyandotte County Health Department—Department of Air Quality. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Michael Lewis, Department of Air Quality, Wyandotte County Health Department, 619 Ann Ave., Kansas City, KS 66101. Written comments must be received by the close of business March 18 in order to be considered in formulating a final permit decision.

A person may request a public hearing be conducted on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Connie Carreno, Bureau of Air and Radiation, not later than the close of business March 18 in order for the Secretary of Health and Environment to consider the request.

James J. O'Connell  
Secretary of Health  
and Environment

Doc. No. 017287

## 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 during the month of January 1996 for failure to timely file an annual report and pay the annual franchise tax as required by the Kansas general corporation code:

## Domestic Corporations

- A & G Roofing, Inc., Newton, KS.  
 A/Altered Inc., Emporia, KS.  
 Abbott, Anderson, Wege and Salberg, Inc.,  
 Manhattan, KS.  
 Above and Beyond Services, Inc., Wichita, KS.  
 Access Alarm & Communications, Inc.,  
 Bonner Springs, KS.  
 Ace International Furniture Rental & Sales, Inc.,  
 Kansas City, KS.  
 Acme Key and Lock Services, Inc., Wichita, KS.  
 Action Auto Body, Inc., Wichita, KS.  
 Addserv, Inc., Shawnee Mission, KS.  
 Adrian's Barbecue Sauce, Inc., Overland Park, KS.  
 Adrian's Merchandising, Inc., Overland Park, KS.  
 Advantage Management Company of Kansas City, Inc.,  
 Plano, TX.  
 Affinity Marketing Group, Inc., Wichita, KS.  
 AHC, Inc., Overland Park, KS.  
 Air Techs, Inc., Wichita, KS.  
 AJD, Inc., Plano, TX.  
 Albertson Associates, Inc., Wichita, KS.  
 Alimar, Inc., Russell, KS.  
 Allied Paints, Inc., Topeka, KS.  
 Alpha Omega Insurance, Inc., Wichita, KS.  
 Altruscan, Inc., Leawood, KS.  
 Amereurasia Intergroup Co., Fort Lauderdale, FL.  
 American Disposal Services of Kansas, Inc.,  
 Oklahoma City, OK.  
 American Investigations, Inc., Wichita, KS.  
 American Karate and Fitness Center, Inc.,  
 Hutchinson, KS.  
 American Tele Pro's, Inc., Kansas City, KS.  
 American Wrecker Service, Inc., El Dorado, KS.  
 Apex Moving Specialists, Inc., Wichita, KS.  
 Arch Watson Enterprises, Inc., Rosenberg, TX.  
 Art's Plumbing Company, Inc., Lawrence, KS.  
 Automatic Sales, Inc., Pittsburg, KS.  
 Avant Garde Advertising, Inc., Mission, KS.  
 Avid, Inc., Olathe, KS.  
 B & B Implement, Inc., Scott City, KS.  
 B & T Dairy Cattle, Inc., Quinter, KS.  
 B and H Inc. of Kansas, Brookville, KS.  
 B. Thomas Construction Co., Junction City, KS.  
 B. W. H., Inc., Overland Park, KS.  
 B. J.'s Suzuki, Inc., Pittsburg, KS.  
 B. J.'s, Inc., Topeka, KS.  
 B&D Acquisition Corp., Kansas City, MO.  
 Banc IV Investments, Inc., Wichita, KS.  
 Bantz-Hawkins, Inc., Wichita, KS.  
 Barco Energy, Inc., Great Bend, KS.  
 Barrow, Inc., McPherson, KS.  
 Barton Corporation, Wichita, KS.  
 Beyer Avionics, Inc., Wichita, KS.  
 Big Dog, Inc., Wichita, KS.  
 Big M Auto, Inc., Augusta, KS.  
 Bill Barber Excavating, Inc., Mulvane, KS.  
 Bird City Family Clinic, Inc., Bird City, KS.  
 Black & Ward Kennel, Inc., Abilene, KS.  
 Blairden Precision Instruments, Inc., Lenexa, KS.  
 Blevins Electric, Inc., Emporia, KS.  
 Bonanza Oil & Gas Corporation, Benedict, KS.  
 Bookkeepers Business Systems, Inc., Wichita, KS.  
 Boom Town Audio, Inc., Manhattan, KS.  
 Bowman National Security Agency, Inc., Wichita, KS.  
 Brann Moving Systems, Inc., Lawrence, KS.  
 Brighton Place Corporation, Topeka, KS.  
 Buckshot Publishing, Inc., Scott City, KS.  
 Butler Communications, Inc., Topeka, KS.  
 C & A Inc., Lawrence, KS.  
 C & H Investment Group, Inc., Augusta, KS.  
 C. C. Corporation of Kansas, Wichita, KS.  
 C.M.I.S., Incorporated, Olathe, KS.  
 Cabaret Old Town, Inc., Wichita, KS.  
 Car-Tel Cellular Systems, Inc., Overland Park, KS.  
 Carlock, Inc., Kansas City, KS.  
 Cartco, Inc., Hutchinson, KS.  
 Castle Graphics, Inc., Shawnee, KS.  
 Cates Sheet Metal Industries, Inc., Olathe, KS.  
 CB Acquisition Corporation, Overland Park, KS.  
 CB Cleaning Corporation, Lawrence, KS.  
 Cedar Homes of Kansas City, Inc., Leawood, KS.  
 Ceilia of Kansas, Inc., Great Bend, KS.  
 Cellular Brokers, Inc., Shawnee Mission, KS.  
 Cellular Plus Incorporated, Overland Park, KS.  
 Cellular Rentals, Inc., Shawnee Mission, KS.  
 Central Security Service, Inc. of Kansas, El Dorado, KS.  
 Certified Exterminating Company, Inc., Wichita, KS.  
 Chanute Farmer's Enterprises, Inc., Pittsburg, KS.  
 Charles F. Youvan Investments, Inc., Frontenac, KS.  
 Chemold Polymer Products, Inc., Kansas City, KS.  
 Chien Dynasty, Inc., Overland Park, KS.  
 Christophers Financial Group, Inc., Leawood, KS.  
 Classic Yachts, Inc., Chanute, KS.  
 Click Enterprises, Inc., Wichita, KS.  
 Coast Motors, Inc., Overland Park, KS.  
 Cody's of Wichita, Inc., Wichita, KS.  
 Colorfast Photo and Video, Inc., Derby, KS.  
 Colorline, Inc., Olathe, KS.  
 Colour Works, Inc., Shawnee, KS.  
 Commercial Maintenance Mngt., Inc., Topeka, KS.  
 Competition Express, Inc., Overland Park, KS.  
 Comprehensive Business Services Network, Inc.,  
 Prairie Village, KS.  
 Comprehensive Medical Care, P.A.,  
 Shawnee Mission, KS.  
 Computers for Academic Total Success, Inc.,  
 Lawrence, KS.  
 Consolidated Chemical & Refining, Inc., Wichita, KS.  
 Consolidated Gathering Systems, Inc.,  
 Independence, KS.

Consumer Service Company, Shawnee, KS.  
 Continental Mortgage, Inc., Wichita, KS.  
 Cougar Enterprises, Inc., Oberlin, KS.  
 Countryside Homes of Gardner, Inc., Wichita, KS.  
 Countrywoods, Inc., Pleasanton, KS.  
 Crackerbarrel Cards & Collectibles, Inc., Wichita, KS.  
 Craco, Inc., Wichita, KS.  
 Crimebusters, Inc., Wichita, KS.  
 Crockett & Company, Inc., Yates Center, KS.  
 Cross Enterprises, Inc., Bunker Hill, KS.  
 Cunningham Music Co., Inc., Winfield, KS.  
 Custom Roofing, Inc., Wichita, KS.  
 CWC, Inc., Lawrence, KS.  
 D. C. Enterprises, Inc., Parsons, KS.  
 D. E. Hoffman Construction, Inc., Olathe, KS.  
 D. C. Laney, Ltd., Overland Park, KS.  
 Daddy D's, Inc., Wichita, KS.  
 Dart Enterprises, Inc., Wichita, KS.  
 Data Management Systems, Inc., Wichita, KS.  
 Databank, Inc., Lawrence, KS.  
 Davis Glass Studios, Inc., Wichita, KS.  
 DDC Consultants, Inc., Wichita, KS.  
 Decker, Inc., Olathe, KS.  
 Desert West, Inc., Brookville, KS.  
 Diagnostic Service Corporation, Augusta, KS.  
 Diamond Back Oil Tools, Inc., Hays, KS.  
 Discount Trophies, Inc., Wichita, KS.  
 Diversified International Marketing, Inc., Topeka, KS.  
 Dixie Capital Corporation, Inc., Overland Park, KS.  
 Doering Enterprises, Inc., Moundridge, KS.  
 Don Ousdahl Financial Services, Inc., Shawnee, KS.  
 Donahue Holdings, Inc., Olathe, KS.  
 Downey Resources, Inc., Houston, TX.  
 Dragon Palace, Inc., Overland Park, KS.  
 Drake Chiropractic South of Wichita, Inc., Wichita, KS.  
 DRC Manufacturing, Inc., Wichita, KS.  
 Driller's Service, Inc., Chanute, KS.  
 DSR Productions, Inc., Wichita, KS.  
 Durango's, Inc., Manhattan, KS.  
 E C J Construction, Inc., Wichita, KS.  
 Edward J. White, P.A., Kansas City, KS.  
 Edwards Construction, Inc., El Dorado, KS.  
 Ehram Cattle Company, Bern, KS.  
 Electric Beach, Incorporated, Independence, KS.  
 Elkhorn Production Co., Inc., Wichita, KS.  
 Elliott Roofing, Inc., Topeka, KS.  
 Emergency Road Services, Inc., Wakarusa, KS.  
 Emporia Piping and Fabricating, Inc., Emporia, KS.  
 End-Wrench Cattle Co., Inc., Dodge City, KS.  
 Enfield Telecommunications, Inc., Norton, KS.  
 Environmental and Technology Center, Inc., Pratt, KS.  
 Espresso O' House, Inc., Lawrence, KS.  
 Eugene, Inc., Wichita, KS.  
 Evan Enterprises, Inc., Wichita, KS.  
 Evergreen Services, Ltd., Ottawa, KS.  
 Eversole & Farve, Inc., Lawrence, KS.  
 Executive Management Services, Inc., Iola, KS.  
 Express Designs Development, Inc., Wichita, KS.  
 F-Squared, Inc., Wichita, KS.  
 Fab Corporation, Shawnee Mission, KS.  
 Family Dining, Inc., Coffeyville, KS.  
 Far-Ko, Inc., Kansas City, KS.  
 Farmbilt, Inc., Washington, KS.  
 FC, Inc., Olathe, KS.  
 Feme, Inc., Overland Park, KS.  
 Financial Concepts, Inc., Overland Park, KS.  
 First Day Marketing, Inc., Russell, KS.  
 First Equity Mortgage, Inc., Overland Park, KS.  
 First Operator, Inc., Independence, KS.  
 Fits, Inc., Lenexa, KS.  
 Five B's, Inc., Lawrence, KS.  
 Five Points Part Stop, Inc., Garden City, KS.  
 Flint Hills Embroidery, Inc., Marion, KS.  
 Floral International, Inc., Overland Park, KS.  
 FNG, Inc., Olathe, KS.  
 Foresight Solutions, Inc., Lawrence, KS.  
 Francisco Medical Clinic, P.A., Horton, KS.  
 Frank Custenborder and Sons Florists, Inc., Topeka, KS.  
 Fun Time Concessions, Inc., Leavenworth, KS.  
 Futronix, Inc.—Ohio Valley Security, Richmond, VA.  
 G & S Framing, Inc., Shawnee, KS.  
 G D, Inc., Wichita, KS.  
 G.E.M. Touch, Inc., Lenexa, KS.  
 G.K.P., Inc., Topeka, KS.  
 G, Inc., Overland Park, KS.  
 Gaddis Construction Company, Inc., Wichita, KS.  
 Gage 19 Properties, Inc., Topeka, KS.  
 Galen of Kansas, Inc., Louisville, KY.  
 Gary Young Electric, Inc., Emporia, KS.  
 General Floyd, L.C., Topeka, KS.  
 Georgetti Ltd., Leawood, KS.  
 GFI, Inc., Dodge City, KS.  
 Giorgio's, Inc., Topeka, KS.  
 Glenlara, Inc., Overland Park, KS.  
 Global Ex-Im and Manufacturing, Ltd.,  
     Fort Lauderdale, FL.  
 Globetek Resource Group, Inc., Wichita, KS.  
 Golden Crown, Inc., Topeka, KS.  
 Golf Park, Inc., Overland Park, KS.  
 Goras, Inc., Olathe, KS.  
 Gotit, Inc., Newton, KS.  
 Grand Fortuna of Pittsburg, Inc., Pittsburg, KS.  
 Granny's Gourmet Foods, Inc., Lawrence, KS.  
 Gray Panthers Project Fund, Washington, DC.  
 Gulf Pacifica Resources, Inc., Shawnee Mission, KS.  
 H & G, Inc., Burlington, KS.  
 H & R, Inc., Wichita, KS.  
 H and J Trucking, Inc., Garden City, KS.  
 H.E.S., Inc., Overland Park, KS.  
 Hair Club for Men of Kansas City, Ltd., New York, NY.  
 Hamill Landscape & Design, Inc., Colby, KS.  
 Hammond Publications Incorporated, Wichita, KS.  
 Hampton Place Homes Association, Overland Park, KS.  
 Harv-Al, Inc., Ranger, TX.  
 Harwoods, Inc., Lawrence, KS.  
 Hastings Mobile Lube and Oil, Inc., Wichita, KS.  
 Haynes Electric East, Inc., Lawrence, KS.  
 Haynes Style Shop & Beauty Supply, Inc.,  
     Manhattan, KS.  
 HCI, Inc., Topeka, KS.  
 Health Search Inc., Wichita, KS.  
 Healthcare Enterprises, Inc., Wichita, KS.  
 Healthcare Equity, Inc., Overland Park, KS.

(continued)

- Healthcheck, Inc., Topeka, KS.  
 Heartland Emergency Vehicle Sales and Leasing Company, Topeka, KS.  
 Heartland/Highland Sports, Inc., Lenexa, KS.  
 Heloka Corporation, Independence, KS.  
 Herb Lungren Auto Plaza, Inc., Arkansas City, KS.  
 HGD, Inc., Plano, TX.  
 Higar Petro, Inc., Elkhart, KS.  
 Hilary Enterprises, Inc., Overland Park, KS.  
 Hip Pocket, Inc., Ellsworth, KS.  
 Hiser Homes, Inc., Wichita, KS.  
 Hoggin the Fun, Incorporated, Lenexa, KS.  
 Hoot, Inc., Wichita, KS.  
 Horse Trends Equestrian Park, Inc., Olathe, KS.  
 Hot Stuff Stove & Fireplace, Inc., Lenexa, KS.  
 Hough Piano & Organ, Inc., Salina, KS.  
 House of Eggroll, Inc., Wichita, KS.  
 Huanghe Enterprises (Midwest) Ltd., Kansas City, KS.  
 Hunt Construction, Inc., Lawrence, KS.  
 Hutchinson Developers Limited Partnership, Indianapolis, IN.  
 Ichabod Laundra-Bar, Inc., Topeka, KS.  
 In Touch International, Inc., Lee's Summit, MO.  
 Infoage, Inc., Leawood, KS.  
 Information Control Systems, Inc., Overland Park, KS.  
 Innovative Stop-Loss Insurance Systems, Incorporated, Camdenton, MO.  
 Institute for Professional Management, Shawnee, KS.  
 Integrity Marketing Group, Inc., Wichita, KS.  
 Intercept Security Systems, Inc., Merriam, KS.  
 Investors of America, Inc., Iola, KS.  
 Italia, Inc., Wichita, KS.  
 Jaeger Implement Company, Inc., Leoti, KS.  
 James C. Bolin, Inc., Leawood, KS.  
 Jamison's Shamrock Group, L.L.C., Olathe, KS.  
 Jayhawk Area Youth for Christ Inc., Lawrence, KS.  
 Jayhawk Dent Tech, Inc., Lawrence, KS.  
 Jerrick Corp., Wichita, KS.  
 Jerry Muth, P.A., Wichita, KS.  
 Jerry's Nursery and Landscaping, Inc., Kansas City, KS.  
 Jet Construction, Inc., Wichita, KS.  
 Jim Borders Roofing & Guttering Co. Overland Park, KS.  
 JMR Leisure, Inc., Overland Park, KS.  
 John's IGA, Inc., Topeka, KS.  
 Juice Brothers, Incorporated, Topeka, KS.  
 Junction Boat Repair & Service, Inc., Lawrence, KS.  
 K L Designs, Inc., Olathe, KS.  
 K.C. Quik, Inc., Wichita, KS.  
 K.E.S. Enterprises, Inc., Ottawa, KS.  
 Kanpara, Incorporation, Mound Valley, KS.  
 Kansas Association of Professional Insurance Agents, Inc., Topeka, KS.  
 Kansas Capital Storm Service, Inc., McPherson, KS.  
 Kansas City Cafe Company, Overland Park, KS.  
 Kansas Golf Ventures, Inc., Andover, KS.  
 Kansas Housing Opportunities Fund, L.P., Wichita, KS.  
 Kanza Gas, Inc., Chanute, KS.  
 Kaw Valley Heating and Cooling, Inc., Lawrence, KS.  
 Keith A. Greiner, Chartered, Emporia, KS.  
 Kelley Investments, Ltd., Topeka, KS.  
 Key Supply, Inc., Wichita, KS.  
 Kiddieland, Inc., Pittsburg, KS.  
 Kiks Soccer Club Inc., Wichita, KS.  
 Kincaid, Inc., Chanute, KS.  
 Kisco Vision Plus, Inc., Wichita, KS.  
 Kornbrust Pole Line Builders, Inc., Lawrence, KS.  
 L & A Enterprises, Inc., Topeka, KS.  
 L & W Enterprises, Inc., Kansas City, KS.  
 L. A. Knebler Construction Co., Inc., Augusta, KS.  
 L.A. Brady & Sons Music Company and Studio, Inc., Kansas City, KS.  
 La-Gourmet's Ice Cream Parlour, Inc., Leawood, KS.  
 Laco, Inc., Wichita, KS.  
 Lariat Lounge, Inc., Topeka, KS.  
 Laurence R. Hollis, P.A., Wichita, KS.  
 Leading Edge Aerospace, Inc., Rago, KS.  
 Lee Gonzales and Sons Roustabout, Inc., Ulysses, KS.  
 Lightning Software, Incorporated, Wichita, KS.  
 LK, Inc., Wichita, KS.  
 Lock Oil & Gas, Inc., Russell, KS.  
 Loren H. Houk, P.A., Wichita, KS.  
 Lucky Strike Exploration, Inc., Potwin, KS.  
 Lundco, Inc., Wichita, KS.  
 Lutkie Electric, Inc., Wichita, KS.  
 Lynch Jewelry & Watch Repair, Incorporated, Hutchinson, KS.  
 M M & A, Inc., Wichita, KS.  
 M R Trucking, Inc., Kansas City, KS.  
 M.B. Management, Inc., Osage City, KS.  
 M.L. Properties, Inc., Prairie Village, KS.  
 M-H Beauty Concepts, Inc., Wichita, KS.  
 Mai Sky System, Inc., Salina, KS.  
 Maintenance Express, Inc., Wichita, KS.  
 Majestic Pointe, L.L.C., Wichita, KS.  
 Malbu, Inc., Arkansas City, KS.  
 Marche Holdings, Inc., Lawrence, KS.  
 Mark Chappelle Real Estate, Incorporated, Wichita, KS.  
 Market Management of Kansas, Inc., Topeka, KS.  
 Market Performance Systems, Inc., Topeka, KS.  
 Marketing Consultants, Inc., Kansas City, KS.  
 Marko Floor Covering, Inc., Wichita, KS.  
 Marysville Dodge-Chrysler-Jeep, Inc., Marysville, KS.  
 Mason Electronics, Inc., Lawrence, KS.  
 Mat, Ltd., LaCygne, KS.  
 Mauk & Associates, Inc., Overland Park, KS.  
 McFadden Enterprises, Inc., Augusta, KS.  
 McKenna, Inc., Junction City, KS.  
 Medical Placement Services, Inc., Overland Park, KS.  
 Medical Marketing, Inc., Lenexa, KS.  
 Meyer Country Fresh Meats, Inc., Wichita, KS.  
 MFH Realty, Inc., Leawood, KS.  
 Michael Crow, P.A., Leavenworth, KS.  
 Michael H.C. Wei Professional Corporation of Kansas, Liberal, KS.  
 Microbiology Research, Inc., Wichita, KS.  
 Mid America Insurance, Inc., Russell, KS.  
 Mid Kansas Exploration Co., Hutchinson, KS.  
 Mid-America Wholesale Florists, Inc., Overland Park, KS.  
 Mid-American Chiropractic Care, Inc., Leawood, KS.  
 Mid-Kansas Acousticon, Inc., Wichita, KS.  
 Mid-Kansas Energy Corporation, Sedgwick, KS.  
 Mid-Kansas Tornados, Inc., Otis, KS.



Midco Foods, Inc., Wichita, KS.  
 Midwest Diving Center, Inc., Wichita, KS.  
 Midwest Property Management, Inc., Kansas City, KS.  
 Midwest Tax Reductions, Inc., Overland Park, KS.  
 Midwest Trucking & Harvesting, Inc., Clay Center, KS.  
 Mill Creek, Inc., Shawnee Mission, KS.  
 Miller Consulting Services, Inc., Olathe, KS.  
 Milliken Associates, Inc., Manhattan, KS.  
 Mister D's North, Inc., Topeka, KS.  
 Monaco & Associates Incorporated, Topeka, KS.  
 Morris Plumbing, Inc., Lawrence, KS.  
 Mountain Hotel Corporation, Monroe, LA.  
 Mr. D's, Inc., Topeka, KS.  
 Mt. Moriah Lodge #5 F&AM, Topeka, KS.  
 Muchachos, Inc., Osage City, KS.  
 Nabil's Inc., Overland Park, KS.  
 Napoleon's Enterprises #4, Inc., Wichita, KS.  
 Napoleon's Enterprises, Inc., Wichita, KS.  
 National Fence, Inc., Bonner Springs, KS.  
 National Fuel Systems, Inc., Kansas City, KS.  
 National Retinitis Pigmentosa Foundation, Inc.,  
 Baltimore, MD.  
 Nationwide Recording Services, Inc., Leawood, KS.  
 Natural Image Hair Wear, Inc., Wichita, KS.  
 Neill & Neill Consultants, Inc., Lenexa, KS.  
 Neis and Michaux, P.A., Topeka, KS.  
 New Tek Enterprises, Inc., Topeka, KS.  
 New Tek, Inc., Topeka, KS.  
 Nick's Auto Service, Inc., Winfield, KS.  
 Nick's Truck Service, Inc., WaKeeney, KS.  
 Niwrek, Inc., Olathe, KS.  
 North American Chills Equipment, Inc., Wichita, KS.  
 North Hillside Kennels, Inc., Wichita, KS.  
 North Star Building Corporation, Lawrence, KS.  
 Northboro Farms, Inc., Topeka, KS.  
 NSN, Inc., Lawrence, KS.  
 NT Integrators, Inc., Lawrence, KS.  
 Nu-Mark, Inc., Grandview, MO.  
 Nu-Way of Cherry Creek, Inc., Wichita, KS.  
 NW Lad, Co., Fredonia, KS.  
 O'Keeffe, Incorporated, Overland Park, KS.  
 Office Concepts, Inc., Hays, KS.  
 Okanco Insurance Agency, L.L.C., Elkhart, KS.  
 Olsen Jelinek Construction, Inc., El Dorado, KS.  
 One of a Kind, Ltd., Andover, KS.  
 Oread Graphics, Inc., Lawrence, KS.  
 Oriental Cafe, Inc., Overland Park, KS.  
 Oriental Restaurant, Inc., Overland Park, KS.  
 Oswego Foundation for Education, Oswego, KS.  
 Oswego Medical Corporation, Memphis, TN.  
 Overland One, Inc., Overland Park, KS.  
 Oxford Homes, L.C., Wichita, KS.  
 Park Laundry and Cleaners, Inc., Junction City, KS.  
 Parsons Properties, Inc., Parsons, KS.  
 Pasta Concepts, Inc., Wichita, KS.  
 Pasternak, Cohn & Eggiman Insurors, Inc.,  
 Prairie Village, KS.  
 Patient Transportation, Inc., Wichita, KS.  
 Patterson, Nolla & Witteman, P.A., Wichita, KS.  
 PC USA, Inc., Wichita, KS.  
 Pentecostal Church of God in Christ, Inc., Wichita, KS.  
 Petro Energies, Inc., Burrton, KS.  
 Pierce Pharmacy, Inc., Independence, KS.  
 Pine Horse Ranch, Inc., Lawrence, KS.  
 Pinon Oil and Gas, Inc., Tulsa, OK.  
 Pioneer Custom Cabinetry, Inc., Osborne, KS.  
 Pioneer Mechanical, Inc., Merriam, KS.  
 Pioneer X-Ray, Inc., Shawnee, KS.  
 Pizza Shoppe of Lawrence, Inc., Lawrence, KS.  
 Pla-Mor-Golf, Inc., Mission, KS.  
 Plant Care Services, Inc., LaCygne, KS.  
 PM Acceptance Corporation, Topeka, KS.  
 Polor Enterprises, Inc., Kansas City, KS.  
 Polytech, L.L.C., Overland Park, KS.  
 Porterhouse, Inc., Great Bend, KS.  
 Potato Creek, L.L.C., Overland Park, KS.  
 Precision Framing, Inc., Smolan, KS.  
 Precision Petroleum Corp., Wichita, KS.  
 Premiere, Inc., Lawrence, KS.  
 Producers Group, Inc., Independence, KS.  
 Professional Petroleum Management, Inc., Wichita, KS.  
 Professional Producers Group, Inc., Overland Park, KS.  
 Progressive Energy Services, Inc., Russell, KS.  
 Promed, Inc., Overland Park, KS.  
 Pub's, Inc., Topeka, KS.  
 Quality Comfort, Inc., Springhill, KS.  
 Quality Control & Engineering Services, Inc.,  
 Emporia, KS.  
 Quik Print, Inc., Topeka, KS.  
 R. L. C., Inc., Pleasanton, KS.  
 R. L. Enterprises, Inc., Wichita, KS.  
 R. Mark Soltis & Associates, Topeka, KS.  
 Rac Enterprises, Inc., Manhattan, KS.  
 Radio Midwest, Inc., Topeka, KS.  
 Ralph Finch Real Estate, Inc., Kansas City, KS.  
 Raygary Oil Co., Havana, KS.  
 Real Estate Investment Group, Inc., Prairie Village, KS.  
 Realty 2000 Inc., Wichita, KS.  
 Reeves Engineering Development Company,  
 Wichita, KS.  
 Regency West, Inc., Independence, KS.  
 Republic Natural Gas Company, Denver, CO.  
 Republic Paperboard Company, Dallas, TX.  
 Resort Resources, Inc., Overland Park, KS.  
 Richfield Natural Gas, Inc., Houston, TX.  
 Rinke Corp., Pratt, KS.  
 River City Market, Inc., Lawrence, KS.  
 River City Replicas, Inc., Lawrence, KS.  
 Riverview Greenhouse, Inc., Wichita, KS.  
 RLE Investment, Inc., Prairie Village, KS.  
 RMG, Inc., Manhattan, KS.  
 Robert J. Seaman, Jr., D.D.S., P.A., Overland Park, KS.  
 Rockview Development Corporation, Kansas City, MO.  
 Ross Athletic, Inc., Overland Park, KS.  
 RPD, Inc., Overland Park, KS.  
 Running G Inc., Hutchinson, KS.  
 S & G Fertilizer, Inc., Scott City, KS.  
 S & S Investment Corp., Kansas City, KS.  
 S & S Service, Inc., Lenexa, KS.  
 S & S Transportation of Pittsburg, Inc., Pittsburg, KS.  
 S&S Pro Med, Inc., Hutchinson, KS.  
 Sales Plus, Inc., Shawnee Mission, KS.  
 Schaffert-Grimes Drug Company, Inc., Topeka, KS.

(continued)

- Schoonover Printing, Inc., Scott City, KS.  
 Schroeder Enterprises, Inc., Manhattan, KS.  
 Sentry Security Services, Inc., Kansas City, KS.  
 SEP Construction, Inc., Haysville, KS.  
 Service Specialists, Inc., Perry, OK.  
 Seville Corporation, Overland Park, KS.  
 Shawnee County Golf Courses, Inc., Topeka, KS.  
 Shilling Sand and Gravel, Inc., Manhattan, KS.  
 Shuberg Inc., Manhattan, KS.  
 Shunga Creek Out-Patient Treatment Program, Inc.,  
 Topeka, KS.  
 Silver Fox, Inc., Topeka, KS.  
 Skin Deep Permanent Make-Up of Olathe, L.L.C.,  
 Olathe, KS.  
 Skipper Construction, Inc., Garden City, KS.  
 Snyder Enterprises, Inc., Manhattan, KS.  
 Snyder, Inc., Scott City, KS.  
 Sonneco Properties, Ltd., Wichita, KS.  
 Source America Apparel Contractors, Inc.,  
 Shawnee Mission, KS.  
 Southwind Productions Services, Incorporated,  
 Topeka, KS.  
 Spectrum Painting, Inc., Wichita, KS.  
 Sports Page, Inc., Hays, KS.  
 Sportstuff, Inc., Wichita, KS.  
 SRH Management, Inc., Shawnee, KS.  
 St. Joseph Construction Co., Inc., St. Marys, KS.  
 Star Convenience Stores, Inc., Olathe, KS.  
 Stearman Aircraft Products Corporation,  
 Valley Center, KS.  
 Stephan Restaurant Management, Inc., Wichita, KS.  
 Sterling Advisory Group, Ltd., Overland Park, KS.  
 Sterling Financial Group, Ltd., Overland Park, KS.  
 Sterling Lawn & Home Care, Inc., Overland Park, KS.  
 Sterling Title & Leasing Company, Overland Park, KS.  
 Stillwagoner Trucking, Inc., Great Bend, KS.  
 Strategic Resources, Inc., Olathe, KS.  
 Sunflower Printing, Incorporated, McPherson, KS.  
 Surgicare of Wichita, Ltd., a Kansas Limited  
 Partnership, Dallas, TX.  
 Surplus Inc., Wichita, KS.  
 Systems Integration for Publishing, Inc.,  
 Overland Park, KS.  
 Szechwan Chinese Restaurant, Inc., Wichita, KS.  
 Szechwan Inc., Wichita, KS.  
 T & K Masonry, Inc., Topeka, KS.  
 T-C Production, Inc., Chanute, KS.  
 T-Town Coffee Company, Inc., Topeka, KS.  
 Tailored Marketing Services, Inc., Lenexa, KS.  
 Tanning, Inc., Wichita, KS.  
 Terry Burnett, Inc., Derby, KS.  
 The Anderson Company, Inc., Wichita, KS.  
 The Aviator Live, Inc., Wichita, KS.  
 The Bamboo House of Kansas, Inc., Wichita, KS.  
 The Bennett Company, Inc., Kansas City, KS.  
 The Brin Company, Inc., Wichita, KS.  
 The Cafe Society, Inc., Shawnee, KS.  
 The Car Connection, Inc., Wichita, KS.  
 The Dance Wear Place, Inc., Overland Park, KS.  
 The Gun Shop, Inc., Olathe, KS.  
 The Herford House Restaurant, Inc., Emporia, KS.  
 The Idea Man Inc., Lawrence, KS.  
 The Information Group, Inc., Topeka, KS.  
 The List Emporium, Inc., Shawnee Mission, KS.  
 The Playhouse, Inc., Lawrence, KS.  
 The Prairie Agencies Corporation, Overland Park, KS.  
 The Rebecca Vincson Federation of Women's  
 Democratic Club Inc., Kansas City, KS.  
 The Royse Homes Association, Leawood, KS.  
 The Sun Deck, Inc., Lawrence, KS.  
 The Villa of Emporia, Inc., Emporia, KS.  
 The Wrenn Venture Company, Leawood, KS.  
 Thriftway Exterminating Co., Inc., Wichita, KS.  
 Timbre Creek Landscape, Inc., Overland Park, KS.  
 Tischhauser Trucking, Inc., Council Grove, KS.  
 TJP, Inc., Topeka, KS.  
 TLW, Inc., Fayetteville, AR.  
 Tom Kelley, P.A., Topeka, KS.  
 Tom's Markets, Inc. #1, Prairie Village, KS.  
 Tomco Trucks, Inc., Emporia, KS.  
 Topeka Homes, Incorporated, Topeka, KS.  
 Torreon Restaurant Company, Overland Park, KS.  
 Travel Shop, Inc., Shawnee, KS.  
 Trend Setting Restaurants, Inc., Kansas City, KS.  
 Tri-State Exterminating Co., Goodland, KS.  
 Troutman Oil Co., Inc., Fontana, KS.  
 Turley's Janitorial Service, Inc., Garden Plain, KS.  
 Turner Law, P.A., Wichita, KS.  
 Two Dot K, Inc., LaCrosse, KS.  
 Two Feathers, Inc., Wichita, KS.  
 Ultra, Inc., Shawnee Mission, KS.  
 Unrein Drug, Inc., Plainville, KS.  
 Urbandale Hospitality, Inc., Manhattan, KS.  
 Utility Maintenance Contractors, Inc., Wichita, KS.  
 Valley Property Co., Inc., Paola, KS.  
 Valu-West, Inc., Emporia, KS.  
 Vanderkellen Galleries, Inc., Wichita, KS.  
 Vimal Corporation, Topeka, KS.  
 W Sales Co. Inc., Emporia, KS.  
 W. R. Garrett & Company, Inc., McPherson, KS.  
 Waiters-On-Wheels, Inc., Lawrence, KS.  
 Walker-Wyman, Inc., Shawnee, KS.  
 Waterscape, Inc., Mission, KS.  
 Wells Printing & Stationery, Inc., Kansas City, KS.  
 Western Carriers, Inc., WaKeeney, KS.  
 Westridge Corporation, Topeka, KS.  
 Wheatstate Account Recovery, Inc., Ness City, KS.  
 Wichita County Veterinary Clinic, Inc., Syracuse, KS.  
 Wilcon Enterprises, Inc., Independence, KS.  
 WWW, Inc., Colby, KS.  
 Wyandotte Cafe Inc., Kansas City, KS.  
 Xenia Land & Cattle, Inc., Garnett, KS.  
 Yeh's Food Inc., Lenexa, KS.  
 Zarda Brothers Dairy, Inc., Shawnee, KS.  
 Zintexx Corporation, Overland Park, KS.  
 Zooplan Associates, Inc., Wichita, KS.  
 ZPC Petroleum, Inc., Wichita, KS.  
 Zscheile Motor Company, Inc., Burlington, KS.

#### Foreign Corporations

- ABB Air Preheater, Inc., Norwalk, CT.  
 ABB C-E Services, Inc., Windsor, CT.  
 Abbey Medical, Inc., Fountain Valley, CA.  
 Acordia Benefits of the South, Inc., Duluth, GA.

- Advanced Metabolic Systems, Inc., Milford, CT.  
Air-Cure Environmental, Inc., Minneapolis, MN.  
Airborne Freight Corporation, Seattle, WA.  
Alaniz & Sons, Incorporated, Mount Pleasant, IA.  
American Computer Systems, Inc., Leawood, KS.  
American Quality Manufacturing Corporation,  
Conway, AR.  
American Standard, Inc., New York, NY.  
American Tel Group, Inc., Albuquerque, NM.  
Applied Automation, Inc., Bartlesville, OK.  
Assessment Systems, Inc., Philadelphia, PA.  
AT Industrial Sheet Metal, Inc., Independence, MO.  
AVCO Corporation, Providence, RI.  
Bagel & Bagel Development Corp., Wichita, KS.  
Barbour Concrete Pavers, Inc., Independence, MO.  
BBN Corporation, Cambridge, MA.  
Big Dog USA, Inc., Santa Barbara, CA.  
Built-Well Construction Company, Hiwasee, AR.  
Business & Data Products, Inc., Lee's Summit, MO.  
C.P.S. Distributors, Inc., Kansas City, MO.  
Capital Credit Services, Inc., Peapack, NJ.  
Carbonic Reserves, San Antonio, TX.  
CDW Realco, Inc., Pittsburgh, PA.  
Cencom Properties, Inc., Kansas City, MO.  
Central Delivery Service of Washington, Inc.,  
Beltsville, MD.  
Chattanooga Group, Inc., Hixson, TN.  
Chaus Retail Inc., Secaucus, NJ.  
Chelepis & Associates, Inc., Leawood, KS.  
Chelsea GCA Realty Partnership, L.P., Topeka, KS.  
Clear Channel Communications, Inc., San Antonio, TX.  
CND Management Corp., Roseland, NJ.  
Columbia/HCA Information Services, Inc.,  
Nashville, TN.  
Commercial Finish Group, Inc., Dallas, TX.  
Consumers Contract Services Corp., Stigler, OK.  
Continental Loss Adjusting Services, Inc.,  
New York, NY.  
Crystal Sales, Inc., Southport, CT.  
D. L. Williams Wood Products, Inc., Hillsboro, TX.  
Data Scribe, Inc., Kansas City, KS.  
Davco Form Company, Harrisonville, MO.  
Designs for the Needle, Incorporated,  
Overland Park, KS.  
DVI Financial Services Inc., Doylestown, PA.  
Elk Exploration, Inc., Denver, CO.  
Emerson Mattress, Inc., Marion, IA.  
Environmental Specialists, Inc., Fort Lauderdale, FL.  
F. Scimeca & Sons, Inc., Kansas City, MO.  
F. W. Myers & Co., Inc., Rouses Point, NY.  
Food Ingredient Specialties, Inc., Stamford, CT.  
Food 4 Less, Inc., La Habra, CA.  
Fortune Dogs, Inc., Santa Barbara, CA.  
Foundation Specialists, Inc., Lenexa, KS.  
Gajh 1989 Limited Partnership, Denver, CO.  
GE Capital Spacenet Satellite Services, Inc.,  
McLean, VA.  
General Health Care Corporation, Piscataway, NJ.  
Gershman, Brickner & Bratton, Inc., Falls Church, VA.  
Global Wats One, Inc., Knoxville, TN.  
Goodman Church Builders, Inc., Joplin, MO.  
Granada Hospital Group, Inc., Burlington, MA.  
Guardian Title Company, Mission Viejo, CA.  
Hall-Mark Electronics Corporation, Dallas, TX.  
Hare and Hare, Inc., Kansas City, MO.  
HarperCollins Publishers, Inc., New York, NY.  
Harrison-Muir Agency, Inc., Overland Park, KS.  
Harvey HTS, Inc., Dallas, TX.  
Hercules Chemical Corporation, Wilmington, DE.  
Hercules Credit, Inc., Wilmington, DE.  
Hercules Incorporated, Wilmington, DE.  
Hidden Creek Associates, Inc., Kansas City, MO.  
Horizontal Development & Production Inc., Dallas, TX.  
HPT Inc., Tulsa, OK.  
IDB Worldcom Services, Inc., Wilmington, DE.  
Independence One Capital Management Corporation,  
Farmington Hills, MI.  
Industrial Roofing, Inc., Lee's Summit, MO.  
Inter-State Studio, Inc., Sedalia, MO.  
International Ventures, Inc., Little Rock, AR.  
J.O.R. Insurance Agency, Inc., Kansas City, MO.  
JAE Enterprises, Inc., Prairie Village, KS.  
Jaguar Credit Corporation, Dearborn, MI.  
JER Southwestern Housing Services, Inc.,  
Alexandria, VA.  
Kandel Properties I Inc., New York, NY.  
Kansas City Bedding Co., Inc., Kansas City, MO.  
KBS Limited Partnership, "A Delaware Limited  
Partnership," Topeka, KS.  
Kellogg Land Associates Limited Partnership,  
Indianapolis, IN.  
Koley's Medical Supply, Inc., Richmond, VA.  
Landmark Diversified, Corp., Kansas City, MO.  
Levinson Partners Corporation, Midland, TX.  
Liberty Fruit Company, Inc., Kansas City, MO.  
Lippert Air Conditioning and Heating Service, Inc.,  
Kansas City, MO.  
M-I Drilling Fluids L.L.C., Wilmington, DE.  
Mainstream, Kansas City, Inc., Kansas City, MO.  
Majec Group, Inc., Overland Park, KS.  
March Construction, Inc., San Antonio, TX.  
Michael Christopher, Inc., Leawood, KS.  
Mid-Continent Industries, Inc., Olathe, KS.  
Midgard Energy Company, Dallas, TX.  
Midwest Medical Supply Company, Inc.,  
Bridgeton, MO.  
Midwest Sports Racing, Inc., Osage City, KS.  
Minit-Tune Missouri Kansas, Inc., Overland Park, KS.  
Mobile Corps, Inc., Louisville, KY.  
Motel 6 Operating L.P., Dallas, TX.  
Nash-Finch Company, Minneapolis, MN.  
National Credit Services Corporation,  
Overland Park, KS.  
National Fire Suppression, Inc., Blue Springs, MO.  
National Revenue Corporation, Columbus, OH.  
Nider's Food Marts, Inc., Pawnee City, NE.  
NMW Marketing, Inc., Lenexa, KS.  
Novadyne Computer Systems, Inc., Santa Ana, CA.  
OSI Midwest, Inc., King of Prussia, PA.  
Ozark-Mahoning Company, Philadelphia, PA.  
P.J. Murphy Forest Products Corp., Montville, NJ.  
Pet Incorporated, St. Louis, MO.  
Pet Milk Company, St. Louis, MO.

(continued)

Plasma Alliance, Inc., Collegeville, PA.  
 Prentice-Hall, Inc., Norwalk, CT.  
 Professional Planning Group, Inc., Overland Park, KS.  
 Property Asset Management, Inc., Jersey City, NJ.  
 Protection One Alarm Monitoring, Inc., Beaverton, OR.  
 R. F. D. Incorporated, Shawnee Mission, KS.  
 R. W. Rice Company, Inc., Sioux City, IA.  
 R&R Well Service, Inc., Lebanon, MO.  
 Radius, Inc., Columbia, SC.  
 Ranch Hand Foods, Inc., Edwardsville, KS.  
 Refractive Surgery Services Limited Partnership,  
 Prairie Village, KS.  
 Refractive Surgery Services, Inc., Prairie Village, KS.  
 Republic Group Incorporated, Garland, TX.  
 Riedel Environmental Services, Inc., Portland, OR.  
 Sanofi Animal Health, Inc., Overland Park, KS.  
 Saturn Communications, Inc., Bridgeton, MO.  
 Shlage Lock Company, Woodcliff Lake, NJ.  
 Scott Paper Company, Philadelphia, PA.  
 Service World, Incorporated, Kansas City, MO.  
 Shebester-Bechtel, Inc., Blackwell, OK.  
 Simon Hydro-Search, Inc., Golden, CO.  
 Snake 'n' Rooter, Inc., Aurora, CO.  
 St. Mary Operating Company, Denver, CO.  
 Staff Depot, Inc., Houston, TX.  
 Standard Materials Corporation, Oklahoma City, OK.  
 Sun Home Services, Inc., Farmington Hills, MI.  
 Supra Energy, Inc., Tulsa, OK.  
 Sycamore Financial Group, Inc.,  
 Rancho Cucamonga, CA.  
 Taher, Inc., Minneapolis, MN.  
 Takecare Administrative Services Corporation,  
 Fountain Valley, CA.  
 The Alex Bascom Co., Shawnee Mission, KS.  
 The Futon Company of Missouri, Inc., Kansas City, MO.  
 TMI Income Plus, Limited Partnership,  
 Newport Beach, CA.  
 Tokos Medical Corporation, Santa Ana, CA.  
 Topeka Wireless Cable, Inc., Durant, OK.  
 Traffic & Lighting Systems, Inc., Oklahoma City, OK.  
 Trans-Mark Services, Inc., Kansas City, MO.  
 Transarea, Inc., Kansas City, KS.  
 Triumph Natural Gas, Inc., Dallas, TX.  
 Ulano Corporation, Brooklyn, NY.  
 Union Tank Car Company, Chicago, IL.  
 United Creditors Alliance Corporation, Columbus, OH.  
 United Merchants and Manufacturers, Inc., Teaneck, NJ.  
 United States Cellular Corporation, Chicago, IL.  
 United Truck Leasing, Inc., Park Ridge, NJ.  
 Vagabond Corporation, Salina, KS.  
 Valent U.S.A. Corporation, Walnut Creek, CA.  
 Voss Electric Company, Lincoln, NE.  
 WCE Corporation, Billings, MT.  
 Webb Electric Company of Florida, Inc., Pensacola, FL.  
 Wesco Distribution, Inc., Pittsburgh, PA.  
 Ye Print Shoppe, Limited, Kansas City, KS.

Ron Thornburgh  
 Secretary of State

State of Kansas

## Kansas Racing Commission

### Permanent Administrative Regulations

#### Article 3.—APPLICATION PROCEDURE

**112-3-17. Submission of information.** (a) Any licensee applicant or any licensee may be required by the commission to submit information to facilitate the review of an initial license application or any subsequent review of an existing license, or to ascertain compliance with any provision of this act or any rule and regulation adopted by the commission.

(b) Any licensee required to submit information under subsection (a) of this regulation shall submit the information within 10 days of the commission's request for the information.

(c) Any licensee proposing to enter into any contract described in K.S.A. 74-8804(h), K.S.A. 74-8813(n) or K.S.A. 74-8836(d)(3) and amendments thereto, or any other contract required to be submitted to the commission by any other provision of the parimutuel racing act, K.S.A. 74-8801 et seq. and amendments thereto, or any rule or regulation adopted by the commission, shall submit a copy of such proposed contract to the commission within five business days after the parties to such a proposed contract have concluded an agreement.

(d) Any licensee failing to submit information requested pursuant to subsection (a) of this regulation or copies of contracts pursuant to subsection (c) of this regulation within the time periods provided in subsections (b) and (c) of this regulation may after notice and hearing be assessed a civil fine of \$50.00 per day, up to a maximum of \$5,000, for each day such information or contract is submitted late. (Authorized by and implementing K.S.A. 1994 Supp. 74-8804; effective, T-89-6, Jan. 21, 1988; effective Oct. 1, 1988; amended March 1, 1996.)

#### Article 4.—OCCUPATION LICENSES

**112-4-4a. Crossover employment prohibited, exceptions.** (a) For purposes of these regulations, "crossover employment" shall mean a situation in which an occupation licensee is concurrently employed at the same racing facility by an organization licensee and a facility owner licensee or facility manager licensee.

(b) Occupation licensees employed by organization licensees, facility owner licensees or facility manager licensees shall not engage in crossover employment except that:

(1) An employee of an organization licensee, facility owner licensee or facility manager licensee may crossover between internal departments of the same licensee upon the advance written approval of the stewards or racing judges and a finding that such crossover does not create a conflict of interest or violation of K.A.R. 112-4-4; and

(2) an employee of an organization licensee, facility owner licensee or facility manager licensee may crossover between licensees upon the advance written approval of the stewards or racing judges and a finding that such crossover does not create a conflict of interest or violation of K.A.R. 112-4-4.

(c) In no event shall employee crossover be approved in any of the following cases:

(1) between employees of the racing department and employees of the mutuels department;

(2) between employees of the racing or mutuels departments and horse or greyhound owners, trainers, operators or employees thereof;

(3) between employees of the security department and horse or greyhound owners, trainers, operators or employees thereof; or

(4) in any capacity or combination of subsections (1), (2) and (3) above that may, in the opinion of the stewards or racing judges, constitute a licensing conflict as provided in K.A.R. 112-4-4. (Authorized by K.S.A. 1994 Supp. 74-8804; implementing K.S.A. 1994 Supp. 74-8810, K.S.A. 1994 Supp. 74-8813, K.S.A. 74-8815 and 74-8816; effective March 1, 1996.)

Myron Scafe  
Executive Director

Doc. No. 017272

## State of Kansas

### Department of Health and Environment

#### Permanent Administrative Regulations

#### Article 19.—AMBIENT AIR QUALITY AND AIR POLLUTION CONTROL

**28-19-45.** (Authorized by K.S.A. 65-3005, implementing K.S.A. 65-3005, 65-3010; effective Jan. 1, 1971; amended, E-73-8, Dec. 27, 1972; amended Jan. 1, 1974; amended, T-84-39, Dec. 30, 1983; amended May 1, 1984; revoked March 1, 1996.)

**28-19-46.** (Authorized by K.S.A. 1970 Supp. 65-3005, 65-3010; effective Jan. 1, 1971; revoked March 1, 1996.)

**28-19-47.** (Authorized by K.S.A. 65-3005, 65-3006, 65-3007, 65-3010; effective Jan. 1, 1971; amended, E-73-8, Dec. 27, 1972; amended Jan. 1, 1974; revoked March 1, 1996.)

**28-19-645. Open burning prohibited.** A person shall not cause or permit the open burning of any wastes, structures, vegetation, or any other materials on any premises except as authorized by K.A.R. 28-19-647 and K.A.R. 28-19-648. (Authorized by K.S.A. 1994 Supp. 65-3005; implementing K.S.A. 1994 Supp. 65-3005, K.S.A. 65-3010; effective March 1, 1996.)

**28-19-646. Responsibility for open burning.** It shall be prima facie evidence that the person who owns or controls property on which open burning occurs has caused or permitted the open burning. (Authorized by K.S.A. 1994 Supp. 65-3005; implementing K.S.A. 1994 Supp. 65-3005, K.S.A. 65-3010; effective March 1, 1996.)

**28-19-647. Exceptions to prohibition on open burning.** (a) The following open burning operations shall be exempt from the prohibition on the open burning of any materials imposed by K.A.R. 28-19-645:

(1) open burning carried out on a residential premise containing five or less dwelling units and incidental to the normal habitation of the dwelling units, unless prohibited by any local authority with jurisdiction over the premises;

(2) open burning for cooking or ceremonial purposes, on public or private lands regularly used for recreational purposes;

(3) open burning for the purpose of crop, range, pasture, wildlife or watershed management in accordance with K.A.R. 28-19-648; or

(4) open burning approved by the department pursuant to paragraph (b).

(b) A person may obtain an approval from the department to conduct an open burning operation that is not otherwise exempt from the prohibition imposed by K.A.R. 28-19-645 if it is demonstrated that the open burning is:

(1) necessary, which in the case of burning for the purpose of disposal of any materials, shall mean that there is no other practical means of disposal;

(2) in the public interest; and

(3) is not prohibited by any local government or local fire authority.

(c) Open burning operations for which an approval is required but which are deemed to be necessary and in the public interest include the following:

(1) the use of safety flares for disposal of flammable gases;

(2) fires related to the training of government or industrial personnel in fire fighting procedures;

(3) fires set for the removal of dangerous or hazardous liquid materials;

(4) open burning of trees and brush from non-agricultural land clearing operations; and

(5) open burning of clean wood waste from construction projects carried out at the construction site.

(d) Each person seeking an approval to conduct an open burning operation pursuant to this regulation shall submit a written request to the department containing the following information:

(1) the location of the proposed open burning and the name, address and telephone number of the person responsible for the open burning;

(2) a description of the open burning including:

(A) the estimated amount and nature of material to be burned;

(B) the proposed frequency, duration and schedule of the burning;

(C) the size of the area to which the burning will be confined;

(D) the method of igniting the material;

(E) the location of any public roadways within 1,000 feet of the proposed burn;

(F) the number of occupied dwellings within 1,000 feet of the proposed burn; and

(G) evidence that the open burning has been approved by appropriate fire control authority having jurisdiction over the area; and

(3) the reason why the proposed open burning is necessary and in the public interest if the activity is not listed in subsection (c) of this regulation.

(continued)

(e) Each open burning operation for which the department issues an approval pursuant to paragraph (b) shall be subject to the following conditions, except as provided in paragraph (f):

(1) The person conducting the burning shall stockpile the material to be burned, dry it to the extent possible before it is burned, and assure that it is free of matter that will inhibit good combustion.

(2) A person shall not burn heavy smoke-producing materials including heavy oils, tires, and tarpaper.

(3) A person shall not initiate burning during the nighttime, which for the purposes of this regulation is defined as the period from two hours before sunset until one hour after sunrise. A person shall not add material to a fire after two hours before sunset.

(4) A person shall not burn during inclement or foggy conditions or on very cloudy days, which are defined as days with more than 0.7 cloud cover and with a ceiling of less than 2,000 feet.

(5) A person shall not burn during periods when surface wind speed is less than 5 mph or more than 15 mph.

(6) A person shall not burn within 1,000 feet of any occupied dwelling, unless the occupant of that dwelling has been notified before the burn.

(7) A person shall not conduct a burn that creates a traffic or other safety hazard. If burning is to take place within 1,000 feet of a roadway, the person conducting the burn shall notify the highway patrol, sheriff's office, or other appropriate state or local traffic authority before the burning begins. If burning is to take place within one mile of an airport, the person conducting the burn shall notify the airport authority before the burning begins.

(8) The person conducting the burn shall insure that the burning is supervised until the fire is extinguished.

(9) The department may revoke any approval upon 30 days notice.

(10) A person shall conduct an open burning operation under such additional conditions as the department may deem necessary to prevent emissions which:

(A) may be injurious to human health, animal or plant life, or property; or

(B) may unreasonably interfere with the enjoyment of life or property.

(f) The department may issue an approval for an open burning operation that does not meet the conditions set forth in subsection (e) upon a clear demonstration that the proposed burning:

(1) is necessary and in the public interest;

(2) can be conducted in a manner that will not result in emissions which:

(A) may be injurious to human health, animal or plant life or property; or

(B) may unreasonably interfere with the enjoyment of life or property; and

(3) will be conducted in accordance with such conditions as the department deems necessary. (Authorized by K.S.A. 1994 Supp. 65-3005; implementing K.S.A. 1994 Supp. 65-3005, K.S.A. 65-3010; effective March 1, 1996.)

**28-19-648. Agricultural open burning.** (a) Open burning of vegetation such as grass, woody species, crop residue, and other dry plant growth for the purpose of

crop, range, pasture, wildlife or watershed management shall be exempt from the prohibition on the open burning of any materials imposed by K.A.R. 28-19-645, provided that the following conditions are met:

(1) the person conducting the burn shall notify the local fire control authority with jurisdiction over the area before the burning begins, unless the appropriate local governing body has established a policy that notification is not required;

(2) a person shall not conduct a burn that creates a traffic safety hazard. If conditions exist that may result in smoke blowing toward a public roadway, the person conducting the burn shall give adequate notification to the highway patrol, sheriff's office or other appropriate state or local traffic control authorities before burning;

(3) a person shall not conduct a burn that creates an airport safety hazard. If smoke may affect visibility at an airport, the person conducting the burn shall give adequate notification to the appropriate airport authorities before burning; and

(4) the person conducting the burn shall insure that the burning is supervised until the fire is extinguished.

(b) Nothing in this regulation shall restrict the authority of local jurisdictions to adopt more restrictive ordinances or resolutions governing agricultural open burning operations. (Authorized by K.S.A. 1994 Supp. 65-3005; implementing K.S.A. 1994 Supp. 65-3005, K.S.A. 65-3010; effective March 1, 1996.)

James J. O'Connell  
Secretary of Health  
and Environment

Doc. No. 017279

## State of Kansas

### Board of Technical Professions

#### Permanent Administrative Regulations

#### Article 6.—PROFESSIONAL PRACTICE

**66-6-1. Seal.** (a) Each licensee shall purchase a seal of the design approved by the board and shall forward a facsimile of the seal to the office of the board as proof of compliance with K.S.A. 74-7023.

(b) Failure of any licensee to comply with this requirement within 90 days from date of issuance of that person's license shall be cause for the cancellation of that license, in accordance with K.A.R. 66-13-1.

(c) Each original drawing, document, technical report, legal description, record and paper prepared by or under the direct supervision of the licensee in the licensee's professional capacity shall be stamped with the licensee's seal, unless the project is exempt from the requirements for licensure pursuant to K.S.A. 74-7031, K.S.A. 74-7032, K.S.A. 74-7033, or K.S.A. 74-7034.

After the licensee's seal has been applied to the original or record copy, the licensee shall place the licensee's handwritten signature and date across the seal.

(d) Each licensee shall endeavor to take all practical measures to ensure that drawings and specifications are

not utilized for projects not contemplated at the time of the completion of the drawings and specifications.

(e) Each licensee shall endeavor to ensure that the drawings and specifications as instruments of service remain the property of the licensee whether the project for which they are made is executed or not.

(f) The owner may retain copies, including reproducible copies, of drawings and specifications for information and reference in connection with the owner's use and occupancy of the project.

(g) The licensee shall endeavor to ensure that the drawings and specifications are not used by the owner on any other projects, for additions to the contemplated project, or for completion of this project unless the licensee is in default or by agreement in writing and with appropriate compensation to the licensee. (Authorized by K.S.A. 74-7013, as amended by L. 1995, ch. 104, sec. 1; implementing K.S.A. 74-7023; effective May 1, 1978; amended May 1, 1984; amended May 1, 1985; amended May 4, 1992; amended Feb. 22, 1993; amended Feb. 13, 1995; amended March 1, 1996.)

**66-6-6. Renewal of licenses and certificates of authorization.** (a) Each licensee whose last name begins with one of the letters A through L shall renew the license in even-numbered years. Each licensee whose last name begins with one of the letters M through Z shall renew the license in odd-numbered years. A written notice shall be issued by the board to each licensee during the appropriate renewal year, and not later than 30 days prior to the following expiration dates:

- |                          |              |
|--------------------------|--------------|
| (1) architects           | June 30      |
| (2) engineers            | April 30     |
| (3) land surveyors       | March 31     |
| (4) landscape architects | December 31. |

(b) Each corporation holding a certificate of authorization to practice a technical profession shall renew its certificate of authorization in even-numbered years. A written notice shall be issued by the board to each corporation during the appropriate renewal year, and not later than 30 days prior to the December 31 expiration date.

(c) The notice shall state the amount of the renewal fee fixed by the board, as provided by K.S.A. 74-7025. (Authorized by K.S.A. 74-7013, as amended by L. 1995, ch. 104, sec. 1; implementing K.S.A. 74-7025, as amended by L. 1995, ch. 104, sec. 2; effective May 1, 1984; amended May 4, 1992; amended Feb. 22, 1993; amended Feb. 14, 1994; amended March 1, 1996.)

#### Article 7.—APPLICATIONS

**66-7-3. Denial of initial application for license.** When evaluating an application for licensure, the following additional factors concerning the applicant shall be considered by the board:

(a) whether the applicant has committed any fraud or misrepresentation in the information contained in or supporting the application;

(b) whether the applicant has been convicted of a felony as stated in K.S.A. 74-7026;

(c) whether the applicant has engaged in acts which would constitute a violation of K.A.R. 66-6-4 or the statutes contained in K.S.A. 74-7001 through K.S.A. 74-7040 under the jurisdiction of the board;

(d) whether the applicant has been disciplined by the licensing agency or other regulatory or authoritative entity of any other jurisdiction; and

(e) any other factors that the board may consider pertinent to the issuance of an initial license. (Authorized by K.S.A. 74-7004, as amended by L. 1995, ch. 104, sec. 4; K.S.A. 74-7018, K.S.A. 74-7019, K.S.A. 74-7020, K.S.A. 74-7021, K.S.A. 74-7022, and K.S.A. 74-7023; implementing K.S.A. 74-7007, as amended by L. 1995, ch. 104, sec. 5; and K.S.A. 74-7013, as amended by L. 1995, ch. 104, sec. 1; effective Feb. 13, 1995; amended March 1, 1996.)

#### Article 8.—EXAMINATIONS

**66-8-1. Proctoring of examinations.** Any candidate who has been admitted to an examination by another state board may request to be proctored by the Kansas board. The candidate shall be assessed a \$100 fee for that proctoring. (Authorized by K.S.A. 74-7013, as amended by L. 1995, ch. 104, sec. 1; implementing K.S.A. 74-7017; effective May 1, 1984; amended May 4, 1992; amended March 1, 1996.)

#### Article 10.—EXPERIENCE

**66-10-1. Architectural experience of a character satisfactory to the board.** Each applicant shall complete the intern development program (IDP) as defined in the "Intern Development Program Guidelines, 1995-1996," as published in July, 1995 by the national council of architectural registration boards (NCARB). Each applicant shall provide a completed and bound record of architectural experience in the form transmitted by the NCARB. (Authorized by K.S.A. 74-7013, as amended by L. 1995, ch. 104, sec. 1; implementing K.S.A. 74-7019; effective May 1, 1984; amended May 4, 1992; amended Feb. 22, 1993; amended Feb. 14, 1994; amended Feb. 13, 1995; amended March 1, 1996.)

#### Article 12.—MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING

**66-12-1. Minimum standards for the practice of land surveying.** (a) The board hereby adopts by reference as rules and regulations of the board:

(1) the following documents, as adopted by the board of direction, American congress on surveying and mapping on November 11, 1992 and the American land title association on October 17, 1992:

(A) the "minimum standard detail requirements for ALTA/ACSM land title surveys"; and

(B) the "classifications of ALTA/ACSM land title surveys for ALTA/ACSM land title surveys"; and

(2) the standard of practice number one of the "Kansas minimum standards for boundary surveys," and "minimum standards for mortgagee title inspections" (MTI's), both as adopted by the Kansas society of land surveyors on August 18, 1990, except that the preface and scope sections of the Kansas minimum standards for boundary

(continued)

surveys, standard of practice number one shall be deleted. (Authorized by K.S.A. 74-7013, as amended by L. 1995, ch. 104, sec. 1; implementing K.S.A. 74-7037; effective May 4, 1992; amended Feb. 14, 1994; amended Feb. 13, 1995; amended March 1, 1996.)

#### Article 14.—CONTINUING EDUCATION REQUIREMENTS

**66-14-1. Requirements.** (a)(1) Beginning with applications for renewal of licenses which expire on March 31, 1998, each land surveyor shall have completed 30 PDH units of acceptable continuing education requirements during the two-year period immediately preceding the biennial renewal date as a condition for license renewal as defined in K.A.R. 66-6-6. If the licensee exceeds the requirement in any renewal period, the licensee may carry a maximum of 30 PDH units forward into the subsequent renewal period.

(2) Beginning with applications for renewal of licenses which expire on April 30, 2000, each professional engineer, architect, and landscape architect shall have completed 30 PDH units of acceptable continuing education requirements during the two-year period immediately preceding each biennial renewal date as a condition for license renewal as defined in K.A.R. 66-6-6. If a licensee exceeds the requirement in any renewal period, the licensee may carry a maximum of 30 PDH units forward into the subsequent renewal period.

(b) Continuing education obtained by the licensee shall:

(1) maintain, improve or expand technical professional skills and knowledge obtained before initial licensure; or

(2) develop new and relevant technical professional skills and knowledge. (Authorized by K.S.A. 74-7013, as amended by L. 1995, ch. 104, sec. 1; implementing K.S.A. 74-7025, as amended by L. 1995, ch. 104, sec. 2; effective March 1, 1996.)

**66-14-2. Definitions.** The terms used in this section shall have the following meanings:

(a) "Activity" means any course or activity which has a clear purpose and objective and which maintains, improves, or expands the technical professional skills and knowledge of the applicant.

(b) "Contact hour" means one clock hour of not less than 50 minutes.

(c) "Continuing education unit" (CEU) means a unit of credit customarily used for continuing education courses.

(d) "Dual licensee" means a person who is licensed in two or more technical professions.

(e) "Professional development hours" (PDH) means a contact hour of not less than 50 minutes of instruction or presentation which meets the requirements of these regulations.

(f) "Sponsor" means an individual, organization, association, institution or other entity which provides an educational activity for the purpose of fulfilling the continuing educational requirements of these regulations. (Authorized by K.S.A. 74-7013, as amended by L. 1995, ch. 104, sec. 1; implementing K.S.A. 74-7025, as amended by L. 1995, ch. 104, sec. 2; effective March 1, 1996.)

**66-14-3. Activities.** (a) Continuing educational activities which satisfy the continuing education requirement shall include the following:

(1) attending professional or technical presentations at meetings, conventions or conferences;

(2) attending in-house programs sponsored by corporations or other organizations;

(3) successfully completing seminars, tutorials, short courses, correspondence courses, televised courses or video-taped courses;

(4) making professional or technical presentations at meetings, conventions or conferences;

(5) teaching or instructing as described in K.A.R. 66-14-5(a)(2);

(6) authoring published papers, articles or books;

(7) actively participating in a technical profession society or organization;

(8) successfully completing college or university sponsored courses; and

(9) successfully completing courses which are awarded continuing educational units.

(b) All of the activities described in (a) shall be relevant to the practice of a technical profession and may include technical, ethical or managerial content. (Authorized by K.S.A. 74-7013, as amended by L. 1995, ch. 104, sec. 1; implementing K.S.A. 74-7025, as amended by L. 1995, ch. 104, sec. 2; effective March 1, 1996.)

**66-14-4. Criteria.** The criteria for continuing education activities shall:

(a) have a clear purpose and objective;

(b) be well organized, presented in a sequential manner, and provide evidence of pre-planning;

(c) be presented by persons who are well qualified by education or experience in the field being taught; and

(d) provide individual participant documentation for recordkeeping and reporting. (Authorized by K.S.A. 74-7013, as amended by L. 1995, ch. 104, sec. 1; implementing K.S.A. 74-7025, as amended by L. 1995, ch. 104, sec. 1; effective March 1, 1996.)

**66-14-5. Computation of credit.** (a) Continuing education credits shall be measured in professional development hours and shall be computed as follows:

(1) successfully completing one hour of professional development education in course work, seminars or making professional or technical presentations at meetings, conventions or conferences shall be the equivalent of one PDH;

(2) teaching or instructing a qualified presentation, as referred to in K.A.R. 66-14-3(a)(5), shall constitute two PDH for each contact hour spent in the classroom. Teaching credit shall be valid for teaching a course or seminar in its initial presentation only. Teaching credit shall not apply to full-time faculty at a college, university or other educational institution;

(3) authoring a published paper, article or book shall be the equivalent of 10 PDH;

(4) actively participating in a technical profession society or organization shall be the equivalent of two PDH. An individual shall serve as an officer or actively participate in a committee of the organization, or both, in order to receive credit under this subsection. Professional de-



velopment hours shall be limited to two PDH per organization and shall not be earned until the completion of each year of service;

(5) successfully completing one university semester hour of credit shall be the equivalent of 45 PDH;

(6) successfully completing one university quarter hour of credit shall be the equivalent of 30 PDH; or

(7) successfully completing one continuing education unit shall be the equivalent of 10 PDH.

(b) The board has final authority with respect to approval of courses, credits, and professional development hours for courses and other methods of earning credit. (Authorized by K.S.A. 74-7013, as amended by L. 1995, ch. 104, sec. 1; implementing K.S.A. 74-7025, as amended by L. 1995, ch. 104, sec. 2; effective March 1, 1996.)

**66-14-6. Exemptions.** A licensee may be exempt, upon board review and approval, from the continuing education requirements in the following situations:

(a) a new licensee by way of examination or reciprocity shall be exempt for the licensee's first renewal period, if the first renewal period is less than two years from the original date of licensure;

(b) a licensee called to active duty in the armed forces of the United States for a period of time exceeding 120 consecutive days in a calendar year shall be exempt from obtaining the professional development hours required during that year;

(c) a licensee experiencing physical disability, illness, or other extenuating circumstances may request exemption from the continuing education requirements. The licensee shall provide supporting documentation for the board's review and approval; and

(d) a licensee who lists the licensee's occupation as retired on the board approved renewal form and who certifies that the licensee is not currently practicing a technical profession shall be exempt from the professional development hours required. In the event the licensee elects to return to practice, the licensee shall earn professional development hours for each year exempted, not to exceed 30 PDH. (Authorized by K.S.A. 74-7013, as amended by L. 1995, ch. 104, sec. 1; implementing K.S.A. 74-7025, as amended by L. 1995, ch. 104, sec. 2; effective March 1, 1996.)

**66-14-7. Records.** (a) Each licensee shall maintain records on forms prescribed and furnished by the board to support the professional development hours claimed by the licensee.

(b) The records shall include the following:

(1) a log showing the type of activity claimed, the sponsoring organization, location, duration, instructor's or speaker's name, and professional development hours earned; and

(2) attendance verification records in the form of completion certificates or other documents supporting evidence of attendance.

(c) The licensee shall maintain the records for at least four years.

(d) Copies may be requested by the board for audit verification purposes. (Authorized by K.S.A. 74-7013, as amended by L. 1995, ch. 104, sec. 1; implementing K.S.A.

74-7025, as amended by L. 1995, ch. 104, sec. 2; effective March 1, 1996.)

**66-14-8. Reinstatement.** Any individual may reinstate a cancelled license by obtaining all delinquent professional development hours, not to exceed 30 PDH. Upon proof that the individual has complied with the requirements for obtaining continuing education, the individual shall meet the board's other requirements for reinstatement before reinstatement shall be granted. (Authorized by K.S.A. 74-7013, as amended by L. 1995, ch. 104, sec. 1; implementing K.S.A. 74-7025, as amended by L. 1995, ch. 104, sec. 2; effective March 1, 1996.)

**66-14-9. Proof of compliance.** Each licensee shall provide proof of satisfying the continuing education requirements as required by the board. If the licensee fails to furnish the information as required by the board, the license shall not be renewed. (Authorized by K.S.A. 74-7013, as amended by L. 1995, ch. 104, sec. 1; implementing K.S.A. 74-7025, as amended by L. 1995, ch. 104, sec. 2; effective March 1, 1996.)

**66-14-10. Reciprocity.** Licensees of this jurisdiction who are residents of other jurisdictions shall meet the continuing education requirements of this board. These requirements may be satisfied if a non-resident licensee provides evidence of having met the requirements of another jurisdiction that are equal to or exceed the requirements of this board. Proof of compliance shall be presented in conformance with these regulations. (Authorized by K.S.A. 74-7013, as amended by L. 1995, ch. 104, sec. 1; implementing K.S.A. 74-7025, as amended by L. 1995, ch. 104, sec. 2; effective March 1, 1996.)

**66-14-11. Dual licensee.** A dual licensee shall earn a minimum of 40 PDH per renewal period except for the carryover permitted. The dual licensee shall earn 20 of the PDH in each technical profession area. The number of professional development hours which may be carried forward into the next renewal period for a dual licensee shall not exceed 20 in each professional area. (Authorized by K.S.A. 74-7013, as amended by L. 1995, ch. 104, sec. 1; implementing K.S.A. 74-7025, as amended by L. 1995, ch. 104, sec. 2; effective March 1, 1996.)

**66-14-12. Disallowance.** If the board disallows the professional development hours claimed, the applicant for licensure renewal or reinstatement shall have 120 days after notification to substantiate the original claim or to earn other credit to meet the minimum requirement. (Authorized by K.S.A. 74-7013, as amended by L. 1995, ch. 104, sec. 1; implementing K.S.A. 74-7025, as amended by L. 1995, ch. 104, sec. 2; effective March 1, 1996.)

Betty Rose  
Executive Director

Doc. No. 017273

## State of Kansas

## Social and Rehabilitation Services

Permanent Administrative  
RegulationsArticle 5.—PROVIDER PARTICIPATION, SCOPE OF  
SERVICES, AND REIMBURSEMENTS FOR THE  
MEDICAID (MEDICAL ASSISTANCE) PROGRAM

**30-5-58. Definitions.** (a) The following words and terms, when used in this article, shall have the following meanings, unless the context clearly indicates otherwise.

(1) "Accept medicare assignment" means the provider will accept the medicare-allowed payment rate as payment in full for services provided to a recipient.

(2) "Accrual basis accounting" means that revenue of the provider is reported in the period when it is earned, regardless of when it is collected, and expenses are reported in the period in which they are incurred, regardless of when they are paid.

(3) "Acquisition cost" means the allowable reimbursement price determined by the Kansas department of social and rehabilitation services for each covered drug, supply or device in accordance with federal regulations.

(4) "Activities of daily living" means basic activities necessary for daily self care.

(5) "Admission" means the condition of entry into a hospital for the purpose of receiving inpatient medical treatment.

(6) "Agency" means the department of social and rehabilitation services.

(7) "Ambulance" means a state-licensed vehicle equipped for emergency transportation of injured or sick recipients to facilities where medical services are rendered.

(8) "Arm's length transaction" means a transaction between unrelated parties.

(9) "Border cities" means those communities outside of the state of Kansas but within a 50-mile range of the state border.

(10) "Capitated managed care" means a type of managed care plan which uses a risk-sharing reimbursement method whereby providers receive fixed periodic payments for health services rendered to plan members. Capitated fees are set by contract with providers and are paid on a per person basis regardless of the amount of services rendered or costs incurred.

(11) "Case conference" means a scheduled face-to-face meeting involving two or more persons to discuss problems associated with the treatment of the facility's patient or patients. Persons involved in the case conference may include treatment staff, collaterals or other department representatives of the client or clients.

(12) "Capitation reimbursement" means a reimbursement methodology establishing payment rates, per program consumer or eligible individual, for a designated group of services.

(13) "Change of ownership" means a change that involves:

(A) an arm's length transaction between unrelated parties; and

(B) (i) the dissolution or creation of a partnership when no member of the dissolved partnership or the new part-

nership retains ownership interest from the previous ownership affiliation;

(ii) a transfer of title and property to another party if the transfer is an arm's length transaction, and if the property is owned by a sole proprietor;

(iii) the change or creation of a new lessee, acting as a provider of pharmacy services; or

(iv) the consolidation of two or more corporations that creates a new corporate entity. However, the transfer of participating provider corporate stock shall not in itself constitute a change of ownership. Similarly, a merger of one or more corporations with a participating provider corporation surviving shall not constitute a change of ownership.

(14) "Common control" means that an individual or organization has the power, directly or indirectly, to significantly influence or direct the actions or policies of an organization or facility.

(15) "Common ownership" means that an entity holds a minimum of five percent ownership or equity in the provider facility and in the company engaged in business with the provider facility.

(16) "Comparable outpatient service" means a service that is provided in a hospital that is comparable to a service provided in a physician's office or ambulatory surgical center.

(17) "Comparison per diem rate" means the per diem rate as adjusted by deducting the teaching cost for approved intern, resident, and nursing programs divided by the total hospital inpatient days in the hospital fiscal year ending in 1981.

(18) "Concurrent care" means services rendered simultaneously by two or more eligible providers.

(19) "Consultation" means an evaluation which requires another examination by a provider of the same profession, a study of records, and a discussion of the case with the physician primarily responsible for the patient's care.

(20) "Contract loss" means the excess of contract cost over contract income.

(21) "Cost and other accounting information" means adequate data, including source documentation, that is accurate, current, and in sufficient detail to accomplish the purposes for which it is intended. Source documentation, including petty cash pay out memoranda and original invoices, shall be valid only if it originated at the time and near the place of the transaction. In order to provide the required cost data, financial and statistical records shall be maintained in a manner that is consistent from one person to another. This requirement shall not preclude a beneficial change in accounting procedures when there is a compelling reason to effect a change of procedure.

(22) "Cost finding" means the process of recasting the data derived from the accounts ordinarily kept by a provider to ascertain costs of the various types of services rendered.

(23) "Cost outlier" means a general hospital inpatient stay with an estimated cost which exceeds the cost outlier limit established for the respective diagnosis-related group.

(24) "Cost outlier limit" means the maximum cost of a general hospital inpatient stay established according to a

methodology specified by the secretary for each diagnosis-related group.

(25) "Cost-related reimbursement" means reimbursement based on analysis and consideration of the historical operating costs required to provide specified services.

(26) "Costs not related to patient care" means costs which are not appropriate, necessary, or proper in developing and maintaining facility operation and activities. These costs shall not be allowed in computing reimbursable costs under cost-related reimbursement.

(27) "Costs related to patient care" means all necessary and proper costs arising from arms-length transactions in accordance with generally accepted accounting principles which are appropriate and helpful in developing and maintaining the operation of patient care facilities and activities.

(28) "Covered service" means a medical service for which reimbursement will be made by the medicaid/medikan program. The department may limit coverage on the basis of prior authorization.

(29) "Day outlier" means a general hospital inpatient length of stay which exceeds the day outlier limit established for the respective diagnosis-related group.

(30) "Day outlier limit" means the maximum general hospital inpatient length of stay established according to a methodology specified by the secretary for each diagnosis-related group.

(31) "Diagnosis-related group (DRG)" means the classification system which arranges medical diagnoses into mutually exclusive groups.

(32) "Diagnosis-related group (DRG) adjustment percent" means a percentage assigned by the secretary to a diagnosis-related group for purposes of computing reimbursement.

(33) "Diagnosis-related group (DRG) daily rate" means the dollar amount assigned by the secretary to a diagnosis-related group for purposes of computing reimbursement when a rate per day is required.

(34) "Diagnosis-related group (DRG) reimbursement system" means a reimbursement system in the Kansas medicaid/medikan program for general hospital inpatient services which uses diagnosis-related groups for determining reimbursement on a prospective basis.

(35) "Diagnosis-related group (DRG) weight" means the numeric value assigned to a diagnosis-related group for purposes of computing reimbursement.

(36) "Discharge" means the condition of release from a hospital. A discharge shall occur when the consumer leaves the hospital or dies. A transfer to another unit within a hospital, except to a swing bed, and a transfer to another hospital shall not be a discharge.

(37) "Discharging hospital" means, in instances of the transfer of a consumer, the hospital which discharges the consumer admitted from the last transferring hospital.

(38) "Disproportionate share hospital" means a hospital that has:

(A) a medicaid/medikan hospital inpatient utilization rate of at least one standard deviation above the mean medicaid/medikan inpatient utilization rate for hospitals within the state borders of Kansas which are receiving medicaid/medikan payments or a hospital with a low-income utilization rate exceeding 25 percent; and

(B) at least two obstetricians with staff privileges at the hospital who have agreed to provide obstetric services to medicaid/medikan eligible individuals. In a hospital located in a rural area, the obstetrician may be any physician with staff privileges at the hospital to perform non-emergency obstetric procedures. The only exceptions to this shall be:

(i) a hospital with inpatients who are predominantly under 18 years of age; or

(ii) a hospital which did not offer non-emergency obstetric services as of December 21, 1987.

(39) "Drug, supply or device" means:

(A) articles recognized in the official United States pharmacopoeia, or other such official compendiums of the United States, or official national formulary, or any supplement of any of these publications;

(B) articles intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease in human beings;

(C) articles intended to affect the structure or any function of the bodies of human beings; and

(D) articles intended for use as components of any articles specified in paragraph (39) (A), (39) (B) or (39) (C).

(40) "Durable medical equipment (DME)" means equipment which will:

(A) withstand repeated use;

(B) not generally be useful to a person in the absence of an illness or injury;

(C) be primarily and customarily used to serve a medical purpose;

(D) be appropriate for use in the home; and

(E) be rented or purchased as determined by designees of the secretary.

(41) "Election period" means the period of time for the receipt of hospice care, beginning with the first day of hospice care as provided in the election statement and continuing through any subsequent days, excluding any days of hospice care earlier than the date the election statement is signed.

(42) "Election statement" means the revocable statement signed by a consumer which is filed with a particular hospice and which consists of:

(A) identification of the hospice selected to provide care;

(B) acknowledgement that the consumer has been given a full explanation of hospice care;

(C) acknowledgement by the consumer that other medicaid services are waived;

(D) the effective date of the election period; and

(E) the consumer's signature or the signature of the consumer's legal representative.

(43) "Emergency services" means those services provided after the sudden onset of a medical condition manifested by symptoms of sufficient severity, including severe pain, that the absence of immediate medical attention could reasonably be expected to result in placing the patient's health in serious jeopardy, serious impairment to bodily functions, or serious dysfunction of any bodily organ or part.

(44) "Estimated cost" means the cost of general hospital inpatient services provided to a consumer which is com-

(continued)

puted using a methodology set out in the Kansas medicare state plan.

(45) "Formulary" means a listing of drugs, supplies or devices.

(46) "Free-standing inpatient psychiatric facility" means an inpatient psychiatric facility licensed to provide services only to the mentally ill.

(47) "General hospital" means an establishment which provides an organized medical staff of physicians, permanent facilities that include inpatient beds, and medical services. The medical services provided by the hospital shall include the following:

(A) physician services;

(B) continuous registered professional nursing services for not less than 24 hours of every day; and

(C) diagnosis and treatment for nonrelated patients who have a variety of medical conditions.

(48) "General hospital group" means the category to which a general hospital is assigned for purposes of computing reimbursement.

(49) "General hospital inpatient beds" means the number of beds as reported by the general hospital on the hospital and hospital health care complex cost report form, excluding those beds designated as skilled nursing facility or intermediate care facility beds. For hospitals not filing the hospital and hospital health care complex cost report form, the number of beds shall be obtained from the provider application for participation in the Kansas medicare/medicaid program form.

(50) "Generally accepted accounting procedures" means generally accepted accounting principles, except as otherwise specifically indicated by medicare/medicaid program policies and regulations. Any adoption of these principles shall not supersede any specific regulation or policy of the medicare/medicaid program.

(51) "Group reimbursement rate" means the dollar value assigned by the secretary to each general hospital group for a diagnosis-related group weight of one.

(52) "Health maintenance organization" means an organization of providers of designated medical services which makes available and provides these medical services to eligible enrolled individuals for a fixed periodic payment which is determined in advance. Referral to outside specialists shall be limited.

(53) "Historical cost" means actual allowable costs incurred for a specified period of time.

(54) "Home health aide service" means the direct care provided by a person with minimum training to consumers who are unable to care for themselves or who need assistance in accomplishing the activities of daily living. The direct care provider shall be under the supervision of a registered nurse employed by a home health agency.

(55) "Hospice" means a public agency or private organization, or a subdivision of either, that primarily engages in providing care to terminally ill individuals, meets the medicare conditions of participation for hospices, and has enrolled to provide hospice services pursuant to K.A.R. 30-5-59.

(56) "Hospital located in a rural area" means a facility located in an area outside of a metropolitan statistical area as defined in paragraph (77).

(57) "Independent laboratory" means a laboratory that performs laboratory tests ordered by a physician, and that is in a location other than the physician's office or a hospital.

(58) "Ineligible provider" means a provider who is not enrolled in the medicare/medicaid program because of reasons set forth in K.A.R. 30-5-60, or because of commission of civil or criminal fraud in another state or another program.

(59) "Interest expense" means the cost incurred for the use of borrowed funds on a loan made for a purpose related to patient care.

(60) "Kan Be Healthy program participant" means an individual under the age of 21 who is eligible for medicare, and who has undergone a Kan Be Healthy medical screening in accordance with a specified screening schedule. The medical screening shall be performed in order to:

(A) ascertain physical and mental defects; and

(B) provide treatment which corrects or ameliorates defects and chronic conditions which are found.

(61) "Kan Be Healthy dental-only participant" means an individual under the age of 21 who is eligible for medicare, and who has undergone only a Kan Be Healthy dental screening in accordance with a specified screening schedule. The dental screening shall be performed in order to:

(A) ascertain dental defects; and

(B) provide treatment which corrects or ameliorates dental defects and chronic dental conditions which are found.

(62) "Kan Be Healthy vision-only participant" means an individual under the age of 21 who is eligible for medicare, and who has undergone only a Kan Be Healthy vision screening in accordance with a specified screening schedule. The vision screening shall be performed in order to:

(A) ascertain vision defects; and

(B) provide treatment which corrects or ameliorates vision defects and chronic vision conditions which are found.

(63) "Length of stay as an inpatient in a general hospital" means the number of days an individual remains for treatment as an inpatient in a general hospital from and including the day of admission, to and excluding the day of discharge.

(64) "Lock-in" means the restriction of a consumer's access to medical services because of abuse through limitation of the use of the medical identification card to designated medical providers.

(65) "Low-income utilization rate for hospitals" means the rate which is defined in accordance with 42 CFR 1396r-4, effective July 1, 1988, which is adopted by reference.

(66) "Managed care" means a system of managing and financing health care delivery to ensure that services provided to managed care plan members are necessary, efficiently provided and appropriately priced.

(67) "Managerial capacity" means an individual, including a general manager, business manager, administrator, or director, who:

(A) exercises operational or managerial control over the provider; or

(B) directly or indirectly conducts the day-to-day operations of the provider.

(68) "Maternity center" means a facility licensed as a maternity hospital which provides delivery services for normal uncomplicated pregnancies.

(69) "Medicaid home- and community-based services (HCBS)" means services provided in accordance with a federally-approved waiver to the Kansas medicaid state plan which are designed to prevent unnecessary utilization and to reduce health costs.

(70) "Medicaid home- and community-based services for persons with head injury trauma (HCBS/HI)" means services provided in accordance with a federally-approved waiver to the Kansas medicaid state plan. These services shall be designed as alternatives to services in head injury rehabilitation facilities for individuals with external, traumatic head injuries.

(71) "Medicaid home- and community-based services for persons with mental retardation or other developmental disabilities (HCBS/MRDD)" means services provided in accordance with a federally-approved waiver to the Kansas medicaid state plan. These services shall be designed as alternatives to services otherwise provided in intermediate care facilities for the mentally retarded (ICF/MR) for individuals who have mental retardation or other developmental disabilities.

(72) "Medicaid/medikan hospital inpatient utilization rate" means the total number of medicaid/medikan paid inpatient days in a cost reporting period, divided by the total number of the hospital's inpatient days in the same period.

(73) "Medical necessity" means a decision by a medical practitioner that a therapy, treatment, drug, item or service prescribed or provided is essential to treat or diagnose a specific physical or psychiatric condition.

(74) "Medical necessity in psychiatric situations" means that there is medical documentation which indicates:

(A) the person could be harmful to himself or herself or others if not under psychiatric treatment; or

(B) the person is disoriented in time, place or person.

(75) "Medical supplies" means supplies not generally useful to a person in the absence of illness or injury which are prescribed by a physician and used in the home and certain institutional settings.

(76) "Mental retardation" means significantly sub-average intellectual functioning which:

(A) is manifested before age 22; and

(B) is evidenced by:

(i) a score of 70 or below on any standardized measure of intelligence; and

(ii) concurrently existing deficits in adaptive behavior.

(77) "Metropolitan statistical area (MSA)" means a geographic area designated as such by the United States executive office of management and budget as set out in the Federal Register, Vol. 53, No. 244, December 20, 1988, which is adopted by reference.

(78) "Necessary interest" means interest expense incurred on a loan made to satisfy a financial need of the

facility. Loans which result in excess funds or investments shall not be considered necessary.

(79) "Net cost" means the cost of approved educational activities, less any reimbursements from grants, tuition, and specific donations.

(80) "Non-covered services" means services for which medicaid/medikan will not provide reimbursement, including services that have been denied due to the lack of medical necessity.

(81) "Occupational therapy" means the provision of treatment by an occupational therapist registered with the American occupational therapy association. The treatment shall be:

(A) rehabilitative and restorative in nature;

(B) provided following physical debilitation due to acute physical trauma or physical illness; and

(C) prescribed by the attending physician.

(82) "Organization costs" means those costs directly incidental to the creation of the corporation or other form of business. These costs shall be considered intangible assets because they represent expenditures for rights and privileges which have value to the enterprise. Because the services inherent in organization extend over more than one accounting period, the costs shall be amortized over a period of not less than 60 months from the date of incorporation for the purposes of computing reimbursable costs under a cost-related reimbursement system.

(83) "Orthotics and prosthetics" means devices which are:

(A) reasonable and necessary for treatment of an illness or injury;

(B) prescribed by a physician;

(C) necessary to replace or improve functioning of a body part; and

(D) provided by a trained orthotist or prosthetist.

(84) "Other developmental disability" means a condition or illness which:

(A) is manifested before age 22;

(B) may reasonably be expected to continue indefinitely;

(C) results in substantial limitations in any three or more of the following areas of life functioning:

(i) self-care;

(ii) understanding and the use of language;

(iii) learning and adapting;

(iv) mobility;

(v) self-direction in setting goals and undertaking activities to accomplish those goals;

(vi) living independently; or

(vii) economic self-sufficiency; and

(D) reflects the need for a combination and sequence of special, interdisciplinary or generic care, treatment or other services which are of extended or lifelong duration and are individually planned and coordinated.

(85) "Out-of-state provider" means any provider that is physically located more than 50 miles beyond the border of Kansas, except those providing services to children who are wards of the secretary. The following shall be considered out-of-state providers if they are physically located beyond the border of Kansas:

(A) nursing facilities;

(continued)

- (B) intermediate care facilities;
  - (C) community mental health centers;
  - (D) partial hospitalization service providers; and
  - (E) alcohol and drug program providers.
- (86) "Outpatient treatment" means services provided by the outpatient department of a hospital, a facility that is not under the administration of a hospital, or a physician's office.
- (87) "Over-the-counter" means any item available for purchase without a prescription order.
- (88) "Owner" means a sole proprietor, member of a partnership or a corporate stockholder with five percent or more interest in the corporation. The term "owner" shall not include minor stockholders in publicly-held corporations.
- (89) "Partial hospitalization program" means an ambulatory treatment program that includes the major diagnostic, medical, psychiatric, psychosocial, and daily living skills treatment modalities, based upon a treatment plan.
- (90) "Participating provider" means any individual or entity that has in effect an agreement with the agency to furnish medicaid services.
- (91) "Pharmacy" means the premises, laboratory, area or other place:
- (A) where drugs are offered for sale, the profession of pharmacy is practiced and prescriptions are compounded and dispensed;
  - (B) which has displayed upon it or within it the words "pharmacist," "pharmaceutical chemist," "pharmacy," "apothecary," "drugstore," "druggist," "drugs," "drug sundries," or any combinations of these words or words of similar import; and
  - (C) where the characteristic symbols of pharmacy or the characteristic prescription sign "Rx" are exhibited. The term "premises" as used in this subsection refers only to the portion of any building or structure leased, used, or controlled by the registrant in the conduct of the business registered by the board at the address for which the registration was issued.
- (92) "Pharmacist" means any person duly licensed or registered to practice pharmacy by the state board of pharmacy or by the regulatory authority of the state in which the person is engaged in the practice of pharmacy.
- (93) "Physical therapy" means treatment which:
- (A) is provided by a physical therapist registered in the jurisdiction where the service is provided or by the Kansas board of healing arts;
  - (B) is rehabilitative and restorative in nature;
  - (C) is provided following physical debilitation due to acute physical trauma or physical illness; and
  - (D) is prescribed by the attending physician.
- (94) "Physician extender" means a person registered as a physician's assistant or licensed advanced registered nurse practitioner in the jurisdiction where the service is provided, and who is working under supervision as required by law or administrative regulation.
- (95) "Plan of care" means a document which states:
- (A) the need for care;
  - (B) the estimated length of the program;
  - (C) the prescribed treatment, modalities, and methodology to be used; and

(D) the expected results.

(96) "Practitioner" means any person licensed to practice medicine and surgery, dentistry or podiatry, or any other person licensed, registered or otherwise authorized by law to administer, prescribe and use prescription-only drugs in the course of professional practice.

(97) "Prescribed" means the issuance of a prescription order by a practitioner.

(98) "Prescription" means, according to the context, either a prescription order or a prescription medication.

(99) "Prescription medication" means any drug, supply or device, including label and container according to context, which is dispensed pursuant to a prescription order.

(100) "Prescription-only" means an item available for purchase only with a prescription order.

(101) "Primary Care Case Management (PCCM)" means a type of managed care whereby a beneficiary is assigned a primary care case manager who manages costs and quality of services by providing case assessment, primary services, treatment planning, referral and follow-up in order to ensure comprehensive and continuous service and coordinated reimbursement.

(102) "Primary care network" means a service delivery control system in which physicians, in independent or group practices, local health departments or clinics, act as primary care providers and are responsible for initiating or approving specified medical services for participating consumers.

(103) "Primary diagnosis" means the most significant diagnosis related to the services rendered.

(104) "Prior authorization or precertification" means the approval of a request to provide a specific service before the provision of the service.

(105) "Professional fee" means the reimbursement rate assigned to each individual pharmacy provider for provision of pharmacy services.

(106) "Program" means the Kansas medicaid/medikan program.

(107) "Proper interest" means interest incurred at a rate not in excess of what a prudent borrower would have had to pay under market conditions existing at the time the loan was made.

(108) "Prospective, reasonable, cost-related reimbursement" means present and future reimbursement, based on analysis and consideration of the historical cost that is related to patient care, in the operation of facilities and programs.

(109) "Qualified medicare beneficiary (QMB)" means an individual:

- (A) who is entitled to medicare hospital insurance benefits under part A of medicare;

- (B) whose income does not exceed a specified percent of the official poverty level as defined by the United States executive office of management and budget; and

- (C) whose resources do not exceed twice the supplemental security income resource limit.

(110) "Readmission" means the subsequent admission of a consumer as an inpatient into a hospital within 30 days of discharge as an inpatient from the same or another DRG hospital.

(111) "Related parties" means any relationship between two or more parties in which one party has the ability to influence another party to the transaction in a way that one or more of the transacting parties might fail to pursue its own separate interests fully. Related parties shall include those related by family, business or financial association, or by common ownership or control. Transactions between related parties shall not be considered to have arisen through arms-length negotiations. Transactions or agreements that are illusory or a sham shall not be recognized.

(112) "Related to the community mental health center" means that the agency or facility furnishing services to the community mental health center:

(A) is directly associated or affiliated with the community mental health center by formal agreement;

(B) governs the community mental health center; or

(C) is governed by the community mental health center.

(113) "Residence for the payment of hospice services" means a hospice consumer's home or the nursing facility in which a hospice consumer is residing.

(114) "Revocation statement" means the statement signed by the consumer which revokes the election of hospice service.

(115) "Sampling" means the review process of obtaining a stratified random sample of a subset of cases from the universe of claims submitted by a specific provider. The sample shall be used to project the review results across the entire universe of claims for that provider to determine an overpayment.

(116) "Speech therapy" means treatment provided by a speech pathologist who has a certificate of clinical competence from the American speech and hearing association. The treatment shall be:

(A) rehabilitative and restorative in nature;

(B) provided following physical debilitation due to acute physical trauma or physical illness; and

(C) prescribed by the attending physician.

(117) "Standard diagnosis-related group (DRG) amount" means the amount computed by multiplying the group reimbursement rate for the general hospital by the diagnosis-related group weight.

(118) "State-operated hospital" means an establishment operated by the state of Kansas with an organized medical staff of physicians, with permanent facilities that include inpatient beds, with medical services, including physician services and continuous registered professional nursing services for not less than 24 hours of every day, and which provides diagnosis and treatment for non-related patients.

(119) "Stay as an inpatient in a general hospital" means the period of time spent in a general hospital from admission to discharge.

(120) "Swing bed" means a hospital bed that can be used interchangeably as either a hospital, skilled nursing facility, or intermediate care facility bed, with reimbursement based on the specific type of care provided.

(121) "Targeted case management services" means those services which assist medicaid consumers in gaining access to medically necessary care. The services shall be provided by a case manager with credentials specified by the department of social and rehabilitation services.

(122) "Technology-assisted child" means a chronically ill or medically fragile child younger than 16 years whose illness or disability, in the absence of home care services, would require admission to or prolonged stay in a hospital. The technology-assisted child needs both a medical device to compensate for the loss of a vital body function and substantial continuous care by a nurse or other caretaker under the supervision of a nurse in order to avert death or further disability. A technology-assisted child shall:

(A) require substantial and ongoing care by a nurse;

(B) be dependent at least part of each day on mechanical ventilators for survival; and

(C) require prolonged intravenous administration of nutritional substances or drugs, or require other medical devices to compensate for the loss of a vital body function.

(123) "Terminally ill" means the medical condition of an individual whose life expectancy is six months or less as determined by a physician.

(124) "Timely filing" means the receipt by the Kansas department of social and rehabilitation services or its fiscal agent of a claim for payment from a provider for services provided to a medicaid program consumer. The claim for payment shall be submitted no later than twelve months after the date the claimed services were provided.

(125) "Transfer" means the movement of an individual receiving general hospital inpatient services from one hospital to another hospital for additional related inpatient care after admission to the previous hospital or hospitals.

(126) "Transferring hospital" means the hospital which transfers a consumer to another hospital. There may be more than one transferring hospital for the same consumer until discharge.

(127) "Traumatic head injury" means non-degenerative, structural brain damage resulting in residual deficits and disability which have been acquired by external physical injury.

(128) "Uncollectable overpayment to an out-of-business provider" means:

(A) any amount which is due from a provider of medical services who has ceased all practice or operations for any medical services as an individual, a partnership or a corporate identity, and who has no assets capable of being applied to any extent toward a medicaid overpayment; or

(B) any amount due which is less than its collection and processing costs.

(129) "Urgent" means a situation requires immediate admission, but not through the emergency room.

(b) The effective date of this regulation shall be March 1, 1996. (Authorized by and implementing K.S.A. 39-708c; effective May 1, 1981; amended May 1, 1982; amended May 1, 1983; amended May 1, 1984; amended May 1, 1985; amended May 1, 1986; amended May 1, 1988; amended, T-30-7-29-88, July 29, 1988; amended Sept. 26, 1988; amended Jan. 2, 1989; amended July 1, 1989; amended Jan. 2, 1990; amended, T-30-1-2-90, Jan. 2, 1990; amended, T-30-2-28-90, Jan. 2, 1990; amended Aug. 1, 1990; amended Jan. 7, 1991; amended, T-30-3-1-91, March 1, 1991; amended July 1, 1991; amended, T-30-8-9-91, Aug. 30, 1991; amended Oct. 28, 1991; amended April 1, 1992; amended May 1, 1992; amended July 31, 1992;

(continued)

amended May 3, 1993; amended Oct. 1, 1993; amended July 1, 1994; amended April 1, 1995; amended Sept. 1, 1995; amended March 1, 1996.)

**30-5-64. Prior authorization or precertification.** (a) Any medical service may be placed by the secretary on the published list of services requiring prior authorization or precertification for any of the following reasons:

(1) to assure provision of the service is medically necessary;

(2) to assure that services which may be subject to over-use are monitored for appropriateness in each case; and

(3) to assure that services are delivered in a cost-effective manner.

(b) Covered pharmaceuticals in the following classes shall require prior authorization:

(1) Acne products: Accutanes;

(2) Amphetamines:

(A) Adderall;

(B) Dexampex;

(C) Dexedrine;

(D) dextroamphetamine;

(E) Dextrostat; and

(F) Fastin;

(3) Anorexiant:

(A) Adderall;

(B) Dexampex;

(C) Dexedrine;

(D) dextroamphetamine;

(E) Dextrostat;

(F) Fastin;

(G) Mazinor;

(H) Phentermine;

(I) Pondimin; and

(J) Sanorex;

(4) Anticonvulsants:

(A) clorazepate dipotassium;

(B) Depekene;

(C) Tegretol; and

(D) Tranxene;

(5) Antiplatelet products:

(A) dipyridamole; and

(B) Persantine;

(6) Antituberculosis products:

(A) Isoniazid;

(B) Laniazid;

(C) Myambutol;

(D) Nydrazid;

(E) P.A.S. sodium;

(F) pyrazinamide;

(G) Rifadin;

(H) Rifamate;

(I) Rifater;

(J) Rimactane;

(K) Teebacin; and

(L) Trecator SC;

(7) Anxiolytics:

(A) Alprazolam; and

(B) Xanax;

(8) Benzodiazepines:

(A) Alprazolam;

(B) Clorazepate Dipotassium;

(C) Tranxene;

(D) Valrelease; and

(E) Xanax;

(9) Decubitus and wound care products:

(A) Bard Absorption;

(B) Debrisan;

(C) Duoderm;

(D) Envisan;

(E) Granulderm;

(F) Granulex;

(G) Granumed;

(H) Sorbsan; and

(I) Topi-caid;

(10) Dietary and nutritional products:

(A) Aminosyn;

(B) Carnitor;

(C) Cystein;

(D) Freamine;

(E) Intralipid;

(F) L-Cysteine;

(G) Liposyn;

(H) MCT Oil;

(I) Procalamine;

(J) Travasol; and

(K) Trophamine;

(11) Growth hormones:

(A) Humatrope(s);

(B) Nutropin(s); and

(C) Protropin(s);

(12) Hematinics, iron and vitamins:

(A) Baltrinsic;

(B) Belfer;

(C) Chromagen;

(D) Clovgran;

(E) Compete;

(F) Contrin;

(G) Daily Iron Complex;

(H) Difuleron;

(I) Fam-Iron;

(J) Feosol Spansule;

(K) Ferancee;

(L) Fergon Plus;

(M) Fero-grad;

(N) Fero-gradumet;

(O) Ferocon;

(P) Ferofofic;

(Q) Ferrotrinsic;

(R) Ferra TD;

(S) Ferralet;

(T) Ferralyn;

(U) Ferro Basic;

(V) Ferro Cap;

(W) Ferro Sequel;

(X) Ferromar;

(Y) Ferrous DS;

(Z) ferrous fumarate plus vitamins;

(AA) ferrous gluconate plus vitamins;

(BB) Ferrous Sulfate TR Capsule;

(CC) Fetinic Oral;

(DD) Fetrin;

(EE) Foltinic;

(FF) Foltrin;



(GG) Fumatinic;  
 (HH) Gari-Tone;  
 (II) Generet;  
 (JJ) Geriot;  
 (KK) Geritonic;  
 (LL) Gerivites Complex;  
 (MM) Hemaspan;  
 (NN) Hematronic;  
 (OO) Hemocyte Oral;  
 (PP) Humatrope;  
 (QQ) Hytinic;  
 (RR) I.L.X.B-12;  
 (SS) IBC;  
 (TT) IBC/Folic;  
 (UU) Iberbal;  
 (VV) Iberet;  
 (WW) Iberol;  
 (XX) Incremin with Iron;  
 (YY) intrinsic factor;  
 (ZZ) Intrinsicitonic;  
 (AAA) Iromin-G;  
 (BBB) Iron DSS;  
 (CCC) Iron Folic;  
 (DDD) Iron Plus;  
 (EEE) Iron/Pro-sof;  
 (FFF) Ironspan;  
 (GGG) Iron Vit. C;  
 (HHH) Lextron;  
 (III) liver/iron;  
 (JJJ) Livitamin;  
 (KKK) Livitronic;  
 (LLL) Martinic;  
 (MMM) May-Vita;  
 (NNN) Morgran Hematinic;  
 (OOO) Mortronic;  
 (PPP) Multi Ferrous;  
 (QQQ) Multiret;  
 (RRR) Nephro Fer Rx;  
 (SSS) Niferex Forte;  
 (TTT) Niferex;  
 (UUU) Nu-irons;  
 (VVV) Polytinic;  
 (WWW) Pre-H-Cal;  
 (XXX) Promar;  
 (YYY) Pronemia;  
 (ZZZ) Renamin;  
 (AAAA) Reticulex;  
 (BBBB) Simron;  
 (CCCC) Slow FE;  
 (DDDD) Stuartinic;  
 (EEEE) Tabron;  
 (FFFF) Thera Hematinic;  
 (GGGG) Theragenerix H;  
 (HHHH) Theragran Hematinic;  
 (III) Theravee Hematinic;  
 (JJJJ) Therem H;  
 (KKKK) Tolfrinic;  
 (LLLL) TR. Iron with Vitamins;  
 (MMMM) Trifac;  
 (NNNN) Trihemic;  
 (OOOO) Trinsicon;  
 (PPPP) Vimar;

(QQQQ) Vit. C/Iron;  
 (RRRR) Vita-ret;  
 (SSSS) Vitatol; and  
 (TTTT) Zentinic;  
 (13) Laxatives:  
 (A) Cephulac;  
 (B) Cholac;  
 (C) Chronulac;  
 (D) Constilac;  
 (E) Constilose;  
 (F) Constulose;  
 (G) Duphalac;  
 (H) Enulose;  
 (I) lactulose;  
 (J) R-O-Lactulose; and  
 (K) Sorbitol; and  
 (14) Psoralens: Trisoralen

(c) Failure to obtain prior authorization or precertification, if required, shall negate reimbursement for the service and any other service resulting from the unauthorized or noncertified treatment. The prior authorization or precertification shall affect reimbursement to all providers associated with the service.

(d) The only exceptions to prior authorization shall be:

(1) emergencies; and

(2) situations in which services requiring prior authorization are provided and retroactive eligibility is later established. When an emergency occurs or when retroactive eligibility is established, prior authorization for that service shall be waived, and if medical necessity is documented, payment shall be made.

(e) The only exceptions to precertification shall be:

(1) emergencies. If an emergency occurs requiring a service which requires precertification, the request for certification shall be made within two working days after the service is provided; or

(2) retroactive eligibility. If the provider is aware of an individual's pending application for eligibility, precertification shall be requested and received for those services requiring precertification. If an individual applies for medicaid eligibility after receiving the service which required precertification and the service requiring precertification may be covered for payment under retroactive eligibility, the certification for the service shall be requested before the claim is billed.

(f) Services requiring prior authorization or precertification shall be considered covered services within the scope of the program unless the request for prior authorization or precertification is denied. Reimbursement for the services shall be contingent on approval by the proper authorities prior to the provision of the services.

(g) The effective date of this regulation shall be March 1, 1996. (Authorized by and implementing K.S.A. 39-708c; effective May 1, 1981; amended May 1, 1983; amended May 1, 1986; amended May 1, 1992; amended July 1, 1994; amended March 1, 1995; amended March 1, 1996.)

Rochelle Chronister  
 Secretary of Social and  
 Rehabilitation Services

Doc. No. 017268

State of Kansas

Secretary of State

I, Ron Thornburgh, Secretary of State of the State of Kansas, do hereby certify that the following bill is a correct copy of the original enrolled bill now on file in my office.

In Testimony Whereof, I have hereunto subscribed my name and affixed by official seal.

Ron Thornburgh
Secretary of State

(Published in the Kansas Register February 15, 1996.)

SENATE BILL No. 543

AN ACT relating to elections; concerning the presidential primary election; amending K.S.A. 25-4501 and repealing the existing section.

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

Section 1. K.S.A. 25-4501 is hereby amended to read as follows: 25-

4501. On the first Tuesday in April of 1992 the year 2000, and every fourth year thereafter, there shall be held a presidential preference primary election.

New Sec. 2. All fees received by the secretary of state from candidates filing declarations of intent to become candidates for nomination at a presidential preference primary to be held in the year 1996, in accordance with K.S.A. 25-4502, shall be refunded and returned to the candidates from whom such fees were received.

New Sec. 3. Delegates and alternates to a national party convention held during 1996 shall be selected by a party by its district or state committee, or both, at its district or state convention, or both, or as otherwise provided by party rules adopted by the state committees of the political parties.

Sec. 4. K.S.A. 25-4501 is hereby repealed.

Sec. 5. This act shall take effect and be in force from and after its publication in the Kansas register.

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 1995 Supplement to the Kansas Administrative Regulations.

AGENCY 1: DEPARTMENT OF ADMINISTRATION

Table with 3 columns: Reg. No., Action, Register. Lists regulations 1-2-1 through 1-2-84 with their respective actions and register references.

Table with 3 columns: Reg. No., Action, Register. Lists regulations 1-2-85 through 1-9-7a with their respective actions and register references.

Table with 3 columns: Reg. No., Action, Register. Lists regulations V. 14, p. 1443 through V. 14, p. 1464 with their respective actions and register references.

Table with 3 columns: Reg. No., Action, Register. Lists regulations 1-9-7b through 1-24-1 with their respective actions and register references.

AGENCY 7: SECRETARY OF STATE

Table with 3 columns: Reg. No., Action, Register. Lists regulations 7-19-4, 7-36-1 through 7-36-6 with their respective actions and register references.

AGENCY 10: KANSAS BUREAU OF INVESTIGATION

Table with 3 columns: Reg. No., Action, Register. Lists regulations 10-21-1 through 10-21-6 with their respective actions and register references.

AGENCY 11: STATE CONSERVATION COMMISSION

Table with 3 columns: Reg. No., Action, Register. Lists regulations 11-8-1 through 11-8-8 with their respective actions and register references.

AGENCY 25: STATE GRAIN INSPECTION DEPARTMENT

Table with 3 columns: Reg. No., Action, Register. Lists regulations 25-1-1 through 25-4-1 with their respective actions and register references.

AGENCY 26: DEPARTMENT ON AGING

Table with 3 columns: Reg. No., Action, Register. Lists regulations 26-8-1 through 26-9-1 with their respective actions and register references.

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

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28-1-2	Amended	V. 14, p. 1740
28-1-3	Revoked	V. 14, p. 1740
28-1-4	Amended	V. 14, p. 1740
28-1-18	Amended	V. 14, p. 1740
28-19-7	Amended	V. 14, p. 1580
28-19-511	Amended	V. 14, p. 1589
28-19-512	Amended	V. 14, p. 1591
28-19-518	Amended	V. 14, p. 1594
28-29-84	Amended	V. 14, p. 992
28-29-85	Amended	V. 14, p. 992
28-29-98	Amended	V. 14, p. 91
28-34-62a	Amended	V. 14, p. 1659

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30-4-63	Amended	V. 14, p. 826
30-4-63w	Amended	V. 14, p. 827
30-4-64	Amended	V. 14, p. 828
30-4-64w	Amended	V. 14, p. 829
30-4-65w	New	V. 14, p. 830
30-4-85a	Amended	V. 15, p. 15
30-4-101	Amended	V. 14, p. 1327
30-4-120	Amended	V. 14, p. 831
30-4-120w	Amended	V. 14, p. 832
30-4-140w	Amended	V. 14, p. 833
30-5-58	Amended	V. 14, p. 914
30-5-59	Amended	V. 14, p. 168
30-5-71	Amended	V. 14, p. 988, 1017
30-5-80	Amended	V. 14, p. 1660
30-5-81u	Amended	V. 14, p. 1661
30-5-82	Amended	V. 14, p. 1661
30-5-86	Amended	V. 14, p. 1662
30-5-94	Amended	V. 14, p. 1662
30-5-95	Amended	V. 14, p. 1663
30-5-106	Amended	V. 14, p. 169
30-5-107	Amended	V. 14, p. 169
30-5-110	Amended	V. 14, p. 1663
30-5-116	Amended	V. 14, p. 920
30-5-153	New	V. 14, p. 1663
30-5-153a	New	V. 14, p. 1663
30-5-174	New	V. 14, p. 920
30-6-103	Amended	V. 14, p. 1663
30-6-103w	Amended	V. 14, p. 1664
30-6-106	Amended	V. 14, p. 1665
30-6-106w	Amended	V. 14, p. 1666
30-6-111	Amended	V. 14, p. 833
30-6-111w	Amended	V. 14, p. 834
30-10-1a	Amended	V. 14, p. 1668
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30-10-15a	Amended	V. 14, p. 1672
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30-10-27	Amended	V. 14, p. 1680
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30-23-15	Revoked	V. 14, p. 1682
30-23-17	Revoked	V. 14, p. 1682
30-26-5	Revoked	V. 14, p. 1682
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37-1-5	Revoked	V. 14, p. 1633
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37-1-6	through	
37-1-12	Revoked	V. 14, p. 1633

**AGENCY 40: KANSAS INSURANCE DEPARTMENT**

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40-4-17	Amended	V. 15, p. 77
40-4-37	Amended	V. 15, p. 77
40-4-37d	Amended	V. 15, p. 78
40-4-41	New	V. 14, p. 583, 624
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40-4-41g	New	V. 14, p. 584-587
40-5-109	Amended	625-628 V. 15, p. 78

**AGENCY 60: BOARD OF NURSING**

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60-11-108	Amended	V. 15, p. 115
60-11-109	Revoked	V. 15, p. 115
60-11-112	Revoked	V. 15, p. 115
60-11-114	Revoked	V. 15, p. 115
60-11-117	Revoked	V. 15, p. 115
60-12-106	Amended	V. 15, p. 115
60-12-109	Revoked	V. 15, p. 116
60-13-112	Amended	V. 15, p. 116
60-13-115	Revoked	V. 15, p. 116

**AGENCY 63: BOARD OF MORTUARY ARTS**

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63-1-2	Revoked	V. 14, p. 1439
63-1-3	Amended	V. 14, p. 202
63-2-2	Revoked	V. 14, p. 1439
63-2-3	Amended	V. 14, p. 202
63-2-10	Amended	V. 14, p. 1439
63-2-12	Amended	V. 14, p. 203
63-2-13	Amended	V. 14, p. 1439
63-3-9	Amended	V. 14, p. 1439
63-3-12	Amended	V. 14, p. 1439
63-3-13	Amended	V. 14, p. 1439
63-3-14	Revoked	V. 14, p. 1439
63-3-15	Amended	V. 14, p. 1439
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63-6-1	Amended	V. 14, p. 203
63-6-2	Amended	V. 14, p. 203
63-6-3	Amended	V. 14, p. 204
63-6-4	Revoked	V. 14, p. 1440
63-6-5	Amended	V. 14, p. 1440

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

Reg. No.	Action	Register
67-2-4	Amended	V. 14, p. 66

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68-1-1f	Amended	V. 14, p. 125
68-2-12a	Amended	V. 14, p. 125
68-2-20	Amended	V. 14, p. 125
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68-7-14	Amended	V. 14, p. 126
68-14-1	Amended	V. 14, p. 126
68-20-15a	Amended	V. 14, p. 126
68-20-18	Amended	V. 14, p. 127
68-20-19	Amended	V. 14, p. 128

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Reg. No.	Action	Register
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70-3-2	Amended	V. 14, p. 90
70-3-4	Revoked	V. 14, p. 90

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Reg. No.	Action	Register
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71-5-1	through	
71-5-6	New	V. 14, p. 1533, 1534

**AGENCY 74: BOARD OF ACCOUNTANCY**

Reg. No.	Action	Register
74-1-3	Amended	V. 14, p. 1736
74-4-1	Amended	V. 14, p. 1736

74-4-4	Amended	V. 14, p. 1736
74-4-5	Revoked	V. 14, p. 1736
74-4-6	Revoked	V. 14, p. 1736
74-5-2	Amended	V. 14, p. 1736
74-5-103	Amended	V. 14, p. 1737
74-5-202	Amended	V. 14, p. 1738
74-5-203	Amended	V. 14, p. 1738
74-5-406	Amended	V. 14, p. 1738
74-6-1	Amended	V. 14, p. 1739
74-6-2	Amended	V. 14, p. 1739
74-7-2	Amended	V. 14, p. 1739
74-8-2	Revoked	V. 14, p. 1739
74-8-5	Revoked	V. 14, p. 1739
74-13-1	Revoked	V. 14, p. 1739
74-13-2	Revoked	V. 14, p. 1739
74-14-1	Revoked	V. 14, p. 1739
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Reg. No.	Action	Register
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81-5-12	New	V. 14, p. 287

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82-3-103	Amended	V. 14, p. 132
82-3-106	Amended	V. 14, p. 133
82-3-115	Amended	V. 14, p. 134
82-3-115a	New	V. 14, p. 135
82-3-115b	New	V. 14, p. 135
82-3-116	Amended	V. 14, p. 136
82-3-120	Amended	V. 14, p. 136
82-3-300	Amended	V. 14, p. 137
82-5-13	Amended	V. 14, p. 1047
82-8-100	through	
82-8-108	Revoked	V. 14, p. 1047
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82-12-9	New	V. 14, p. 1048, 1049

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86-1-12	Amended	V. 14, p. 1496
86-1-13	Amended	V. 14, p. 1497
86-1-15	Amended	V. 14, p. 1497
86-1-17	New	V. 14, p. 1497
86-1-18	New	V. 14, p. 1498
86-2-4	Revoked	V. 14, p. 1660
86-2-6	Revoked	V. 14, p. 1660
86-3-25	New	V. 14, p. 1498

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91-1-35	Amended	V. 14, p. 1705
91-1-36	Revoked	V. 14, p. 1706
91-1-44	Amended	V. 14, p. 1706
91-1-45	Amended	V. 14, p. 1706
91-1-46	Amended	V. 14, p. 1706
91-1-48	Amended	V. 14, p. 1706
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91-1-68d	Amended	V. 14, p. 677-680
91-1-68e	New	V. 14, p. 681
91-1-70a	New	V. 14, p. 682
91-1-70b	New	V. 14, p. 682
91-1-103	Revoked	V. 14, p. 1707
91-1-113b	Amended	V. 14, p. 1707
91-1-114a	Amended	V. 14, p. 1707
91-1-115a	Amended	V. 14, p. 1707
91-1-117a	Amended	V. 14, p. 1708
91-1-118a	Amended	V. 14, p. 1708
91-1-123	Revoked	V. 14, p. 1708
91-1-127a	Amended	V. 14, p. 1708
91-1-128a	Revoked	V. 14, p. 1708
91-1-145	Amended	V. 14, p. 1709

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91-1-146d	Amended	V. 14, p. 1709	111-2-39	New	V. 14, p. 1502	111-4-241		
91-12-23	Amended	V. 14, p. 91	111-2-40	New	V. 14, p. 1502	through		
91-12-25	Amended	V. 14, p. 91	111-2-41	New	V. 14, p. 1742	111-4-244	Revoked	V. 12, p. 1371
91-12-29	Revoked	V. 14, p. 92	111-2-42	New	V. 14, p. 1742	111-4-245		
91-12-34	Revoked	V. 14, p. 92	111-3-1	Amended	V. 14, p. 908	through		
91-12-35	Amended	V. 14, p. 92	111-3-6	Amended	V. 12, p. 677	111-4-248	Revoked	V. 12, p. 1371
91-12-41	Amended	V. 14, p. 92	111-3-9	Revoked	V. 11, p. 1793	111-4-249		
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91-12-51	Amended	V. 14, p. 94	through			111-4-256	Revoked	V. 12, p. 113, 114
91-12-54	Amended	V. 14, p. 94	111-3-31	New	V. 7, p. 201-206	111-4-257		
91-12-56	Amended	V. 14, p. 94	111-3-11	Amended	V. 13, p. 35	through		
91-12-60	Amended	V. 14, p. 95	111-3-12	Amended	V. 13, p. 1826	111-4-286	Revoked	V. 11, p. 413, 414
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			111-3-16	Amended	V. 9, p. 1566	111-4-300	New	V. 10, p. 883-886
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			111-3-25	Amended	V. 13, p. 1827	111-4-307	Revoked	V. 13, p. 1402
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			111-3-29	Revoked	V. 11, p. 1149	111-4-304	Amended	V. 12, p. 1115
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			111-4-103	Amended	V. 10, p. 1211	111-4-345	New	V. 10, p. 1526-1528
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