

Kansas Register

Ron Thornburgh, Secretary of State

Vol. 15, No. 17

April 25, 1996

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State of Kansas

Wildlife and Parks Commission

Notice of Hearing on Proposed
Administrative Regulations

A public hearing will be conducted by the Wildlife and Parks Commission at 7 p.m. Thursday, June 27, at the Dillon Nature Center, 3002 E. 30th, Hutchinson, to consider the approval and adoption of one department regulation. There will be a public comment period during the evening meeting for any issues not on the agenda, and additional comment periods will be available during the meeting on agenda items.

A workshop meeting on business of the Wildlife and Parks Commission will begin at 1:30 p.m. June 27 at the location listed above. The public also will be given the opportunity to comment on any nonagenda items at the beginning, and on agenda items during, the afternoon meeting. The meeting will recess at 5 p.m., then resume at 7 p.m. at the same location for the regulatory hearing. Old and new business also may be discussed at this time. If necessary to complete the hearing or other business matters, the commission will reconvene at 9 a.m. June 28 at the same location.

If notified in advance, the department will have an interpreter available for the hard of hearing. To contact the department for this or any other reason, members of the public with a hearing impairment may call the TDD service at 1-800-766-3777. All public meeting areas are accessible to the physically handicapped.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulation and economic impact statement in an accessible format. Request for accommodation should be made at least five working days in advance of the hearing by contacting Cindy Baugh at (316) 672-5911.

A copy of the full text of the regulation and the economic impact statement may be obtained from the De-

partment of Wildlife and Parks at the address listed below, (913) 296-2281.

This 60-day notice period prior to the hearing constitutes 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 chairman of the commission, Kansas Department of Wildlife and Parks, Suite 502, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612. All interested parties will be given a reasonable opportunity at the hearing to express their views orally in regard to the adoption of the proposed regulation. During the hearing, all written and oral comments submitted by interested parties will be considered by the commission as a basis for approving, amending and approving, or rejecting the proposed regulation.

The regulation to be heard during the regulatory hearing portion of the meeting is as follows:

K.A.R. 115-2-5. Trail access pass; requirement, fees, exceptions and general provisions. This permanent regulation is proposed for amendment. The amendment would remove the reference to the Prairie Spirit Rail Trail as a state park.

Economic Impact Summary: The regulation became effective April 1, 1996, and established a trail access pass requirement and fee for the Prairie Spirit Rail Trail. However, with the state park reference, the pass and fee have not been implemented. The proposed amendment will enable the department to realize revenues as initially projected. The public will continue to use the trail without charge until August 1, 1996, the proposed effective date of the amended regulation.

John Dykes
Chairman

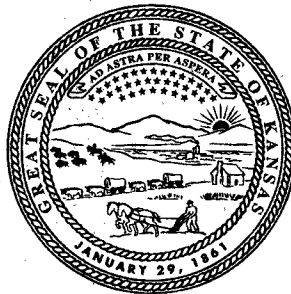
Doc. No. 017561

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Topeka, KS 66612-1594
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Register Office:
Room 233-N, State Capitol
(913) 296-3489

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 4-29-96 through 5-5-96

Term	Rate
0-90 days	5.17%
3 months	5.00%
6 months	5.27%
9 months	5.41%
12 months	5.61%
18 months	5.92%
24 months	5.94%
36 months	6.10%
48 months	6.25%

Sally Thompson
State Treasurer

Doc. No. 017552

State of Kansas

Social and Rehabilitation Services

Notice of Hearing on Proposed
Administrative Regulations

A public hearing will be conducted at 9 a.m. Tuesday, June 25, in the SRS board room, Docking State Office Building, 915 S.W. Harrison, Topeka, to consider the adoption of new and amended changes in existing rules and regulations on a permanent basis effective 15 days after publication in the Kansas Register. Telephone conference will not be available.

This 60-day notice of the public hearing shall constitute a public comment period for the proposed regulations. All interested parties may submit written comments prior to or during the hearing to Hope Burns, Office of the Secretary, Room 603-N, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612. All interested parties will be given a reasonable opportunity to present their views; it may be necessary to request each participant to limit any oral presentation to five minutes.

The phrase "Federal Mandate" following an item indicates that the change is required by federal policy. Optional changes in regulations related to federal programs are subject to approval by the U.S. Department of Health and Human Services.

Copies of the regulations and the economic impact statement may be obtained by contacting Hope Burns at (913) 296-3969.

Any individual with a disability may request accommodation in order to participate in the 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 Hope Burns or by calling the Kansas Relay Center at 1-800-766-3777.

The adoption of the regulations will take place at 9 a.m. Wednesday, June 26, in the SRS executive conference room, 603-N, Docking State Office Building. Telephone conference will not be available. A summary of the proposed regulations and the economic impact follows.

Article 5.—PROVIDER PARTICIPATION,
SCOPE OF SERVICES, AND REQUIREMENTS
FOR THE MEDICAID (MEDICAL
ASSISTANCE) PROGRAM

30-5-70. Payment of medical expenses for eligible recipients. This regulation has been amended to remove the prohibition of payment for nursing facility and ICF/MR services for individuals who do not meet the financial provisions of K.A.R. 30-6-53(d).

Economic Impact: See the economic impact statement for 30-6-53.

Article 6.—MEDICAL ASSISTANCE—
CLIENTS' ELIGIBILITY FOR PARTICIPATION

30-6-53. Financial eligibility. This regulation has been amended to delete the requirement that an individual have income below 300 percent of the one person SSI benefit level in order to be financially eligible for assistance in an institutional arrangement. Financial eligibility shall now be based upon having resources within allowable levels and income less than the applicable protected income level. Where income exceeds the applicable level, medical expenses must be incurred which equal the amount by which income exceeds that level.

Economic Impact: This change is expected to result in an increase in expenditures of approximately \$1.1 million (\$297,000 state general funds).

Bearer of Cost: The taxpayers of the State of Kansas will bear the additional costs of this change through appropriate state and federal funds.

Affected Parties:

1. This change will have a moderate impact on SRS staff in implementing the change but should have a minor impact on an ongoing basis.

2. This change will benefit approximately 200 consumers by allowing them to now gain eligibility for nursing facility assistance.

Other Methods: No other methods were considered. The elimination of the income cap was contained in the agency's appropriation bill for FY 1997.

30-6-53w. Financial eligibility. This regulation has been amended to delete the requirement that an individual have income below 300 percent of the one person SSI benefit level in order to be financially eligible for assistance in an institutional arrangement. Financial eligibility shall now be based upon having resources within allowable levels and income less than the applicable protected income level. Where income exceeds the applicable level, medical expenses must be incurred which equal the amount by which income exceeds that level.

Economic Impact: See the economic impact statement for 30-6-53.

Rochelle Chronister
Secretary of Social and
Rehabilitation Services

Doc. No. 017562

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.

Thursday, May 9, 1996

726306

Laminar flow hood

726307

Incubator and ultra-low freezer

Barbara Lockhart
Purchasing Director

Doc. No. 017568

State of Kansas

Historic Sites Board of Review

Notice of Meeting

The Kansas Historic Sites Board of Review will meet at 9:30 a.m. Saturday, May 11, on the second floor of the Potawatomi Baptist Mission (Koch Industries Education Center), 6425 S.W. 6th, Topeka. The board will evaluate the following properties for the National Register of Historic Places and/or the Register of Historic Kansas Places:

- ★ Redel Historic District, 16310 Mission Road, 3950 W. 163rd, 3970 W. 163rd, 3990 W. 163rd, 4016 W. 163rd, Stilwell, Johnson County
- ★ Oscar Carlson House and Farmstead, Route 2, Burdick, Morris County
- ★ J. R. Rice Farmstead, Route 4, Pratt, Pratt County

The board also will consider recommendations of the grant review committee for funding 1996 Heritage Trust Fund grant applications.

The Kansas State Historical Society welcomes individuals with disabilities to participate in its activities. If you have a visual, aural, or other physical or mental impairment that is a "disability" under the act, contact Sandy McDaniel at the Historic Preservation Office, (913) 272-8681, ext. 240, by May 3 to discuss the nature of your disability and what the Kansas State Historical Society can do to ensure participation in the activity.

Ramon Powers
Executive Director

Doc. No. 017549

State of Kansas

Department of Health
and Environment

Public Notice

The Kansas Department of Health and Environment has received and reviewed a municipal solid waste landfill permit modification from Butler County. KDHE is providing public notice of Butler County's intent to modify its landfill with a horizontal Subtitle "D" expansion adjacent to the existing landfill. The facility (Permit #100) is located on a 104-acre tract in the West Half of Section 28, Township 26 South, Range 5 East. The site is approximately 1.5 miles south and 1 mile west of El Dorado.

A copy of the administrative record, which includes the draft permit, permit application and all information regarding this permit action, is available for public review until May 17 during normal business hours, 8 a.m. to 4:30 p.m. Monday through Friday, at the following locations:

Kansas Department of Health and Environment
Solid Waste Section

Forbes Field, Building 740

Topeka, 66620

Contact: Miles Stotts

(913) 296-1601

Butler County Courthouse

205 W. Central

Room 205

El Dorado, 67042

Contact: Darryl Lutz, P.E., Butler County Engineer
(316) 322-4101

A public hearing will be conducted at 11 a.m. Friday, May 17, in the South Room of the Butler County Community Building, 200 N. Griffith, El Dorado. For further information, contact Brenda Brack, KSU/Butler County Extension Service, (316) 321-9660.

Anyone wishing to comment on the draft permit or permit application should submit written statements postmarked not later than May 17 to Miles Stotts, KDHE (as listed above). After consideration of all comments received, the director of the Division of Environment will make a final permit decision. Notice of the decision will be given to the applicant, all persons who submitted written comments, those who commented at the public hearing, and those who requested notice of the final permit decision.

James J. O'Connell
Secretary of Health
and Environment

Doc. No. 017503

State of Kansas

**Department of Wildlife
and Parks**

Notice to Bidders

The Kansas Department of Wildlife and Parks is accepting sealed bids for the sale of a Cessna U206F six-passenger aircraft. For additional information, contact Allen Stoops, Procurement Officer, at (316) 672-5911, ext. 115.

Steven A. Williams
Secretary of Wildlife
and Parks

Doc. No. 017560

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. Modine Manufacturing Company has applied for an air quality construction permit in accordance with the provisions of K.A.R. 28-19-300 to install a concentric oil cooler manufacturing line. Emissions of SO_x, NO_x, CO, VOC, PM, MEOH and MEK were evaluated during the permit review process.

Modine Manufacturing Company owns and operates the stationary source located at 1401 Industrial Street, Emporia, at which the concentric oil cooler manufacturing line is to be installed.

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 KDHE southeast district office, 1500 W. 7th, Chanute. To obtain or review the proposed permit and supporting documentation, contact Daizy Dandass, (913) 296-6427, at the KDHE central office, or Lynn Ranabargar, (316) 431-2390, at the KDHE southeast district office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Daizy Dandass, KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, 66620. Written comments must be received by the close of business May 28 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 May 28 in order for the Secretary of Health and Environment to consider the request.

James J. O'Connell
Secretary of Health
and Environment

Doc. No. 017564

State of Kansas

**Department of Health
and Environment**

**Notice Concerning Variance Request
from Hazardous Waste Regulations**

The Kansas Department of Health and Environment is providing public notice that on March 22, 1996, the EPA Region 7 RCA storage facility, located at 25 Funston Road, Kansas City, Kansas, submitted a request for renewal of a variance from specific hazardous waste regulations in accordance with K.A.R. 28-31-13(a).

The variance is requested from K.A.R. 28-31-4 and 40 CFR 265.176, which require the storage of containers holding ignitable hazardous waste must be located at least 15 meters (50 feet) from the facility's property line.

The EPA facility stores ignitable solvents. The room is separate from the laboratory facility and is the most acceptable location for the storage of ignitable wastes. The room is designed to be explosion proof. Positive ventilation is provided to reduce vapor concentrations in the event of a spill, thereby reducing the chance of explosive concentrations. The EPA believes locating the room at another location is not possible due to space limitations. KDHE has reviewed the variance request and concluded that the variance is justified.

In accordance with K.A.R. 28-31-13(b), public notice is being provided of the tentative decision to grant the variance. Copies of the variance request will be available for public review until May 25 from 8 a.m. to 4:30 p.m. weekdays at the KDHE, Building 740, Forbes Field, Topeka, and at the KDHE district office, 800 W. 24th, Lawrence.

Comments concerning this variance request may be directed to Candy Williamson, Kansas Department of Health and Environment, Bureau of Waste Management, Hazardous Waste Section, Building 740, Forbes Field, Topeka, 66620. Comments must be submitted in writing prior to May 25. Requests for additional information may be made by contacting KDHE at (913) 296-1600.

Upon the written request of any interested person, a public meeting may be conducted to consider comments on this tentative decision. The person requesting a meeting shall state the issues to be raised and shall explain why written comments would not suffice to communicate the person's views. If a decision is made to conduct a public meeting, a separate public notice detailing the date and place of a public meeting will be issued.

After evaluating all public comments, a final decision will be made by the secretary and a notice of the final decision will be published in the Kansas Register. If approved, any conditions or time limitations needed to comply with all applicable state or federal laws or to protect human health or safety or the environment will be specified by the secretary. A date upon which the variance will no longer be valid shall be prescribed in the final decision.

James J. O'Connell
Secretary of Health
and Environment

Doc. No. 017565

State of Kansas

Kansas State University

Notice to Bidders

Sealed bids for the items listed below will be received by the Kansas State University Purchasing Office, Manhattan, until 2 p.m. local time on the date indicated and then will be publicly opened. Interested bidders may call (913) 532-6214 or fax (913) 532-5632 for additional information.

Monday, May 6, 1996

#60139

Microchannel plates

William H. Sesler
Director of Purchasing

Doc. No. 017570

State of Kansas

Department of Health
and EnvironmentNotice 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-96-100/107

Name and Address of Applicant	Legal Description	Receiving Water
Leslie D. Wedel Route 2, Box 114 Newton, KS 67114	SE/4, Sec. 12, T21s, R1W, McPherson County	Little Arkansas River Basin

Kansas Permit No. A-LAMP-S027

This is a new facility for 200 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, which meets or exceeds KDHE minimum requirements.

Compliance Schedule: None, existing controls adequate.

Name and Address of Applicant	Legal Description	Receiving Water
Brian Praeger Rural Route, Box 155 Claffin, KS 67525	NW/4, Sec. 2, T18S, R11W, Barton County	Arkansas River Basin

Kansas Permit No. A-ARBT-BA04

This is a new facility for 75 head (112 animal units) of cow-calf.

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

Name and Address of Applicant	Legal Description	Receiving Water
Meier Dairy, Inc. Duane Meier 1537 3rd Road Palmer, KS 66962	SE/4, Sec. 16, T5S, R3E, Washington County	Big Blue River Basin

Kansas Permit No. A-BBWS-M004

This is an existing facility for 648 head (907.2 animal units) of dairy cows.

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided, 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. A plan shall be submitted to the department by January 1, 1997. The approved plan will become part of this permit.

Dewatering equipment shall be obtained within three months after issuance of this permit through purchase, rental or custom application agreement. It shall be capable of pumping at least 820 gallons per minute and dispersing the wastewater over 215 acres of land suitable for waste application. Written verification of the acquisition of the equipment shall be submitted to the department.

Name and Address of Applicant	Legal Description	Receiving Water
Steve and Lorrie Scott Scott Farms Route 2, Box 151B Columbus, KS 66725	SW/4, Sec. 15, T30S, R23E, Cherokee County	Neosho River Basin

Kansas Permit No. A-NECK-F017

This is an expansion facility for 54,000 head (972 animal units) of turkeys.

Wastewater Control Facilities: Solid waste will be stored in a dry condition for subsequent disposal upon agricultural land. Storage capabilities will provide in excess of minimum requirements.

Compliance Schedule: None, existing controls adequate.

Name and Address of Applicant	Legal Description	Receiving Water
Scott Cossairt Route 3, Box 195A Columbus, KS 66725	NW/4, Sec. 3, T33S, R22E, Cherokee County	Neosho River Basin

Kansas Permit No. A-NECK-F024

This is a new facility for 33,000 head (594 animal units) of turkeys.

Wastewater Control Facilities: Solid waste will be stored in a dry condition for subsequent disposal upon agricultural land. Storage capabilities will provide in excess of minimum requirements.

Compliance Schedule: None, existing controls adequate.

Name and Address of Applicant	Legal Description	Receiving Water
Tilton Feedlot Gene Tilton HC 1, Box 21 Quinter, KS 67752	SE/4, Sec. 27, T10S, R26W, Sheridan County	Saline River Basin

Kansas Permit No. A-SASD-B004

This is an existing facility for 990 head (990 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, 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
Seaboard Farm 0 9000 W. 67th Shawnee Mission, KS 66201	NE¼, Sec. 28, T31S, R39W Morton County	Cimarron River Basin

Kansas Permit No. A-CIMT-T001

This is a new facility for washing 60 livestock trailers and 40 feed trucks per week.

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

Name and Address of Applicant	Legal Description	Receiving Water
Martin Feedlot HC 2, Box 18 Quinter, KS 66752	NW¼, Sec. 32, T10S, R26W, Sheridan County	Saline River Basin

Kansas Permit No. A-SASD-B003

This is an existing facility for 990 head (990 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, 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-ND-96-040/044

Name and Address of Applicant	Legal Location	Type of Discharge
City of Manchester City Hall Manchester, KS 67463	NE¼, S21, T11S, R1E, Dickinson County	Nondischarging

Kansas Permit No. M-SH24-NO01

Name and Address of Applicant	Legal Location	Type of Discharge
Chateau Village c/o Bill Kitterman P.O. Box 354 Ottawa, KS 66067	SW¼, S24, T27S, R18E, Neosho County	Nondischarging

Kansas Permit No. C-NE11-NO05

Name and Address of Applicant	Legal Location	Type of Discharge
Countryview Mobile Home Park c/o Bobbi Kemna Route 3, Box 8 Fort Scott, KS 66701	SW¼, S7, T25S, R25E, Bourbon County	Nondischarging

Kansas Permit No. C-MC11-NO04

Name and Address of Applicant	Legal Location	Type of Discharge
Neodesha Inn Motel c/o Frank Snopka Route 2 Neodesha, KS 66757	SW¼, S15, T30S, R16E, Wilson County	Nondischarging

Other Owners: PJ's Club, Countryside Christian Church
Kansas Permit No. C-VE29-NO01

Facility Descriptions: The proposed permits are for reissuance of existing permits for operation of existing nondischarging wastewater treatment lagoons treating domestic wastewater. Disposal of the lagoon wastewater is by percolation and evaporation. The proposed permits have schedules of compliance requiring the permittees to obtain the services of KDHE-certified operators.

Name and Address of Applicant	Legal Location	Type of Discharge
Ellinwood Packing Plant P.O. Box 425 Ellinwood, KS 67526	E½, S36, T19S, R23W, Barton, County	Nondischarging

Kansas Permit No. I-AR32-NP01

Facility Description: This facility is a small slaughterhouse which utilizes a one-cell wastewater stabilization lagoon to treat its domestic wastewater and plant process wastewater. Irrigation from the lagoon to permittee's cropland is conducted to maintain a three-foot freeboard. A weekly average of 80 hogs and 20 cattle are slaughtered. The average wastewater flow is 145,000 gallons per month.

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, 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 postmarked or received on or before May 24 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate public notice number (KS-AG-96-100/107, KS-ND-96-040/044, 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 determination. 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. 017566

State of Kansas

University of Kansas

Notice to Bidders

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

Monday, May 6, 1996

RFQ 96-6625
Audio consoles

RFQ 96-6626
Broadcast equipment

RFQ 96-6627
F.T.I.R. spectrometer

Diane Goddard
Acting Director of Purchasing

Doc. No. 017578

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, May 6, 1996

31775

Emporia State University—High bay light fixtures

Tuesday, May, 7, 1996

31759

Pittsburg State University—Refuse collection services

31785

Statewide—1997 calendars

31794

Statewide—Room air conditioners

31797

Department of Transportation—Ready mix concrete
(Kansas City, Kansas)

03699

Department of Transportation—Construct and install
sewer line, Troy

03700

Kansas State University—CCTV equipment

Wednesday, May 8, 1996

31793

University of Kansas Medical Center—Animal feed

03705

Department of Transportation—Aggregate
(Lindsborg)

03709

University of Kansas Medical Center—Surgical laser
system

03713

Kansas State University—Furnish and install digital
communications recording system

Thursday, May 9, 1996

29126 Rebid

University of Kansas Medical Center—Lumber/wood
products

31792

University of Kansas Medical Center—Detergents
(Animal Care Unit)

03698

Fort Hays State University—DS3 CODEC

03706

Department of Transportation—Truck tractor

03707

Kansas Correctional Industries—Northern hard
maple

03724

University of Kansas—Spectrophotometer,
spectroscopy system

Friday, May 10, 1996

03712

University of Kansas Medical Center—Mini-van

03714

Kansas State University—Carpet (material only)

03715

University of Kansas Medical Center—Protein
sequencer with computer system

03725

University of Kansas Medical Center—Box cargo van

03726

Fort Hays State University—Miscellaneous kitchen
equipment

Monday, May 13, 1996

03722

Department of Transportation—Wheel balancers, tire
changers and gear lube dispensers, various locations

03723

Department of Transportation—Wirefeed welders,
various locations

Tuesday, May 14, 1996

A-7874

Norton Correctional Facility—Cornice and gutter
repair, "A" Dorm

Wednesday, May 15, 1996

A-7872(a)

Kansas Neurological Institute—Reroof Cottonwood
Lodge

Thursday, June 6, 1996

31796

Adjutant General's Department—Property insurance,
National Guard armories

John T. Houlihan
Director of Purchases

Doc. No. 017572

State of Kansas

Department of Transportation

Notice to Contractors

Sealed proposals for the construction of road and bridge work in the following Kansas counties will be received at the office of the Chief of Construction and Maintenance, KDOT, Topeka, until 2 p.m. May 15, and then publicly opened:

District One—Northeast

Brown—7 X-1919-01—Union Pacific Railroad and Elm Street in Everest, flashing light signals. (Federal Funds)

Brown—7 X-1920-01—Union Pacific Railroad and county road 287 southeast of Everest, flashing light signals. (Federal Funds)

Districtwide—106 K-6266-01—Various locations in District One, guard fence replacement. (State Funds)

Johnson—46 N-0067-01—Lackman Road from 63rd Street to the south city limits in Shawnee, grading, surfacing and bridge. (Federal Funds)

Leavenworth—73-52 K-5276-01—Eisenhower Road north to Muncie/K-5 in Leavenworth, 0.5 mile (0.8 kilometer), grading and surfacing. (State Funds)

Leavenworth—52 TE-0029-01—Riverfront area in Leavenworth, landscaping and beautification. (Federal Funds)

Leavenworth-Wyandotte-Johnson—106 K-6265-01—Various locations in three-county area, guard fence replacement. (State Funds)

Marshall—36-58 K-6002-1—U.S. 36, beginning just west of the Marysville Country Club entrance, east to county route 1240, 1.5 miles (2.4 kilometers), grading and surfacing. (Federal Funds)

Shawnee—40-89 K-3362-08—U.S. 40, from Rice Road through the K-4 interchange, 1.4 miles (2.2 kilometers), grading, surfacing and bridge. (State Funds)

Shawnee—470-89 K-6003-01—I-470, from I-70 east 5.2 miles (8.3 kilometers), pavement marking. (State Funds)

Shawnee—70-89 K-6206-01—I-70, bridge 026, Polk-Quincy Viaduct in Topeka, bridge repair. (State Funds)

Shawnee—70-89 K-6258-01—I-70, vicinity of Urish Road east to Danbury Lane, 3 miles (4.8 kilometers), joint repair. (State Funds)

Shawnee-Jefferson-Douglas—106 K-6264-01—Various locations in three-county area, guard fence replacement. (State Funds)

Wabaunsee—99-99 K-6066-01—K-99, bridge 56, West Branch Mill Creek, 4.9 miles (7.9 kilometers) south of I-70, bridge repair. (State Funds)

Wabaunsee—70-99 K-6255-01—I-70, approximately 0.8 mile (1.3 kilometers) east of the Riley-Wabaunsee county line, east to the Wabaunsee-Shawnee county line, 23.2 miles (37.3 kilometers), overlay. (State Funds)

District Two—Northcentral

Cloud—81-15 M-1832-01—U.S. 81, 1.5 miles (2.5 kilometers) north of the north city limits of Concordia, then

north 0.9 mile (1.4 kilometers), pavement marking. (State Funds)

Districtwide—106 K-5926-96—Various locations throughout the district, signing. (State Funds)

Mitchell—14-62 K-5488-01—K-14, Solomon River Bridge north to Court Street in Beloit, 0.2 mile (0.3 kilometer), grading and surfacing. (State Funds)

Mitchell—14-62 K-5923-01—K-14 (8th and Independence Street) in Beloit, intersection improvement. (State Funds)

Saline-McPherson—106 K-6060-01—U.S. 81B from the I-135 junction west and north to the Saline-McPherson county line; K-4, from the north I-135 junction east and north to the K-104 junction; K-104, from the K-4 junction north and west to I-135; U.S. 81B, from the Saline-McPherson county line north to the I-135 junction; 12.3 miles (19.9 kilometers), overlay. (State Funds)

Statewide—106 K-6267-01—Various locations in District Two, guard fence replacement. (State Funds)

District Three—Northwest

Districtwide—106 K-6268-01—Various locations throughout the district, guard fence replacement. (State Funds)

Ellis—183A-26 K-2939-01—U.S. 183A from the junction of U.S. 183, west and north to south of the I-70 interchange, 4.8 miles (7.7 kilometers), grading, surfacing and bridge. (Federal Funds)

Gove—70-32 M-1831-01—I-70 eastbound and westbound safety rest area east of Grainfield, rest area improvements. (State Funds)

Graham—24-33 K-5719-01—U.S. 24 from the Sheridan-Graham county line, east to the west city limits of Hill City, 16.8 miles (27 kilometers), sealing. (State Funds)

Rawlins—25-77 K-5269-01—K-25, Little Beaver Creek bridge 13, 0.2 mile (0.3 kilometer), grading and surfacing. (State Funds)

District Four—Southeast

Bourbon—54-6 K-5838-01—U.S. 54, bridge 7 (over the MKT Railroad), bridge overlay. (State Funds)

Chautauqua—166-10 K-4729-02—U.S. 166, 4 miles east of county route 1566 southeast to the south junction of U.S. 166 and K-99, 5.8 miles (9.3 kilometers), surfacing. (State Funds)

Districtwide—106 K-6269-01—Various locations throughout the district, guard fence replacement. (State Funds)

Greenwood—37 C-3319-01—County road 1.5 miles (2.4 kilometers) south of Quincy, 0.1 mile (0.16 kilometer), grading, surfacing and bridge. (Federal Funds)

Greenwood—96-37 K-3292-02—K-96, 1.3 miles (2.1 kilometers) west of the Butler-Greenwood county line, east to the east junction of county route 227, 10.6 miles (17.1 kilometers), surfacing. (Federal Funds)

Greenwood—96-37 K-3292-03—K-96, new safety rest area near Beaumont. (State Funds)

Linn—7-54 K-5826-01—K-7 bridge 13 (Turkey Creek) and bridge 14 (Big Sugar Creek), bridge overlay. (State Funds)

(continued)

Miami—61 K-6270-01—Various locations in Miami County, guard fence replacement. (State Funds)

Montgomery—75-63 K-6141-01—U.S. 75, intersections 3 and 4 miles south of U.S. 160, 0.2 mile (0.3 kilometer), intersection improvement. (State Funds)

District Five—Southcentral

Butler-Harvey-Sedgwick—106 K-6271-01—Various locations in three-county area, guard fence replacement. (State Funds)

Cowley—77-18 K-4431-01—U.S. 77, Ark City bypass, U.S. 166 north to U.S. 77, 3.9 miles (6.3 kilometers), grading, surfacing and bridge. (State Funds)

Districtwide—106 K-5928-96—Various locations throughout the district, signing. (State Funds)

Harvey—135-40 K-5261-01—I-135, approximately 15 miles (24.1 kilometers) northwest of the north junction of K-15, northwest to the Harvey-McPherson county line, 8.2 miles (13.1 kilometers), slurry seal. (State Funds)

Kiowa—54-49 K-6275-01—Five locations on U.S. 54, overlay. (State Funds)

Pratt—76 K-6274-01—Various locations on U.S. 54 and one location on K-61, 0.3 mile (0.5 kilometer), milling. (State Funds)

Sedgwick—87 C-3318-01—Pawnee Street from Woodlawn Avenue west 0.8 mile (1.2 kilometers), grading and surfacing. (Federal Funds)

Sedgwick—81-87 K-5985-01—U.S. 81 and Emporia Street in the City of Wichita, grading and surfacing. (State Funds)

Sedgwick—135-87 K-6249-01—I-35, bridges 229, 304 and 305 at the U.S. 54 and I-135 interchange, bridge overlay. (State Funds)

Sedgwick—87 N-0082-01—Broadway Avenue at 2nd Street North and 3rd Street North in Wichita, traffic signals. (Federal Funds)

Statewide—106 K-6272-01—Various locations throughout the district, guard fence replacement. (State Funds)

Sumner—81-96 K-5272-01—U.S. 81, 2nd Street north to "C" Avenue in Caldwell, 0.4 mile (0.7 kilometer), surfacing. (State Funds)

District Six—Southwest

Districtwide—106 K-6273-01—Various locations throughout the district, guard fence replacement. (State Funds)

Ford—154-29 K-3212-01—K-154, from the 2-lane/4-lane in Dodge City southeast to 4th Street in the City of Ford, 15.2 miles (24.5 kilometers), grading, surfacing and bridge. (State Funds)

Ford—34-29 M-1813-01—K-34, KDOT mixing strip, located east of Bucklin, stockpile bituminous material. (State Funds)

Seward—83-88 K-3370-01—U.S. 83, East Liberal Bypass, 5 miles (8 kilometers), grading and surfacing. (State Funds)

Proposals will be issued upon request to all prospective bidders who have been prequalified by the Kansas Department of Transportation on the basis of financial condition, available construction equipment and experience.

Also, a statement of unearned contracts (Form No. 284) must be filed. There will be no discrimination against anyone because of race, age, religion, color, sex, handicap or national origin in the award of contracts.

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

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

E. Dean Carlson
Secretary of Transportation

Doc. No. 017574

State of Kansas

Department of Wildlife and Parks

Permanent Administrative Regulations

Article 4.—BIG GAME

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

- (1) No bow shall be less than 45 pounds draw weight.
- (2) Each bow shall be hand drawn.
- (3) No bow shall have a mechanical device that locks the bow at full or partial draw.
- (4) Each bow shall be designed to shoot only one arrow at a time.

(5) No bow shall have any electronic or chemical device attached to the bow or arrow with the exception of lighted pin sights which may be attached to the front of the bow.

(6) Each arrow used for hunting shall be equipped with a non-barbed broadhead point with all-metal cutting edges.

(7) Each arrow used for hunting shall be 20 inches in length.

(b) Hunting equipment for the taking of turkey during a firearm turkey season shall consist of:

- (1) equipment as authorized in subsection (a); and
- (2) shotgun and muzzleloading shotgun using only size 2 shot through size 9 shot and which are not less than 20 gauge.

(c) Non-electric calls, lures and decoys, except live decoys, shall be legal.

(d) Each individual may use blinds and stands while hunting turkey.

(e) Each individual hunting turkey shall only shoot or attempt to shoot a turkey while the turkey is on the ground or in flight.

(f) General provisions.

(1) Removal of the game tag from the permit shall invalidate the permit for hunting. Each permittee shall sign and date the game tag and attach the tag to the carcass immediately following the kill and before moving the carcass from the site of the kill.

(2) Any legally acquired turkey meat may be given to and possessed by another, if a written notice that includes the donor's name, address and permit number accompanies the meat.

(3) Unless otherwise authorized by rules and regulations, an individual shall not submit more than one application for a permit and one application for a second turkey game tag for a turkey season.

(4) Unless otherwise authorized by rules and regulations, an individual shall not obtain more than one permit and one game tag for a second turkey for a turkey season.

(5) Any applicant unsuccessful in obtaining a permit through a drawing may apply for any left-over permit remaining after the drawing, and may apply for any permit that is not limited.

(6) Only turkey permit holders shall be eligible to apply for turkey game tags.

(7) A permit or turkey game tag shall be non-transferable.

(8) In addition to other penalties prescribed by law, each permit or turkey game tag shall be invalid from date of issuance if obtained by an individual:

(A) through false representation;

(B) through misrepresentation; or

(C) in excess of the number of permits or turkey game tags authorized by rules and regulations.

(9) In awarding turkey permits, the first priority shall be given to those individuals who did not receive a permit in the previous year. All other applicants shall be given equal priority.

(10) Landowner-tenants who received a permit to hunt turkey on their own land during the previous year shall not be considered as having a turkey permit during that year for purposes of the permit priority system. (Authorized by K.S.A. 32-807 and K.S.A. 1995 Supp. 32-937; implementing K.S.A. 32-807, K.S.A. 1995 Supp. 32-937 and K.S.A. 32-1002; effective Jan. 22, 1990; amended May 27, 1991; amended June 1, 1993; amended May 10, 1996.)

115-4-3. Antelope; legal equipment, taking methods, and general provisions. (a) Hunting equipment for the taking of antelope during an archery antelope season shall consist of the following.

(1) Bows and arrows.

(A) No bow shall be less than 45 pounds draw weight.

(B) Each bow shall be hand-drawn.

(C) No bow shall have a mechanical device that locks the bow at full or partial draw.

(D) Each bow shall be designed to shoot only one arrow at a time.

(E) No bow shall have any electronic or chemical device attached to the bow or arrow with the exception of lighted pin sights attached to the front of the bow.

(F) Each arrow used for hunting shall be equipped with a non-barbed broadhead point with all-metal cutting edges.

(G) Each arrow used for hunting shall be 20 inches in length.

(2) Crossbows as authorized under K.A.R. 115-18-7.

(b) Hunting equipment for the taking of antelope during a firearm antelope season shall consist of:

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

(2) centerfire rifles using only soft point, hollow point or other expanding bullets, and which fire a bullet larger than .23 inches in diameter and which are not fully automatic;

(3) muzzleloading rifles and muskets that fire a bullet of .39 inches in diameter or larger and can only be loaded through the front of the firing chamber with separate components;

(4) muzzleloading pistols, 45 caliber or larger, with a barrel length of 10 inches or greater that can only be loaded through the front of the barrel with separate components. Only conical lead or sabot bullets weighing 210 grains or greater shall be used with muzzleloading pistols;

(5) shotguns, 20 gauge or larger, using only rifled slugs;

(6) centerfire handguns using only soft point, hollow point or other expanding bullets and which fire a bullet greater than .23 inches in diameter, use a cartridge case 1.280 inches or more in length and which are not fully automatic; and

(7) optical scope with no artificial light.

(c) Hunting equipment for the taking of antelope during a muzzleloader-only firearm season shall consist of:

(1) single barrel, muzzleloading rifles with iron or peep sights, which fire a bullet of .39 inches in diameter or larger and can only be loaded through the front of the firing chamber with separate components; and

(2) single barrel muzzleloading pistols with iron or peep sights, 45 caliber or larger, with a barrel length of 10 inches or greater that can only be loaded through the front of the barrel with separate components. Only conical lead or sabot bullets weighing 210 grains or greater shall be used with muzzleloading pistols.

(d) Non-electronic calls, lures and decoys, except live decoys, shall be legal.

(e) Each individual may use blinds and tree stands while hunting antelope.

(f) General provisions:

(1) Removal of the game tag from the permit shall invalidate the permit for hunting. Each permittee shall sign and date the game tag and attach the tag to the carcass immediately following the kill and before moving the carcass from the site of the kill. Except for an antelope taken under an "any antelope" permit, the head shall accompany the carcass while in transit from the site of the kill to the permittee's residence or to a place of processing or preservation.

(2) Any legally acquired antelope meat may be given to and possessed by another, if a written notice that includes the donor's name, address and permit number accompanies the meat.

(3) Archery-only antelope permittees shall not possess a firearm while hunting antelope.

(continued)

(4) Muzzleloader-only antelope permittees shall not have a rimfire or centerfire firearm while hunting antelope.

(5) A permit shall not be transferable.

(6) In addition to other penalties prescribed by law, each permit shall be invalid from date of issuance if obtained by an individual:

(A) through false representation;

(B) through misrepresentation; or

(C) in excess of the number of permits authorized by rules and regulations.

(7) Except as provided in subsection (f)(8), no applicant shall do either of the following in the same calendar year:

(A) submit more than one application for an antelope permit; or

(B) apply for an archery antelope and firearms antelope permit.

(8) Any applicant unsuccessful in obtaining a permit through a drawing may apply for any left-over permits or any other permits that are available on an unlimited basis.

(9) In awarding firearm antelope permits, the first priority shall be given to those individuals who have earned the highest number of preference points. Preference points shall be awarded as follows.

(A) One point shall be awarded to an individual for each year the individual is unsuccessful, beginning with the 1991 permit season.

(B) If the individual fails to make at least one application within a period of five consecutive years, all earned points shall be lost.

(C) Once an applicant obtains a permit, either firearm or archery, all earned points shall be lost.

(D) If the number of applicants with the highest preference points exceeds the number of permits for specified units or permit types, then a drawing shall be held to determine the successful applicants.

(10) Landowner-tenants who received a permit to hunt antelope on their own land shall not be considered to have an antelope permit for purposes of the preference point priority system. (Authorized by K.S.A. 32-807 and K.S.A. 1995 Supp. 32-937; implementing K.S.A. 32-807, K.S.A. 1995 Supp. 32-937 and K.S.A. 32-1002; effective April 30, 1990; amended May 27, 1991; amended June 8, 1992; amended June 1, 1993; amended May 30, 1995; amended May 10, 1996.)

115-4-5. Deer; legal equipment, taking methods, and general provisions. (a) Hunting equipment for the taking of deer during an archery deer season shall consist of the following.

(1) Bows and arrows.

(A) No bow shall be less than 45 pounds draw weight.

(B) Each bow shall be hand-drawn.

(C) No bow shall have a mechanical device that locks the bow at full or partial draw.

(D) Each bow shall be designed to shoot only one arrow at a time.

(E) No bow shall have any electronic or chemical device attached to the bow or arrow with the exception of lighted pin sights attached to the front of the bow.

(F) Each arrow used for hunting shall be equipped with a non-barbed broadhead point with all-metal cutting edges.

(G) Each arrow used for hunting shall be at least 20 inches in length.

(2) Crossbows as authorized under K.A.R. 115-18-7.

(b) Hunting equipment for the taking of deer during a firearm deer season shall consist of:

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

(2) centerfire rifles using only soft point, hollow point or other expanding bullets, and which fire a bullet larger than .23 inches in diameter and which are not fully automatic;

(3) muzzleloading rifles and muskets that fire a bullet of .39 inches in diameter or larger and that can only be loaded through the front of the firing chamber with separate components;

(4) muzzleloading pistols, 45 caliber or larger, with a barrel length of 10 inches or greater that can only be loaded through the front of the barrel with separate components. Only conical lead or sabot bullets weighing 210 grains or greater shall be used with muzzleloading pistols;

(5) shotguns, 20 gauge or larger, using only slugs;

(6) centerfire handguns using only soft point, hollow point or other expanding bullets, and which fire a bullet greater than .23 inches in diameter and use a cartridge case 1.280 inches or more in length and which are not fully automatic; and

(7) optical scopes with no artificial light.

(c) Hunting equipment for the taking of deer during a muzzleloader-only firearm season shall consist of:

(1) single barrel, muzzleloading rifles and muskets with iron or peep sights, which fire a bullet of .39 inches in diameter or larger and can only be loaded through the front of the firing chamber with separate components; and

(2) single barrel, muzzleloading pistols with iron or peep sights, 45 caliber or larger, with a barrel length of 10 inches or greater that can only be loaded through the front of the barrel with separate components. Only conical lead or sabot bullets weighing 210 grains or greater shall be used with muzzleloading pistols.

(d) Non-electronic calls, lures and decoys, except live decoys, shall be legal.

(e) Each individual may use blinds and stands while hunting deer.

(f) General provisions:

(1) Removal of the game tag from the permit shall invalidate the permit for hunting. Each permittee shall sign and date the game tag and attach the tag to the carcass immediately following the kill and before moving the carcass from the site of the kill. Except for a deer taken under an "any deer" permit, the head shall accompany the carcass while in transit from the site of the kill to the permittee's residence or to a place of processing or preservation.

(2) Any legally acquired deer meat may be given to and possessed by another, if a written notice that includes the donor's name, address and permit number accompanies the meat.

(3) Archery-only deer permittees shall not possess a firearm while hunting deer.

(4) Muzzleloader-only deer permittees shall not possess a rimfire or centerfire firearm while hunting deer.

(5) A permit or game tag shall not be transferable.

(6) In addition to other penalties prescribed by law, each permit or game tag shall be invalid from date of issuance if obtained by an individual:

- (A) through false representation;
- (B) through misrepresentation; or
- (C) in excess of the number of permits or game tags authorized by rules and regulations.

(7) Any individual may apply for special season permits and special season game tags.

(8) In awarding firearm deer permits, the first priority shall be given to those applicants who did not receive a firearm deer permit the previous year. All other firearm deer permit applicants shall be given equal priority.

(9) Landowner-tenants who received a permit to hunt deer on their own land, during the previous year, permittees who received a firearm "antlerless only" permit or a deer game tag during the previous regular firearm season, or permittees who received a firearm deer permit or deer game tag for a special deer season shall not be considered to have had a firearm deer permit during that year for purposes of the permit priority system. (Authorized by K.S.A. 32-807 and K.S.A. 1995 Supp. 32-937; implementing K.S.A. 32-807, K.S.A. 1995 Supp. 32-937 and K.S.A. 32-1002; effective April 30, 1990; amended May 27, 1991; amended June 8, 1992; amended June 1, 1993; amended May 30, 1995; amended May 10, 1996.)

115-4-7. Elk; legal equipment, taking methods, and general provisions. (a) Hunting equipment for the taking of elk during an archery elk season shall consist of bows and arrows.

- (1) No bow shall be less than 50 pounds draw weight.
- (2) Each bow shall be hand-drawn.
- (3) No bow shall have a mechanical device that locks the bow at full or partial draw.
- (4) Each bow shall be designed to shoot only one arrow at a time.
- (5) No bow shall have any electronic or chemical device attached to the bow or arrow with the exception of lighted pin sights attached to the front of the bow.
- (6) Each arrow used for hunting shall be equipped with a non-barbed broadhead point with all-metal cutting edges.
- (7) Each arrow used for hunting shall be at least 20 inches in length.

(b) Hunting equipment for the taking of elk during a firearm elk season shall consist of:

- (1) equipment as authorized in subsection (a);
 - (2) centerfire rifles using only soft point, hollow point or other expanding bullets, and which fire a bullet larger than .25 inches in diameter, use a cartridge greater than 2.5 inches in length, and which are not fully automatic;
 - (3) muzzleloading rifles and muskets that fire a bullet of .49 inches in diameter or larger and can only be loaded through the front of the barrel with separate components; and
 - (4) optical scopes with no artificial light.
- (c) Hunting equipment for the taking of elk during a muzzleloader-only firearm season shall be single barrel, muzzleloading rifles and muskets with iron or peep sights, which fire a bullet of .49 inches in diameter or larger and that can only be loaded through the front of the barrel with separate components.

(d) Non-electronic calls, lures and decoys, except live decoys, shall be legal.

(e) Each individual may use blinds and stands while hunting elk.

(f) General provisions.

(1) Removal of the game tag from the permit shall invalidate the permit for hunting. Each permittee shall sign and date the game tag and attach the tag to the carcass immediately following the kill and before moving the carcass from the site of the kill. Except for an elk taken under an "any elk" permit, the head shall accompany the carcass while in transit from the site of the kill to the permittee's residence or to a place of processing or preservation.

(2) Any legally acquired elk meat may be given to and possessed by another, if a written notice that includes the donor's name, address and permit number accompanies the meat.

(3) Archery-only elk permittees shall not possess a firearm while hunting elk.

(4) Muzzleloader-only elk permittees shall not possess a rimfire or centerfire firearm while hunting elk.

(5) A permit shall not be transferable.

(6) In addition to other penalties prescribed by law, each permit shall be invalid from date of issuance if obtained by an individual:

(A) through false representation;

(B) through misrepresentation; or

(C) in excess of the number of permits authorized by rules and regulations.

(7) Each applicant may apply for or obtain either an archery elk permit or a firearm elk permit, but not both, in the same calendar year.

(8) An individual receiving an elk hunting permit shall not be eligible to apply for or receive an elk hunting permit in subsequent seasons with the following exceptions:

(A) Any individual receiving an any elk or a bull only elk hunting permit may apply for and be eligible to receive an antlerless only elk permit in subsequent seasons; and

(B) Any individual receiving an antlerless only elk hunting permit shall not be eligible to apply for or receive an antlerless only elk hunting permit for a five-year period thereafter. However, such an individual may apply for and shall be eligible to receive an any elk or bull only elk hunting permit without a waiting period. (Authorized by K.S.A. 32-807 and K.S.A. 1995 Supp. 32-937; implementing K.S.A. 32-807, K.S.A. 1995 Supp. 32-937 and K.S.A. 32-1002; effective April 30, 1990; amended May 27, 1991; amended June 8, 1992; amended June 1, 1993; amended June 13, 1994; amended May 30, 1995; amended May 10, 1996.)

Steven A. Williams
Secretary of Wildlife
and Parks

Doc. No. 017563

State of Kansas

Social and Rehabilitation Services

Permanent Administrative
Regulations

Article 10.—ADULT CARE HOME PROGRAM

30-10-218. ICF-MR non-reimbursable costs. (a) Costs not related to client care, as set forth in K.A.R. 30-10-200, shall not be considered in computing reimbursable costs. In addition, the following expenses or costs shall not be allowed:

- (1) Fees paid to non-working directors and the salaries of non-working officers;
- (2) bad debts;
- (3) donations and contributions;
- (4) fund-raising expenses;
- (5) taxes, including:
 - (A) Federal income and excess profit taxes, including any interest or penalties paid;
 - (B) state or local income and excess profits taxes;
 - (C) taxes from which exemptions are available to the provider;
 - (D) taxes on property which is not used in providing covered services;
 - (E) taxes levied against any client and collected and remitted by the provider;
 - (F) self-employment taxes applicable to individual proprietors, partners, or members of a joint venture; and
 - (G) interest or penalties paid on federal and state payroll taxes;
- (6) insurance premiums on lives of officers and owners;
- (7) the imputed value of services rendered by non-paid workers and volunteers;
- (8) utilization review;
- (9) costs of social, fraternal, and other organizations which concern themselves with activities unrelated to their members' professional or business activities;
- (10) oxygen;
- (11) vending machine and related supplies;
- (12) board of director costs;
- (13) client personal purchases;
- (14) barber and beauty shop expenses;
- (15) advertising for client utilization;
- (16) public relations expenses;
- (17) penalties, fines, and late charges;
- (18) items or services provided only to non-medicaid/medicaid clients and reimbursed from third party payors;
- (19) automobiles and related accessories in excess of \$25,000.00. Buses and vans for client transportation shall be reviewed for reasonableness and may exceed \$25,000.00 in costs;
- (20) airplanes and associated expenses;
- (21) costs of legal fees incurred in actions brought against the agency;
- (22) aggregate costs incurred in excess of historical or projected costs plus allowed inflation, without prior authorization of the agency; and
- (23) costs incurred through providing service to a bed made available through involuntary discharge of a client

as determined by the Kansas department of health and environment without prior authorization of the agency.

(b) The following contract costs under the day habilitation program shall not be allowed:

- (1) Client salaries and FICA match;
 - (2) any material costs, including sub-contracts;
 - (3) any costs related to securing contracts; and
 - (4) 50 percent of the cost of the following items:
 - (A) Cost of equipment lease;
 - (B) maintenance of equipment;
 - (C) purchase of small tools under \$100.00; and
 - (D) depreciation of production equipment.
- (c) Private ICFs/MR shall not be reimbursed for services provided to individuals admitted on or after the effective date of this regulation unless the community developmental disability organization (CDDO) assigned by the agency first determines such persons meet eligibility requirements established by the agency and the ICF/MR placement is consistent with the preferred lifestyle of the person as specified by the person or the person's guardian, if one has been appointed. (Authorized by and implementing K.S.A. 1990 Supp. 39-708c; effective, T-30-12-28-90, Dec. 28, 1990; effective March 4, 1991; amended Oct. 1, 1991; amended May 10, 1996.)

Rochelle Chronister
Secretary of Social and
Rehabilitation Services

Doc. No. 017573

State of Kansas

Department of Health
and EnvironmentPermanent Administrative
Regulations

Article 1.—DISEASE

28-1-9. (Authorized by K.S.A. 1981 Supp. 65-101, K.S.A. 65-128; implementing K.S.A. 1981 Supp. 65-101; effective May 1, 1982; revoked May 10, 1996.)

28-1-10. (Authorized by K.S.A. 65-128, K.S.A. 1981 Supp. 65-101; implementing K.S.A. 1981 Supp. 65-101; effective May 1, 1982; revoked May 10, 1996.)

28-1-19. (Authorized by K.S.A. 65-116j, 65-128; effective, E-76-49, Oct. 1, 1975; effective Feb. 15, 1977; amended Jan. 30, 1995; revoked May 10, 1996.)

28-1-21. (Authorized by K.S.A. 1982 Supp. 73-1707; implementing K.S.A. 1982 Supp. 73-1702; effective May 1, 1983; revoked May 10, 1996.)

28-1-22. (Authorized by K.S.A. 1989 Supp. 65-101, 65-128 and K.S.A. 1989 Supp. 65-6003, as amended by L. 1990, Ch. 234, sec. 3; implementing K.S.A. 1989 Supp. 65-6001 and 65-6002, as amended by L. 1990, Ch. 234, sec. 1-2; effective Dec. 24, 1990; revoked May 10, 1996.)

Article 3.—HEARINGS

28-3-5. (Authorized by K.S.A. 74-901e; effective Jan. 1, 1966; revoked May 10, 1996.)

28-3-6. (Authorized by K.S.A. 75-5625 and L. 1984, ch. 313, section 13; implementing L. 1984, ch. 313, section 26; effective May 1, 1986; revoked May 10, 1996.)

Article 4.—MATERNAL AND CHILD HEALTH

28-4-72. (Authorized by K.S.A. 65-507; effective Jan. 1, 1966; revoked May 10, 1996.)

28-4-431. (Authorized by and implementing K.S.A. 65-508; effective May 1, 1983; amended May 1, 1986; revoked May 10, 1996.)

28-4-506. (Authorized by K.S.A. 65-101; implementing K.S.A. 65-180; effective, T-87-48, Dec. 19, 1986; effective May 1, 1987; revoked May 10, 1996.)

28-4-507. (Authorized by K.S.A. 65-101; implementing K.S.A. 65-181; effective, T-87-48, Dec. 19, 1986; effective May 1, 1987; revoked May 10, 1996.)

28-4-508. (Authorized by K.S.A. 65-101; implementing K.S.A. 65-181; effective, T-87-48, Dec. 19, 1986; effective May 1, 1987; revoked May 10, 1996.)

Article 5.—SEWAGE AND EXCRETA DISPOSAL

28-5-8. (Authorized by K.S.A. 65-171d; effective, E-72-11, March 17, 1972; effective Jan. 1, 1973; revoked May 10, 1996.)

Article 6.—COMMON DRINKING CUP; COMMON TOWEL

28-6-1 to 28-6-2. (Authorized by K.S.A. 65-101, 65-104, K.S.A. 1965 Supp. 65-128; effective Jan. 1, 1966; revoked May 10, 1996.)

Article 7.—STERILIZATION OF PUBLIC FOOD AND DRINKING UTENSILS

28-7-1 to 28-7-9. (Authorized by K.S.A. 65-101, 65-104, K.S.A. 1965 Supp. 65-128; effective Jan. 1, 1966; revoked May 10, 1996.)

Article 8.—HOME HEALTH FEE SCHEDULE

28-8-1. (Authorized by K.S.A. 1969 Supp. 65-222; effective, E-69-4, Dec. 11, 1968; effective Jan. 1, 1970; revoked May 10, 1996.)

Article 10.—SANITARY CONDITIONS AROUND RESERVOIRS

28-10-36. (Authorized by K.S.A. 1969 Supp. 65-187; effective Jan. 1, 1970; revoked May 10, 1996.)

28-10-40 to 28-10-41. (Authorized by K.S.A. 1972 Supp. 65-187; effective Jan. 1, 1973; revoked May 10, 1996.)

Article 11.—APPROVAL OF LABORATORIES PERFORMING EXAMINATION OF MILK

28-11-1 to 28-11-6. (Authorized by K.S.A. 65-737 (g); effective Jan. 1, 1966; revoked May 10, 1996.)

Article 13.—UNDERGROUND STORAGE DISPOSAL WELLS AND SURFACE PONDS

28-13-10 to 28-13-11. (Authorized by K.S.A. 65-164, 65-165, 65-171d; effective Jan. 1, 1966; revoked May 10, 1996.)

Article 16.—WATER POLLUTION CONTROL

28-16-50 to 28-16-54. (Authorized by K.S.A. 1971 Supp. 65-3305; effective, E-71-16, April 1, 1971; effective Jan. 1, 1972; revoked May 10, 1996.)

28-16-65. (Authorized by K.S.A. 12-3710 *et seq.*; effective, E-74-33, June 21, 1974; effective, E-76-20, May 1, 1975; effective May 1, 1976; revoked May 10, 1996.)

28-16-67. (Authorized by K.S.A. 12-3711; effective, E-78-4, Dec. 1, 1977; effective May 1, 1978; revoked May 10, 1996.)

Article 17.—DIVISION OF VITAL STATISTICS

28-17-5. (Authorized by K.S.A. 65-2402 and implementing K.S.A. 65-2409, as amended by L. 1990, Chap. 226; effective Jan. 1, 1966; amended Oct. 22, 1990; revoked May 10, 1996.)

28-17-8. (Authorized by K.S.A. 65-2402; implementing 65-2419; effective Jan. 1, 1966; amended May 1, 1986; revoked May 10, 1996.)

Article 19.—AMBIENT AIR QUALITY STANDARDS AND POLLUTION CONTROL

28-19-83. (Authorized by and implementing K.S.A. 65-3005, 65-3010; effective May 1, 1986; revoked May 10, 1996.)

28-19-84. (Authorized by and implementing K.S.A. 65-3005, 65-3010; effective May 1, 1986; amended May 1, 1988; revoked May 10, 1996.)

28-19-85. (Authorized by and implementing K.S.A. 65-3005, 65-3010; effective May 1, 1983; amended May 1, 1986; amended May 1, 1988; revoked May 10, 1996.)

28-19-86. (Authorized by and implementing K.S.A. 65-3005, 65-3010; effective May 1, 1983; amended May 1, 1986; amended May 1, 1987; amended May 1, 1988; revoked May 10, 1996.)

28-19-87 to 28-19-95. (Authorized by and implementing K.S.A. 65-3005, 65-3010; effective May 1, 1983; amended May 1, 1986; amended May 1, 1988; revoked May 10, 1996.)

28-19-96. (Authorized by and implementing K.S.A. 65-3005, 65-3010; effective May 1, 1983; amended May 1, 1986; amended May 1, 1987; amended May 1, 1988; revoked May 10, 1996.)

28-19-98. (Authorized by and implementing K.S.A. 65-3005, 65-3010; effective May 1, 1983; amended May 1, 1986; amended May 1, 1987; amended May 1, 1988; revoked May 10, 1996.)

28-19-98a. (Authorized by and implementing K.S.A. 65-3005, 65-3010; effective May 1, 1986; amended May 1, 1987; amended May 1, 1988; revoked May 10, 1996.)

28-19-99 to 28-19-103. (Authorized by and implementing K.S.A. 65-3005, 65-3010; effective May 1, 1983; amended May 1, 1986; amended May 1, 1987; amended May 1, 1988; revoked May 10, 1996.)

(continued)

28-19-104 to 28-19-108. (Authorized by and implementing K.S.A. 65-3005, 65-3010; effective May 1, 1986; amended May 1, 1987; amended May 1, 1988; revoked May 10, 1996.)

28-19-108a. (Authorized by and implementing K.S.A. 65-3005, 65-3010; effective May 1, 1988; revoked May 10, 1996.)

28-19-109. (Authorized by and implementing K.S.A. 65-3005, 65-3010; effective May 1, 1986; amended May 1, 1987; amended May 1, 1988; revoked May 10, 1996.)

28-19-119 to 28-19-121a. (Authorized by and implementing K.S.A. 65-3005, 65-3010; effective May 1, 1986; amended May 1, 1987; amended May 1, 1988; revoked May 10, 1996.)

28-19-123 to 28-19-125. (Authorized by and implementing K.S.A. 65-3005, 65-3010; effective May 1, 1986; amended May 1, 1987; amended May 1, 1988; revoked May 10, 1996.)

28-19-127 to 28-19-131. (Authorized by and implementing K.S.A. 65-3005, 65-3010; effective May 1, 1986; amended May 1, 1987; amended May 1, 1988.)

28-19-133 to 28-19-141. (Authorized by and implementing K.S.A. 65-3005, 65-3010; effective May 1, 1986; amended May 1, 1987; amended May 1, 1988; revoked May 10, 1996.)

28-19-149. (Authorized by and implementing K.S.A. 65-3005, 65-3010; effective May 1, 1986; amended May 1, 1987; amended May 1, 1988; revoked May 10, 1996.)

28-19-150 to 28-19-151. (Authorized by and implementing K.S.A. 65-3005, 65-3010; effective May 1, 1983; amended May 1, 1986; amended May 1, 1987; amended May 1, 1988; revoked May 10, 1996.)

28-19-152. (Authorized by and implementing K.S.A. 65-3005, 65-3010; effective May 1, 1983; revoked May 10, 1996.)

28-19-153 to 28-19-154. (Authorized by and implementing K.S.A. 65-3005, 65-3010; effective May 1, 1983; amended May 1, 1987; amended May 1, 1988; revoked May 10, 1996.)

28-19-155. (Authorized by and implementing K.S.A. 65-3005, 65-3010; effective May 1, 1983; amended May 1, 1988; revoked May 10, 1996.)

28-19-156. (Authorized by and implementing K.S.A. 65-3005, 65-3010; effective May 1, 1983; revoked May 10, 1996.)

28-19-157. (Authorized by and implementing K.S.A. 65-3005, 65-3010; effective May 1, 1983; revoked May 10, 1996.)

28-19-158. (Authorized by and implementing K.S.A. 65-3005, 65-3010; effective May 1, 1983; amended May 1, 1988; revoked May 10, 1996.)

28-19-159. (Authorized by and implementing K.S.A. 65-3005, 65-3010; effective May 1, 1983; amended May 1, 1987; amended May 1, 1988; revoked May 10, 1996.)

28-19-160 to 28-19-162. (Authorized by and implementing K.S.A. 65-3005, 65-3010; effective May 1, 1983; revoked May 10, 1996.)

Article 21.—FOOD, DRUGS AND COSMETICS

28-21-3. (Authorized by K.S.A. 1965 Supp. 65-673; effective Jan. 1, 1966; revoked May 10, 1996.)

28-21-90a. (Authorized by K.S.A. 1979 Supp. 65-663; effective May 1, 1980; revoked May 10, 1996.)

28-21-91a to 28-21-91b. (Authorized by K.S.A. 1979 Supp. 65-663; effective May 1, 1980; revoked May 10, 1996.)

28-21-92a. (Authorized by K.S.A. 1979 Supp. 65-663; effective May 1, 1980; revoked May 10, 1996.)

28-21-93a. (Authorized by K.S.A. 1979 Supp. 65-663; effective May 1, 1980; revoked May 10, 1996.)

28-21-94a. (Authorized by K.S.A. 1979 Supp. 65-663; effective May 1, 1980; revoked May 10, 1996.)

28-21-96a. (Authorized by K.S.A. 1979 Supp. 65-663; effective May 1, 1980; revoked May 10, 1996.)

28-21-98a. (Authorized by K.S.A. 1979 Supp. 65-663; effective May 1, 1980; revoked May 10, 1996.)

28-21-99a. (Authorized by K.S.A. 1979 Supp. 65-663; effective May 1, 1980; revoked May 10, 1996.)

28-21-102 to 28-21-107. (Authorized by K.S.A. 65-663, K.S.A. 1965 Supp. 65-673; effective Jan. 1, 1966; revoked May 10, 1996.)

28-21-108. (Authorized by K.S.A. 1968 Supp. 65-673; effective Jan. 1, 1969; revoked May 10, 1996.)

28-21-109 to 28-21-111. (Authorized by K.S.A. 1968 Supp. 65-673; effective Jan. 1, 1969; revoked May 10, 1996.)

28-21-112. (Authorized by K.S.A. 1968 Supp. 65-673; effective Jan. 1, 1969; revoked May 10, 1996.)

Article 23.—SANITATION; FOOD AND DRUG ESTABLISHMENTS

28-23-5. (Authorized by K.S.A. 1965 Supp. 65-626; effective Jan. 1, 1966; revoked May 10, 1996.)

28-23-8. (Authorized by K.S.A. 1965 Supp. 65-626; effective Jan. 1, 1966; revoked May 10, 1996.)

28-23-14 to 28-23-15. (Authorized by K.S.A. 1965 Supp. 65-626; effective Jan. 1, 1966; revoked May 10, 1996.)

28-23-25. (Authorized by K.S.A. 1965 Supp. 65-626; effective Jan. 1, 1966; revoked May 10, 1996.)

28-23-33. (Authorized by K.S.A. 1965 Supp. 65-626; effective Jan. 1, 1966; revoked May 10, 1996.)

28-23-60 to 28-23-66. (Authorized by K.S.A. 1965 Supp. 65-626; effective Jan. 1, 1966; revoked May 10, 1996.)

28-23-69. (Authorized by K.S.A. 1965 Supp. 65-626; effective Jan. 1, 1966; revoked May 10, 1996.)

28-23-72. (Authorized by K.S.A. 1965 Supp. 65-626; effective Jan. 1, 1966; revoked May 10, 1996.)

28-23-74. (Authorized by K.S.A. 1965 Supp. 65-626; effective Jan. 1, 1966; revoked May 10, 1996.)

28-23-76 to 28-23-77. (Authorized by K.S.A. 1965 Supp. 65-626; effective Jan. 1, 1966; revoked May 10, 1996.)

Article 26.—MEAT AND POULTRY

28-26-80 to 28-26-87. (Authorized by K.S.A. 1965 Supp. 65-6a15; effective Jan. 1, 1966; revoked May 10, 1996.)

28-26-90a. (Authorized by K.S.A. 1979 Supp. 65-673; effective May 1, 1980; revoked May 10, 1996.)

Article 28.—HYPNOTIC, SOMNIFACIENT OR STIMULATING DRUGS

28-28-1 to 28-28-2. (Authorized by K.S.A. 65-2606; effective Jan. 1, 1967; revoked May 10, 1996.)

Article 29.—SOLID WASTE MANAGEMENT

28-29-1. (Authorized by and implementing K.S.A. 1981 Supp. 65-3406; effective Jan. 1, 1972; amended, E-79-22, Sept. 1, 1978; amended May 1, 1979; amended May 1, 1982; revoked May 10, 1996.)

28-29-83. (Authorized by K.S.A. 1978 Supp. 65-3406; effective, E-79-22, Sept. 1, 1978; effective May 1, 1979; revoked May 10, 1996.)

Article 37.—HOTELS, MOTELS, ROOMING HOUSES AND APARTMENT HOUSES

28-37-10 to 28-37-14. (Authorized by K.S.A. 36-304, 36-305; effective Jan. 1, 1966; revoked May 10, 1996.)

Article 41.—OIL FIELD WASTE DISPOSAL

28-41-1 to 28-41-8. (Authorized by K.S.A. 65-171d; implementing K.S.A. 65-171d; effective July 1, 1966; amended May 1, 1984; revoked May 10, 1996.)

28-41-9. (Authorized by and implementing K.S.A. 65-171d; effective Dec. 31, 1947; amended July 1, 1949; amended Sept. 1, 1950; amended July 1, 1955; amended July 1, 1958; amended July 1, 1966; amended Feb. 15, 1977; amended May 1, 1982; amended, T-84-42, Jan. 1, 1984; amended May 1, 1984; revoked May 10, 1996.)

Article 42.—CERTIFICATES OF NEED FOR HEALTH FACILITIES

28-42-1. (Authorized by K.S.A. 65-4704 and 65-4821; implementing K.S.A. 1983 Supp. 65-4805, 65-4806, 65-4808, 65-4815; effective May 1, 1979; amended, E-81-7, March 12, 1980; amended May 1, 1980; amended, E-81-34, Nov. 12, 1980; amended May 1, 1981; amended, T-84-21, Aug. 30, 1983; amended May 1, 1984; revoked May 10, 1996.)

28-42-3. (Authorized by K.S.A. 65-4806, 65-4821; effective May 1, 1979; amended, E-81-34, Nov. 12, 1980; amended May 1, 1981; revoked May 10, 1996.)

28-42-4. (Authorized by K.S.A. 1978 Supp. 65-4806; effective May 1, 1979; revoked May 10, 1996.)

28-42-5. (Authorized by K.S.A. 65-4704, 65-4821, K.S.A. 1983 Supp. 65-4806; implementing K.S.A. 65-4806; effective May 1, 1979; amended, E-81-7, March 12, 1980; amended May 1, 1980; amended, E-81-34, Nov. 12, 1980; amended May 1, 1981; amended, T-84-21, Aug. 30, 1983; amended May 1, 1984; revoked May 10, 1996.)

28-42-6. (Authorized by K.S.A. 1979 Supp. 65-4704, 65-4804, 65-4808; effective May 1, 1979; amended, E-81-7, March 12, 1980; amended May 1, 1980; revoked May 10, 1996.)

28-42-7. (Authorized by K.S.A. 1979 Supp. 65-4704, 65-4807, 65-4808; effective May 1, 1979; amended, E-81-7, March 12, 1980; amended May 1, 1980; revoked May 10, 1996.)

28-42-9. (Authorized by K.S.A. 1979 Supp. 65-4704, 65-4808; effective, E-81-7, March 12, 1980; effective May 1, 1980; revoked May 10, 1996.)

28-42-10. (Authorized by K.S.A. 1983 Supp. 65-4805, and K.S.A. 65-4821; implementing K.S.A. 1983 Supp. 65-4805; effective, E-81-34, Nov. 12, 1980; modified, L. 1981, ch. 411; effective May 1, 1981; amended, T-84-21, Aug. 30, 1983; amended May 1, 1984; revoked May 10, 1996.)

28-42-11. (Authorized by K.S.A. 1978 Supp. 65-4815; effective May 1, 1979; revoked May 10, 1996.)

28-42-12. (Authorized by K.S.A. 65-4704, 65-4804, 65-4815, 65-4821; effective May 1, 1979; amended, E-81-7, March 12, 1980; amended May 1, 1980; amended, E-81-34, Nov. 12, 1980; amended May 1, 1981; revoked May 10, 1996.)

28-42-13. (Authorized by K.S.A. 1979 Supp. 65-4704, 65-4808, 65-4815; effective May 1, 1979; amended, E-81-7, March 12, 1980; amended May 1, 1980; revoked May 10, 1996.)

28-42-14. (Authorized by K.S.A. 1978 Supp. 65-4802; effective May 1, 1979; revoked May 10, 1996.)

28-42-15. (Authorized by K.S.A. 65-4704, 65-4820, 65-4821; effective, E-81-34, Nov. 12, 1980; effective May 1, 1981; revoked May 10, 1996.)

28-42-16. (Authorized by K.S.A. 1979 Supp. 65-4704, 65-4808, 65-4815; effective, E-81-7, March 12, 1980; effective May 1, 1980; revoked May 10, 1996.)

Article 49.—TRAUMATIC HEAD INJURY FACILITIES

28-49-1 to 28-49-8. (Authorized by and implementing K.S.A. 65-461; effective, T-87-18, July 1, 1986; effective May 1, 1987; revoked May 10, 1996.)

James J. O'Connell
Secretary of Health
and Environment

Doc. No. 017551

State of Kansas

Secretary of State

Executive Appointments

Executive appointments made by the Governor, and in some cases by other state officials, are filed with the Secretary of State's office. The following appointments, which are effective immediately unless otherwise specified, were filed April 1-19:

Doniphan County Sheriff

Eric J. Keim, P.O. Box 663, Wathena, 66090. Term expires when a successor is elected and qualifies according to law.

Air National Guard
Brigadier General

Col. Brian E. Barents, 13029 Pinehurst Drive, Wichita, 67230.

State Corporation Commission

John R. Wine, Jr., 212 Woodlawn, Topeka, 66606. Term expires March 15, 2000.

Kansas Planning Council on Developmental
Disabilities Services

Melanie Starns, Acting Director of Long Term Care, Department on Aging, 5th Floor, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612. Serves at the pleasure of the Governor.

Peter Williams, Executive Director, Kansas Advocacy and Protective Services, 501 S.W. Jackson, Suite 425, Topeka, 66603. Serves at the pleasure of the Governor.

Board of Examiners for Hearing Aids

Clint Acheson, 5859 S.W. 22nd Terrace, Topeka, 66614. Term expires June 30, 1998.

Terry Brewster, 2602 Patti, Wichita, 67204. Term expires June 30, 1998.

Kansas Advisory Group on Juvenile Justice
and Delinquency Prevention

(Created by Executive Order No. 96-2. Members serve at the pleasure of the Governor.)

David Adkins, Chair, 5000 W. 95th, Suite 300, Prairie Village, 66207.

Jenny Allen, 2722 Ponderosa, Lawrence, 66046.

Brent Anderson, Office of the Governor, Room 253-E, State Capitol, 300 S.W. 10th, Topeka, 66612.

Brice Bradshaw, 7935 Kessler St., Overland Park, 66204.

Judge James Burgess, Sedgwick County Courthouse, Wichita, 67203.

Lorraine Gavin-Nwakpuda, 3833 S.W. Atwood, Topeka, 66610.

Karen Griffiths, P.O. Box 10, Norton, 67654.

J. Kenneth Hales, 7677 E. 21st, #2106, Wichita, 67206.

Andre Hall, 4623 Lafayette, Kansas City, 66104.

Wes Holt, 22005 Oliver Creek Road, Westmoreland, 66549.

Liguia Pacquette, 1110 Plains Drive, Junction City, 66441.

Lauri Lynn Paul, 9333 Haskins, Lenexa, 66215.

Carla Stovall, Kansas Attorney General, 2nd Floor, Kansas Judicial Center, 301 S.W. 10th, Topeka, 66612.

Jerry Wells, Koch Crime Commission, 700 S.W. Jackson, Topeka, 66603.

David White, 1333 S. 27th, Kansas City, 66106.

Sue Wine, Vice Chair, CETU, Brigham Building, 300 S.W. Oakley, Topeka, 66606.

State Board of Regents

Murray D. Lull, 218 Athletic St., Smith Center, 66967. Term expires January 15, 1998.

Sylvia White Robinson, 7706 Corona Ave., Kansas City, MO 64112. Term expires January 15, 2000.

Kansas Rehabilitation Advisory Council

Barb Andres, Breakthrough Club, 1005 E. 2nd, Wichita, 67214. Term expires October 31, 1998.

Joyce A. Cussimano, Rehabilitation Services, 1st Floor, Biddle Building, 300 S.W. Oakley, Topeka, 66606. Ex officio member. Serves at the pleasure of the Governor.

Connie English, 1310 S.E. Sage, Topeka, 66605. Term expires October 31, 1998.

Sally Fritchen, Personnel Manager, Wal-Mart, 612 S. 130th, Bonner Springs, 66012. Term expires October 31, 1999.

Steve Gieber, 1710 W. Schilling Road, Salina, 67402. Term expires October 31, 1996.

Terri Goodrich, Parent Education Coordinator, Families Together, 501 S.W. Jackson, Suite 400, Topeka, 66603. Term expires October 31, 1996.

Galen Huffman, Route 3, P.O. Box 31, Quinter, 67752. Term expires October 31, 1998.

Tom Hutchinson, 210 S. Phillip, Salina, 67401. Term expires October 31, 1997.

Martin Kasick, Sallie Mae, Loan Servicing Center, P.O. Box 309, Lawrence, 66044.

Bryce Miller, 2548 S.W. Belle Ave., Topeka, 66614. Term expires October 31, 1998.

Ann Reed, Human Resources, Via Christy, St. Joseph, 3600 E. Harry, Wichita, 67218. Term expires October 31, 1998.

Tom Zerfas, The Bradbury Company, Inc., Air Industrial Park, P.O. Box 667, Moundridge, 67107.

Kansas Securities Commissioner

David R. Brant, 1823 S.W. Collins Ave., Topeka, 66604.

Kansas State Fair Board

Charles L. Craig, Route 2, Box 235, Winfield, 67156. Term expires March 14, 1999.

Mike Gaskill, Box 71, Moscow, 67952. Term expires March 14, 1999.

David E. Hubert, Route 1, Box 24, Monument, 67747. Term expires March 14, 1999.

State Board of Tax Appeals

Michael Corrigan, 244 S. Terrace, Wichita, 67218. Term expires January 15, 2000.

J. Lyn Entriokin Goering, 1557 Lakeside Drive, Topeka, 66604. Term expires January 15, 1999.

Washburn University Board of Regents

James R. Roth, 7916 E. 26th St. North, Wichita, 67226. Effective July 1, 1996. Term expires June 30, 2000.

Ron Thornburgh
Secretary of State

(Published in the Kansas Register April 25, 1996.)

(Published in the Kansas Register April 25, 1996.)

**In the District Court of Johnson County
State of Kansas
Civil Court Department**

City of Lenexa, Kansas *ex rel.*)
Boatmen's Bank of Kansas,)
f/k/a First Continental Bank)
& Trust,)
Plaintiff-Relator,) Case No. 91 C 7506
v.) Court No. 9
Estate Office Partnership,)
a Kansas general)
partnership, et al.,)
Defendants.)

Notice of Call for Redemption

To: All Bondholders of \$2,500.00 City of Lenexa, Kansas, Industrial Revenue Bond Series June 1, 1983 (Estate Office Partnership, a Kansas General Partnership—Tenant & Guarantor)

Notice is hereby given on behalf of the City of Lenexa, Kansas, by Boatmen's Bank of Kansas, successor to First Continental Bank & Trust, fiscal agent under the ordinance authorizing the issuance of \$2,500,000 in Industrial Revenue Bonds, City of Lenexa, Kansas, Series June 1, 1983, Estate Office Partnership, a Kansas General Partnership—Tenant and Guarantor (the bonds), that pursuant to a court order entered on April 15, 1996, in the above-captioned legal proceeding (the order), all issued and outstanding series of the bonds are being called for redemption and shall be redeemed on May 31, 1996.

Upon presentation and surrender of each of the called bonds and pursuant to the order, there shall become due and payable a redemption price equal to a pro rata amount of the funds available for distribution after a default under the bonds together with a pro rata share of accrued interest. Interest on the bonds shall cease to accrue from and after the redemption date.

In order to receive their payment, bondholders must submit their bonds with notice of their current address to the fiscal agent at the address below. For prompt payment, please submit called bonds two weeks prior to the redemption date.

The fiscal agent shall commence making payments no sooner than 30 days after publication of this notice of redemption.

Under the provisions of the Interest and Dividend Tax Compliance Act of 1983, paying agents making payments of principal on municipal securities will be obligated to withhold 31 percent of the payment of principal to holders who have failed to provide the paying agent with a valid taxpayer identification number. Registered owners of the above described securities will avoid such withholding by providing a certified taxpayer identification number on IRS Form W-9 when presenting securities for payment.

Fiscal Agent:
Boatmen's Bank of Kansas
Successor to
First Continental Bank & Trust
9500 Mission
Shawnee Mission, KS 66206

NOTICE OF REDEMPTION TO HOLDERS OF

**CRAWFORD COUNTY, KANSAS
Single Family Mortgage Revenue Bonds, Series 1980**

NOTICE IS HEREBY GIVEN, pursuant to the terms of the Indenture dated as of 3.01 of the Indenture, between Crawford County, Kansas, as Issuer, and Continental Illinois National Bank and Trust Company of Chicago (Succeeded by First Trust of Illinois), as Trustee, that the bonds listed below have been selected by lot for Redemption on June 1, 1996 (the Redemption Date) at a price of 100% of the principal amount (the Redemption Price) together with interest accrued to the Redemption Date.

- *CUSIP Number: 224851AR6, 8.150%, Due: 12/01/1996, Total Amount Called: \$10,000
Bearer Bonds called in the amount of \$5,000 each:
779 792
- *CUSIP Number: 224851AS4, 8.300%, Due: 12/01/1997, Total Amount Called: \$10,000
Bearer Bonds called in the amount of \$5,000 each:
881 885
- *CUSIP Number: 224851AT2, 8.400%, Due: 12/01/1998, Total Amount Called: \$10,000
Bearer Bonds called in the amount of \$5,000 each:
959 1011
- *CUSIP Number: 224851AU9, 8.500%, Due: 12/01/1999, Total Amount Called: \$10,000
Bearer Bonds called in the amount of \$5,000 each:
1063 1068
- *CUSIP Number: 224851AW5, 9.000%, Due: 12/01/2010, Total Amount Called: \$150,000
Bearer Bonds called in the amount of \$5,000 each:
1840 1884 1950 2157 2162 2199 2258 2299 2308 2347 2380 2382 2444
2484 2489 2505 2523 2567 2569 2628 2792 2825 2832 2890 2893 2972
2984 2995 3114 3124

Payment of the Redemption Price on the Bonds called for redemption will become due and payable on the Redemption Date upon presentation and surrender thereof in the following manner:

- | | | |
|----------------------------------|----------------------------------|--------------------------------------|
| <i>If by Mail: (FULLY REG)</i> | <i>If by Mail: (BEARER BDS)</i> | <i>If by Hand or Overnight Mail:</i> |
| First Trust National Association | First Trust National Association | First Trust National Association |
| First Trust Center | First Trust Center | 180 East Fifth Street |
| P.O. Box 64111 | P.O. Box 64452 | 3rd Floor - Bond Drop Window |
| St. Paul, MN 55164-0111 | St. Paul, MN 55164-0452 | St. Paul, Minnesota 55101 |
| | (612) 244-0444 | |
| | <i>Co-Paying Agent:</i> | |
| | Intrust Bank N.A. | |
| | Attn: Corporate Trust | |
| | 105 North Main Street | |
| | Wichita, KS 67202 | |

Bondholders presenting their bonds in person to the Trustee for same day payment must surrender their bond(s) by 1:00 P.M. on the Redemption Date and a check will be available for pick up after 2:00 P.M. Checks not picked up by 4:30 P.M. will be mailed out to the bondholder via first class mail. If payment of the Redemption Price is to be made to the registered owner of the Bond, you are not required to endorse the Bond to collect the Redemption Price.

Interest on the principal amount designated to be redeemed shall cease to accrue on and after the Redemption Date.

IMPORTANT NOTICE

Under the Interest and Dividend Tax Compliance Act of 1983 as amended by the Energy Policy Act of 1992, 31% will be withheld if tax identification number is not properly certified.

The Trustee shall not be held responsible for the selection or use of the CUSIP number, nor is any representation made as to its correctness indicated in the Redemption Notice. It is included solely for convenience of the Holders.

BY: FIRST TRUST OF ILLINOIS, N.A.
as Trustee

Dated: April 25, 1996

Doc. No. 017569

Doc. No. 017554

(Published in the Kansas Register April 25, 1996.)

**Notice of Total Redemption
to the Holders of
City of Newton, Kansas
Industrial Revenue Bonds
(Bunting Magnetics, Co.)
Series 1978-R
Dated December 1, 1978**

Notice is hereby given by the undersigned on behalf of the City of Newton, Kansas, that, pursuant to the optional redemption provisions of Ordinance No. 3406 of the city dated January 17, 1979, the City of Newton, Kansas, \$875,000 Industrial Revenue Bonds (Bunting Magnetics, Co.) Series 1978-R, dated December 1, 1978, hereinafter specified have been irrevocably designated for redemption and payment in full, and, with respect to each such bond, the principal amount hereinafter indicated shall become due and payable and shall be redeemed on June 1, 1996 (the redemption date), at a redemption price equal to 100 percent of the principal amount redeemed, together with interest accrued on such principal amount to but not including the date fixed for redemption. The aggregate principal amount of bonds to be redeemed is \$290,000.

Bonds called for redemption are more particularly described as follows:

Aggregate Amount Redeemed	Interest Rate	Maturity Date	CUSIP Number
\$290,000	8.75%	December 1, 1999	652878-JF7

Bonds hereby called for redemption shall be payable upon presentation and surrender thereof at the principal office of UMB Bank, N.A., Securities Transfer Division, 13th Floor, 928 Grand Ave., Kansas City, MO 64106. Inquiries of requests for additional information should be directed to UMB Bank, N.A., Corporate Trust Department, at the address above, (816) 860-7781.

Coupons representing interest payable on June 1, 1996, on the bonds should be presented for payment in the usual manner. Interest on that portion of the bonds hereby called for redemption shall cease to accrue from and after the redemption date.

Under the provisions of the Interest and Dividend Tax Compliance Act of 1983, as amended, paying agents making payments of principal on municipal securities will be obligated to withhold 31 percent of the payment of principal to holders who have failed to provide the paying agent with a valid taxpayer identification number. Holders of the above described securities will avoid such withholding by providing a certified taxpayer identification number when presenting securities for payment.

The CUSIP number indicated above is included solely for the convenience of the holders of the bonds. The trustee and paying agent are not responsible for the use or selection of the CUSIP number, nor is any representation made as to the correctness of such CUSIP number on the bonds or as indicated in this notice.

Dated April 25, 1996.

UMB Bank Kansas
f/k/a Highland Park Bank & Trust
as Trustee
By UMB Bank, N.A.

Doc. No. 017567

(Published in the Kansas Register April 25, 1996.)

**Notice of Call for Redemption
to the Holders of
City of Abilene, Kansas
Industrial Revenue Bonds
Series June 1, 1983
(Duckwall-Alco Stores, Inc.)**

Notice is hereby given that pursuant to Section 4 of Ordinance No. 2566 of the City of Abilene, Kansas, the following described bonds maturing on and after June 1, 1998, and all unmatured coupons appertaining thereto, have been called for redemption and payment on June 1, 1996, at the office of The First National Bank, Abilene, Kansas (formerly Citizens Bank and Trust Co.), the paying agent.

Term Bonds

Bond Nos.	Maturity Date	Principal Amount	Interest Rate
R18 (574, 598)	6-1-98	\$10,000	9.50%
R40 (411)	6-1-98	\$5,000	9.50%
R41 (533)	6-1-98	\$5,000	9.50%
R45 (599, 600)	6-1-98	\$10,000	9.50%
R64 (504)	6-1-98	\$5,000	9.50%
R65 (566, 569)	6-1-98	\$10,000	9.50%
403	6-1-98	\$5,000	9.50%
406	6-1-98	\$5,000	9.50%
419	6-1-98	\$5,000	9.50%
434	6-1-98	\$5,000	9.50%
437	6-1-98	\$5,000	9.50%
441	6-1-98	\$5,000	9.50%
442	6-1-98	\$5,000	9.50%
444	6-1-98	\$5,000	9.50%
458	6-1-98	\$5,000	9.50%
459	6-1-98	\$5,000	9.50%
463	6-1-98	\$5,000	9.50%
466	6-1-98	\$5,000	9.50%
474	6-1-98	\$5,000	9.50%
477	6-1-98	\$5,000	9.50%
479	6-1-98	\$5,000	9.50%
482	6-1-98	\$5,000	9.50%
487	6-1-98	\$5,000	9.50%
489	6-1-98	\$5,000	9.50%
493	6-1-98	\$5,000	9.50%
502	6-1-98	\$5,000	9.50%
507	6-1-98	\$5,000	9.50%
518	6-1-98	\$5,000	9.50%
521	6-1-98	\$5,000	9.50%
524	6-1-98	\$5,000	9.50%
527	6-1-98	\$5,000	9.50%
534	6-1-98	\$5,000	9.50%
535	6-1-98	\$5,000	9.50%
537	6-1-98	\$5,000	9.50%
550	6-1-98	\$5,000	9.50%
556	6-1-98	\$5,000	9.50%
560	6-1-98	\$5,000	9.50%

On such redemption date there shall become due and payable, upon the presentation and surrender of each such bond, the redemption price thereof equal to 100 percent of the principal amount of each bond together with interest accrued to the redemption date, upon the pres-

entation and surrender of each such bond and appropriate coupons appertaining thereto. Interest shall cease to accrue on the bonds so called for redemption, and all unmatured coupons appertaining thereto, from and after June 1, 1996, subject to the condition that sufficient funds for redemption are then on deposit with the paying agent.

Under the provisions of the Interest and Dividend Tax Compliance Act of 1983, paying agents making payments of interest or principal on corporate securities may be obligated to withhold a 20 percent tax from remittances to individuals who have failed to furnish the paying agent with a valid taxpayer identification number. Holders of the Series June 1, 1983 bonds who wish to avoid the imposition of the tax should submit certified taxpayer identification numbers when presenting the bonds for payment.

Dated April 25, 1996.

City of Abilene, Kansas
 By: First National Bank
 Abilene, Kansas
 (Formerly Citizens Bank and Trust Co.)
 as Fiscal Agent

Doc. No. 017555

(Published in the Kansas Register April 25, 1996.)

Summary Notice of Bond Sale
City of Emporia, Kansas
\$2,750,000*
General Obligation Improvement Bonds
Series 1996-A

(General obligation bonds payable from unlimited ad valorem taxes)

Sealed Bids

Sealed bids will be received by the assistant city manager of Emporia, Kansas, on behalf of the governing body at City Hall, 522 Mechanic, Emporia, KS 66801, until 11 a.m. C.D.T. Wednesday, May 8, for the purchase of \$2,750,000 principal amount of General Obligation Improvement Bonds, Series 1996-A. No bid of less than the entire par value of the bonds and accrued interest to the date of delivery will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated May 1, 1996, and will become due on November 1 in the years as follows:

Maturity November 1	Principal Amount *
1996	\$ 20,000
1997	\$ 20,000
1998	\$ 25,000
1999	\$ 75,000
2000	\$120,000
2001	\$120,000
2002	\$120,000
2003	\$150,000
2004	\$150,000
2005	\$300,000
2006	\$325,000

2007	\$325,000
2008	\$325,000
2009	\$335,000
2010	\$340,000

The bonds will bear interest from that date at rates to be determined when the bonds are sold as provided, which interest will be payable semiannually on May 1 and November 1 in each year, beginning on November 1, 1996.

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States of America in the amount of \$55,000 (2 percent of the principal amount of the bonds).

Delivery

The city will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or before May 21, 1996, at the offices of the Depository Trust Company, New York, New York.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 1995 is \$111,976,304. The total general obligation indebtedness of the city as of the date of the bonds, including the bonds being sold, is \$14,035,000.

Approval of Bonds

The bonds will be sold subject to the legal opinion of Logan, Riley, Carson & Kaup, L.C., Overland Park, Kansas, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the city, printed on the bonds and delivered to the successful bidder as and when the bonds are delivered.

Additional Information

Additional information regarding the bonds may be obtained from the city clerk, (316) 342-5105; from the financial advisor, George K. Baum & Company, Kansas City, Missouri, Attention: Roger Edgar or David Artberry, (816) 474-1100; or from bond counsel, Logan, Riley, Carson & Kaup, L.C., 9200 Indian Creek Parkway, Suite 230, Overland Park, KS 66210, (913) 661-0399.

Dated April 25, 1996.

City of Emporia, Kansas
 By Susan Mendoza
 Emporia City Hall
 522 Mechanic
 Emporia, KS 66801
 (316) 342-5105

* Subject to change.

Doc. No. 017571

(Published in the Kansas Register April 25, 1996.)

**Summary Notice of Bond Sale
\$608,000**

**City of Rose Hill, Kansas
General Obligation Bonds, Series 1996**

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

Sealed Bids

Subject to the notice of bond sale dated April 2, 1996, sealed bids will be received by the clerk of the City of Rose Hill, Kansas (the issuer), on behalf of the governing body at City Hall, 306 N. Rose Hill Road, Rose Hill, KS 67133, until 6:30 p.m. C.D.T. May 6, 1996, for the purchase of \$608,000 principal amount of General Obligation Bonds, Series 1996. No bid of less than 100 percent of the principal amount of the bonds and accrued interest thereon to the date of delivery will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof, except one bond in the denomination of \$3,000. The bonds will be dated June 1, 1996, and will become due serially on October 1 in the years as follows:

Year	Principal Amount
1997	\$58,000
1998	60,000
1999	60,000
2000	60,000
2001	60,000
2002	60,000
2003	60,000
2004	60,000
2005	65,000
2006	65,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on April 1 and October 1 in each year, beginning on April 1, 1997.

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States of America in the amount of \$12,160 (2 percent of the principal amount of the bonds).

Delivery

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or before June 13, 1996, at such bank or trust company in the contiguous United States of America as may be specified by the successful bidder.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 1995 is \$12,419,112. The total general obligation indebtedness of the issuer as of the date of delivery of the bonds, includ-

ing the bonds being sold but excluding temporary notes to be retired in conjunction therewith, is \$2,422,000.

Approval of Bonds

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

Additional Information

Additional information regarding the bonds may be obtained from the clerk, (316) 776-2712, or from the financial advisor, George K. Baum & Company, 100 N. Main, Suite 810, Wichita, KS 67202, Attention: Charles M. Bouly, (316) 264-9351.

Dated April 2, 1996.

City of Rose Hill, Kansas

Doc. No. 017557

(Published in the Kansas Register April 25, 1996.)

Summary Notice of Bond Sale

City of Salina, Kansas

\$1,847,000

**General Obligation Internal
Improvement Bonds
Series 1996-A**

Sealed Bids

Subject to the terms and conditions of the complete notice of bond sale and preliminary official statement dated April 15, 1996, sealed bids on the official bid form will be received by Judy D. Long, city clerk of the City of Salina, Kansas, in Room 206, City/County Building, 300 W. Ash, Salina, KS 67402-0736, on behalf of the governing body until 2 p.m. local time Monday, May 6, 1996, for the purchase of \$1,847,000 principal amount of General Obligation Internal Improvement Bonds, Series 1996-A. No bid of less than the entire par value of the bonds and accrued interest thereon to the date of delivery will be considered. Each bid shall be accompanied by a cashier's or certified check in the amount of \$36,940.

Bond Details

The bonds will consist of fully registered certificated bonds in the denomination of \$5,000 or any integral multiple thereof, except for one bond maturing in 1997 in the denomination of \$7,000 or integral multiples of \$5,000 in excess thereof. The bonds will initially be registered in the name of Cede & Co., as nominee of the Depository Trust Company, New York, New York, to which payments of principal of and interest on the bonds will be made. Individual purchases of bonds will be made in book-entry form only. Purchasers will not receive certificates representing their interest in bonds purchased. The bonds will be dated June 1, 1996, and will become due serially on August 1 in the years as follows:

Year	Principal Amount
1997	\$182,000
1998	185,000
1999	185,000
2000	185,000

(Published in the Kansas Register April 25, 1996.)

2001	185,000
2002	185,000
2003	185,000
2004	185,000
2005	185,000
2006	185,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on February 1 and August 1 in each year, beginning on February 1, 1997. Bonds maturing on August 1, 2004, and thereafter, will be subject to redemption prior to maturity at the option of the city on August 1, 2003, and thereafter, in whole at any time or in part on any interest payment date, in such principal amounts for such maturities as shall be determined by the city, at a redemption price of 100 percent of the principal amount redeemed, plus accrued interest, without a premium.

Paying Agent and Bond Registrar

The Kansas State Treasurer will be the paying agent and bond registrar for the bonds.

Delivery

The city will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about June 6, 1996, at such location as may be specified by the purchaser.

Assessed Valuation and Indebtedness

The equalized assessed valuation for computation of bonded debt limitations for the year 1995 is \$246,863,568. The total general obligation indebtedness of the city as of the date of the bonds, including the bonds being sold, is \$13,206,000.

Approval of Bonds

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

Additional Information

Additional information regarding the bonds may be obtained from the undersigned or from George K. Baum & Company, Kansas City, Missouri, (816) 474-1100, the city's financial advisor.

Dated April 15, 1996.

City of Salina, Kansas
 By Judy D. Long
 City Clerk
 Room 206
 City/County Building
 300 W. Ash
 Salina, KS 67402-0736
 (913) 826-7240

Doc. No. 017559

**Summary Notice of Bond Sale
 City of Lawrence, Kansas**

\$2,020,000*

**General Obligation Temporary Notes
 Series 1996-A**

\$1,500,000*

**General Obligation Sales Tax
 Temporary Notes
 Series 1996-B**

\$9,270,000*

**General Obligation Bonds
 Series T 1996**

(General obligations payable from
 unlimited ad valorem taxes)

Sealed Bids

Subject to the notice of sale and preliminary official statement, sealed bids will be received by the city clerk of the City of Lawrence, Kansas, on behalf of the governing body at City Hall, 6 E. 6th, Lawrence, KS 66044, until 11 a.m. local time Tuesday, May 7, 1996, for the purchase of \$2,020,000* General Obligation Temporary Notes, Series 1996-A, \$1,500,000* General Obligation Sales Tax Temporary Notes, Series 1996-B (collectively, the notes), and \$9,270,000* principal amount of General Obligation Bonds, Series T 1996 (the bonds). No bid of less than the entire principal amount of the bonds or less than 99.50 percent of the entire principal amount of a series of notes, as applicable, and accrued interest to the date of delivery will be considered.

Note Details

The notes will consist of fully registered notes in the denomination of \$5,000 or any integral multiple thereof. Notes shall initially be registered in the name of Cede & Co., as nominee of the Depository Trust Company, New York, New York, to which payment of principal of and interest on the notes will be made. Individual purchases of notes will be made in book-entry form only. Purchasers will not receive certificates representing their interest in notes purchased. The notes will be dated May 1, 1996, and will become due on June 1, 1997. The notes will bear interest from the dated date at rates to be determined when the notes are sold, and interest will be payable semiannually on December 1, 1996 and June 1, 1997 (or earlier redemption date). The city treasurer will be the paying agent and note registrar for the notes.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated May 1, 1996, and will become due on September 1 in the years as follows:

Year	Principal Amount
1996	\$660,000
1997	455,000
1998	480,000
1999	630,000
2000	660,000
2001	690,000

(continued)

2002	725,000
2003	765,000
2004	805,000
2005	840,000
2006	180,000
2007	190,000
2008	195,000
2009	205,000
2010	220,000
2011	230,000
2012	240,000
2013	255,000
2014	270,000
2015	280,000
2016	295,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold, and interest will be payable semiannually on March 1 and September 1 in each year, beginning on September 1, 1996. The Kansas State Treasurer, Topeka, Kansas, will be the paying agent and bond registrar for the bonds.

Good Faith Deposit

Each bid for a series of notes shall be accompanied by a good faith deposit in the form of a cashier's or certified check or a financial surety bond in the amount of 1 percent of the principal amount of such series of notes. Each bid for the bonds shall be accompanied by a cashier's or certified check drawn on a bank located in the United States of America in the amount of 2 percent of the principal amount of the bonds.

Delivery

The city will pay for printing the bonds and the preparation of the notes and will deliver the bonds properly prepared, executed and registered without cost to the successful bidder on or before May 30, 1996, at such bank or trust company in the United States of America as may be specified by the successful bidder. The city will deliver the notes in book-entry form only to the Depository Trust Company, New York, New York.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 1996 is \$412,239,117. The total general obligation indebtedness of the city as of the date of the bonds, including the bonds and notes being sold, is \$44,065,000.

Approval of Bonds

The bonds and notes will be sold subject to the legal opinion of Gilmore & Bell, P.C., Kansas City, Missouri, bond counsel, whose approving legal opinion as to the validity of the bonds/notes will be furnished and paid for by the city, printed on the bonds and delivered to the successful bidder as and when the bonds/notes are delivered.

Additional Information

Additional information regarding the bonds and notes may be obtained from the city clerk or the city's director of finance, (913) 832-3214, or from bond counsel, Gilmore

& Bell, P.C., 700 W. 47th, Suite 400, Kansas City, MO 64112, (816) 931-7500.

Dated April 25, 1996.

City of Lawrence, Kansas
By Raymond J. Hummert
Lawrence City Clerk
Lawrence City Hall
6 E. 6th
Lawrence, KS 66044
(913) 832-3000

* Principal amounts are subject to change.

Doc. No. 017558

State of Kansas

Kansas Racing Commission

Notice of Hearing on Proposed Administrative Regulations

A public hearing will be conducted by the Kansas Racing Commission at 9 a.m. Friday, July 12, at the Citizens National Bank, Jennings and Main, Anthony, to consider the adoption of a proposed permanent regulation of the Kansas Racing Commission. This 60-day notice constitutes a public comment period for the purpose of receiving written public comments on the proposed regulation.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulation 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 the secretary at the Kansas Racing Commission, 3400 Van Buren, Topeka, 66611-2228, (913) 296-5800.

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

K.A.R. 112-11-13a. Controlled substance and alcohol testing. The commission is permitted by statute to test occupation licensees for controlled substances and alcohol. The regulation states that a reasonable suspicion standard will be applied, and sets out the statutory authority for stewards and racing judges to use when imposing fines or suspensions. The amendment to this regulation broadens the authority of those having law enforcement powers at the track to test all occupation licensees for controlled substances and alcohol. They are no longer limited to testing only those whose work involves health or safety of others or the racing animal. Also, the blood alcohol content has been changed from .05 to .08.

Economic Impact: There are no costs anticipated as a result of this regulation change.

Myron Scafe
Executive Director

Doc. No. 017556

State of Kansas

Secretary of State

I, Ron Thornburgh, Secretary of State of the State of Kansas, do hereby certify that the following bills are correct copies of the original enrolled bills now on file in my office.

In Testimony Whereof, I have hereunto subscribed my name and affixed my official seal.

Ron Thornburgh
Secretary of State

(Published in the Kansas Register April 25, 1996.)

SENATE Substitute for Substitute for HOUSE BILL No. 2079

AN ACT concerning elections; amending K.S.A. 21-4615, 25-414, 25-1133, 25-1337, 25-2303, 25-2309, 25-2309c, 25-2312, 25-2315, 25-2316c, 25-2504, 25-3008, 25-3306 and K.S.A. 1995 Supp. 25-409, 25-1117, 25-1122, 25-1122a, 25-1122d, 25-1123, 25-1124, 25-1134, 25-1136, 25-2311, 25-2352, 25-2709 and 25-2909 and repealing the existing sections; also repealing K.S.A. 25-410 and 25-2316d.

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

Section 1. K.S.A. 1995 Supp. 25-409 is hereby amended to read as follows: 25-409. (a) If any person challenged pursuant to K.S.A. 25-414, and amendments thereto, shall refuse to subscribe the oath tendered *application for registration* pursuant to K.S.A. 25-410 25-2309, and amendments thereto, the judges shall reject such person's vote.

(b) If the a person is challenged pursuant to K.S.A. 25-414, and amendments thereto, subscribes the oath prescribed by K.S.A. 25-410, and amendments thereto, and the judges are satisfied that such person is a legal voter, the person shall be allowed to vote in the same manner as any other voter. If the judges are not satisfied that such person is a legal voter, such person shall be permitted to *subscribe the application for registration and mark an advance voting a ballot, which. The ballot shall thereupon be sealed in an envelope; and. The judges shall endorse write on the envelope the word "challenged" "provisional" and a statement of the reason for the challenge, and that the ballot contained in the envelope is the same ballot which was challenged pursuant to K.S.A. 25-409 et seq. and amendments thereto. Such statement shall be attested by two of the judges. The judges shall attach the application for registration to the envelope containing the provisional ballot.* The envelope shall be numbered to correspond to the number of the challenged provisional voter's name in the registration or poll book, and the word "challenged" "provisional" shall be written following the voter's name in the poll book. Such challenged provisional ballots, together with objected to and void ballots packaged in accordance with K.S.A. 25-3008, and amendments thereto, shall be opened and reviewed by the county board of canvassers, and such board shall determine the acceptance or rejection of the same.

Sec. 2. K.S.A. 25-414 is hereby amended to read as follows: 25-414. (a) It shall be the duty of each judge of election to challenge any person offering to vote, whom he the judge shall know or suspect not to be qualified as an elector.

(b) A person who: (1) Has moved from an address in the registration book to another address in the same county; or (2) has not moved, but the registration list indicates otherwise, is a qualified elector, but shall be challenged by an election judge and entitled to cast only a provisional ballot pursuant to K.S.A. 25-409, and amendments thereto.

(c) The application shall be delivered to the election judges and attached to the provisional ballot envelope. Such application and ballot envelope containing the ballot shall be transmitted to the county election officer with election returns and supplies.

(d) Following the determination of acceptance or rejection of any provisional ballot by the county board of canvassers, the county election officer shall update the registration record, if appropriate, for voting in future elections, and send, by nonforwardable first-class mail, to the address specified on the application, notice of disposition of the application. The registrant's name shall not be removed from the official list of eligible voters by reason of such a change of address except as provided in K.S.A. 25-2316c, and amendments thereto.

New Sec. 3. A registrant who has moved to a new address in the same county shall be permitted to update the voter's registration record and vote a provisional ballot at the registrant's new polling place, or at a central location determined by the county election officer.

Sec. 4. K.S.A. 1995 Supp. 25-1136 is hereby amended to read as follows: 25-1136. (a) The vote of any advance voting voter may be challenged in the same manner as other votes are challenged, as nearly as may be, and the judges of the special election board shall determine the validity of each advance voting ballot. Whenever the judges determine that the form accompanying an advance voting ballot is insufficient, or that the voter is not a registered voter, or the challenge is otherwise sustained, the advance voting ballot envelope shall not be opened. In all such cases, the judges shall endorse on the back of the envelope the word "challenged" "provisional" and state the reason for sustaining the challenge.

(b) Any advance voting ballot envelope which has not been signed shall not be opened, and no vote on the ballot therein shall be counted. Such envelope or ballot shall be challenged in the same manner in which other votes are challenged.

(c) Whenever it shall be made to appear to the judges of a special election board by sufficient proof that an advance voting voter has died, the envelope containing the advance voting ballot of such deceased voter shall not be opened. In all such cases, the judges shall endorse on the back of the envelope the word "challenged" "provisional" and the reason for sustaining the challenge.

(d) If objection is made to an advance voting ballot because of form, condition, or marking thereof, the ballot shall be marked "void" if the judges uphold the objection to the entire ballot, and otherwise shall be marked on the back thereof, "objected to" with a statement of the substance of the objection.

(e) Void, challenged provisional and objected to advance voting ballots shall be transmitted to the county election officer in the same manner as personally cast challenged provisional ballots are transmitted but shall be placed in separate envelopes or sacks, appropriately labeled and sealed. Votes contained in void and challenged provisional advance voting ballots shall not be included in the total of votes certified by the special election board. Void, challenged provisional and objected to advance voting ballots shall be reviewed by the board of county canvassers, and such board shall finally determine the acceptance or rejection of each void, challenged provisional or objected to ballot.

Sec. 5. K.S.A. 25-1337 is hereby amended to read as follows: 25-1337. In counties where voting machines are used, voters offering to vote may be challenged pursuant to K.S.A. 25-414, and amendments thereto. The person challenged shall be allowed to vote a provisional ballot only if he or she such person subscribes the oath provided by K.S.A. 25-410 application for registration pursuant to K.S.A. 25-2309, and amendments thereto. Challenged Provisional votes in counties where voting machines are used shall be cast and the challenged provisional ballots shall be reviewed and finally determined in the manner provided by K.S.A. 25-409, and amendments thereto.

Sec. 6. K.S.A. 25-2303 is hereby amended to read as follows: 25-2303. (a) The officer responsible for administering the provisions of this act shall be the county election officer. "County election officer" means the election commissioner in counties having an election commissioner, and the county clerk in counties which do not have an election commissioner. Words and terms defined in chapter 406 of the laws of 1968 shall have the same meaning in this act as is ascribed thereto in such act, unless inconsistent with the provisions of this act.

(b) The county election officer shall appoint the city clerk of any city of the first or second class in such county to be a deputy county election officer for the purpose of registration under the provisions of this act if such city clerk has had the responsibility to register voters under the statutes of this state effective immediately prior to the effective date of this act. "Voter registration agency" means any office in the state, other than an office of the division of motor vehicles, that provides public assistance, that provides state-funded programs primarily engaged in providing services to persons with disabilities, recruitment offices of the armed forces, and the office of the city clerk in any city of the first or second class. A voter registration agency shall provide voter registration services to persons who apply for the agency's services or assistance, and upon completion of each recertification, renewal or change of address form.

(c) Deputy county election officers shall maintain records and perform duties under the provisions of this act only in the manner prescribed by the county election officer. County election officers may appoint such deputy county election officers as they deem deemed appropriate, including, but not limited to, the city clerk of any city, personnel in any public high school, any public library or public institution of higher education,

(continued)

in addition to those required to be appointed under the provisions of this section subsection (b).

Sec. 7. K.S.A. 25-2309 is hereby amended to read as follows: 25-2309. (a) Any person may apply in person or, by mail, through a voter registration agency, or by other delivery to the a county election officer to be registered. Such application shall be made on: (1) A form approved by the secretary of state, which shall be provided by the a county election officer or chief state election official upon request in person, by telephone or in writing by an individual applicant; or (2) the mail voter registration application prescribed by the federal election commission. Such application shall be signed by the applicant under penalty of perjury and shall contain the original signature of the applicant or the computerized, electronic or digitized transmitted signature of the applicant.

(b) Applications made under this section shall give voter eligibility requirements and such information as is necessary to identify the applicant and to determine the qualifications of the applicant as an elector and the facts authorizing such person to be registered, including, but not limited to, the following data concerning the applicant:

- (1) Name;
- (2) place of residence, including specific address or location, and mailing address if the residence address is not a permissible postal address;
- (3) date of birth;
- (4) sex;
- (5) telephone number, if available;
- (6) naturalization data (if applicable);
- (7) if applicant has previously registered or voted elsewhere, residence at time of last registration or voting;
- (8) when present residence established; and
- (9) name under which applicant last registered or voted, if different from present name;
- (10) an attestation that the applicant meets each eligibility requirement;
- (11) a statement that the penalty for submission of a false voter registration application is a maximum presumptive sentence of 17 months in prison;
- (12) a statement that, if an applicant declines to register to vote, the fact that the applicant has declined to register will remain confidential and will be used only for voter registration purposes;
- (13) a statement that if an applicant does register to vote, the office to which a voter registration application is submitted will remain confidential and will be used only for voter registration purposes; and
- (14) political party affiliation declaration, if any. An applicant's failure to make a declaration will result in the applicant being registered as an unaffiliated voter.

If the application discloses any previous registration in any other county or state, as indicated by item (7) or item (9), or otherwise, the application shall include a statement that applicant has abandoned any such other name or former residence. If the application discloses former registration in any other county or state, the applicant shall sign a notice, to be furnished by the county election officer and to be mailed by such officer shall upon the registration of the applicant, which give notice shall be addressed to the election official of the place of former registration, notifying such official of applicant's present residence and registration, and authorizing cancellation of such former registration.

(c) Any person who applies for registration through a voter registration agency shall be provided with, in addition to the application under subsection (b), a form which includes:

- (1) The question "If you are not registered to vote where you live now, would you like to apply to register to vote here today?";
- (2) a statement that if the applicant declines to register to vote, this decision will remain confidential and be used only for voter registration purposes;
- (3) a statement that if the applicant does register to vote, information regarding the office to which the application was submitted will remain confidential and be used only for voter registration purposes; and
- (4) if the agency provides public assistance, (i) the statement "Applying to register or declining to register to vote will not affect the amount of assistance that you will be provided by this agency."; (ii) boxes for the applicant to check to indicate whether the applicant would like to register or declines to register to vote, together with the statement "IF YOU DO NOT CHECK EITHER BOX, YOU WILL BE CONSIDERED TO HAVE DECIDED NOT TO REGISTER TO VOTE AT THIS TIME.";

(iii) the statement "If you would like help in filling out the voter registration application form, we will help you. The decision whether to seek or accept help is yours. You may fill out the application form in private."; and

(iv) the statement "If you believe that someone has interfered with your right to register or to decline to register to vote, your right to privacy in deciding whether to register or in applying to register to vote, or your right to choose your own political party or other political preference, you may file a complaint with the Kansas Secretary of State, 300 SW 10th St., Topeka, KS 66612-1594."

(d) If any person, in writing, declines to register to vote, the voter registration agency shall maintain the form prescribed by subsection (c).

(e) It shall be the duty of each individual applicant to return the application to the county election office. A voter registration agency shall transmit the completed registration application to the county election officer not later than five days after the date of acceptance. Upon receipt of a complete and correct application for registration, the county election officer shall send, by nonforwardable first-class mail, a certificate of registration notice of disposition of the application to the applicant at the postal delivery address shown on the application. If a certificate of registration notice of disposition is returned as undeliverable, a second mailing confirmation mailing prescribed by K.S.A. 25-2316c, and amendments thereto, shall be attempted occur. Registration shall not be considered completed until the certificate of registration is received by the applicant. If an application is rejected, the applicant shall be promptly notified of such rejection and the specific reason or reasons therefor. If an application is a duplicate of a registration already on file the applicant shall be so notified.

(f) If an application is received while registration is closed, such application shall be considered to have been received on the next following day during which registration is open.

(g) Any registered voter whose residence address is not a permissible postal delivery address may designate a postal address for registration records. When a county election officer has reason to believe that a voter's registration residence is not a permissible postal delivery address, the county election officer shall attempt to determine a proper mailing address for the voter.

Sec. 8. K.S.A. 25-2309c is hereby amended to read as follows: 25-2309c. Unless otherwise specifically provided, whenever any notice or other official mailing is required to be mailed to a registered voter at the place of residence specified in the registration books, such notice shall be addressed to the current mailing address of that voter as it appears in the registration records and shall be sent by nonforwardable first-class mail. If such mailing is returned by the post office as undeliverable and the voter is still a resident of the state of Kansas, the county election officer shall send by forwardable first-class mail a notice that it is necessary to reregister to vote. The notice also shall include voter registration materials if the voter is still a resident of the county of the original registration. The notice authorized by this section shall be on a form prescribed by the secretary of state.

Sec. 9. K.S.A. 1995 Supp. 25-2311 is hereby amended to read as follows: 25-2311. (a) County election officers shall provide for the registration of voters at one or more places on all days except the following:

- (1) Days when the main offices of the county government are closed for business, except as is otherwise provided by any county election officer under the provisions of K.S.A. 25-2312 and amendments thereto;
 - (2) days when the main offices of the city government are closed for business, in the case of deputy county election officers who are city clerks except as is otherwise provided by any county election officer under the provisions of K.S.A. 25-2312 and amendments thereto;
 - (3) the 14 days preceding the day of primary and general state elections;
 - (4) the 14 days preceding the day of primary city and school elections, if either has a primary;
 - (5) the 14 days preceding each first Tuesday in April of odd-numbered years, being the day of city and school general elections;
 - (6) the 14 days preceding the day of any election other than one specified in paragraphs (3), (4) and (5) of this subsection; and
 - (7) the day of any primary or general election or any question submitted election.
- (b) For the purposes of this section in counting days that registration books are to be closed, all of the days including Sunday and legal holidays shall be counted.

(c) The secretary of state shall notify every county election officer of the dates when registration shall be closed preceding primary and general

state, city and school elections. The days so specified by the secretary of state shall be conclusive. Such notice shall be given by the secretary of state by mail at least 60 days preceding every primary and general state, city and school election.

(d) The last days before closing of registration books as directed by the secretary of state under subsection (c) of this section, county election officers shall provide for registration of voters during regular business hours, during the noon hours and at other than regular business hours upon such days as the county election officers deem necessary. The last three business days before closing of registration books prior to state primary and general elections, county election officers shall provide for registration of voters until 9:00 p.m. in cities of the first and second class.

(e) *County election officers shall accept and process applications received by voter registration agencies and the division of motor vehicles not later than the 15th day preceding the date of any election; mailed voter registration applications that are postmarked not later than the 15th day preceding the date of any election; or, if the postmark is illegible or missing, is received in the mail not later than the ninth day preceding the day of any election.*

(f) The secretary of state may adopt rules and regulations interpreting the provisions of this section and specifying the days when registration shall be open, days when registration shall be closed, and days when it is optional with the county election officer for registration to be open or closed.

(g) Before each primary and general election held in even-numbered years, and at times and in a form prescribed by the secretary of state, each county election officer shall certify to the secretary of state the number of registered voters in each precinct of the county as shown by the registration books in the office of such county election officer.

Sec. 10. K.S.A. 25-2312 is hereby amended to read as follows: 25-2312. Places of registration which are in the main office building of the county government in the case of election commissioners and in the main offices of the city government in the case of city clerks shall be open during the same business hours as any such building is open generally for business. County election officers may provide that any place of registration *except a voter registration agency and division of motor vehicles offices* shall be open for registration on Saturdays or for additional hours on any day or days that registration of voters may be provided.

Sec. 11. K.S.A. 25-2315 is hereby amended to read as follows: 25-2315. The expenses of registration incurred under this act shall be paid by the county in all cases except expenses incurred by city clerks *voter registration agencies and the division of motor vehicles*, in which case such expenses shall be paid by such city or such agency. County and city governing bodies, *the division of motor vehicles and voter registration agencies* upon which this section imposes financial obligation shall make adequate provision to carry out the intent of this act by authorizing sufficient expenditure for both regular and temporary employees, record-keeping methods approved by the secretary of state and such other expenditures as may be appropriate.

Sec. 12. K.S.A. 25-2316c is hereby amended to read as follows: 25-2316c. (a) When a registered voter changes name by marriage, divorce or legal proceeding, if such voter is otherwise qualified to vote at such voting place such voter shall be allowed to vote a *provisional ballot* at any election on the condition that such voter first gives an affidavit to the election judges stating the facts relevant to such change of name and authorizes the county election officer to change the voter's registration records to reflect such change *completes the application for registration prescribed by K.S.A. 25-2309, and amendments thereto. Completion of the application shall authorize the county election officer to update the registration records, if appropriate, for voting in future elections.* The county election officer shall send, by nonforwardable first-class mail, a new certificate of registration notice of disposition to any voter giving such affidavit *completing such application.*

(b) When a registered voter changes residence, such voter must reregister in order to be eligible to vote, except that when a registered voter changes residence from one place in a precinct to another place within the same precinct, if such voter is otherwise qualified to vote in the voting place within the precinct in which the current residence is located *registrant has moved from an address on the registration book to another address within the county and has not reregistered*, such voter registrant shall be allowed to vote a *provisional ballot* at any election in such precinct on the condition that such voter registers at such time by completing a registration card, making an oath in the form prescribed by the secretary of state and providing proof of residence in accordance with rules and regulations adopted by the secretary of state therefor. Such registration

card registrant first completes the application for registration prescribed by K.S.A. 25-2309, and amendments thereto. Completion of the application shall authorize the county election officer to change update the voter's registration records to reflect such change record, if appropriate, for voting in future elections. The county election officer shall send, by nonforwardable first-class mail, a new certificate of registration notice of disposition to any such voter. Any person registering to vote at the polls as herein authorized shall be permitted to vote at such election. Whenever the county election officer receives from any other election officer a notice of registration of a voter in a different place than that shown in the records of the county election officer, such officer shall remove the name of such voter from the registration book and party affiliation list.

(c) Every application for registration completed under this section shall be returned to the county election officer with the registration books.

(d) When a voter fails to vote at a general election at which members of the United States presidential electoral college are elected, such voter's name shall be subject to removal from the voter registration book and the party affiliation list in the manner provided in subsection (d). When a voter fails to vote at any other general election held on the Tuesday following the first Monday in November in an even-numbered year, such voter's name may be subject to removal from the voter registration book and the party affiliation list in the manner provided in subsection (d) if the county election officer determines that the removal of the names of voters who failed to vote in such election is necessary to the maintenance of accurate voter registration records. A registrant shall not be removed from the registration list on the ground that the registrant has changed residence unless the registrant:

(1) Confirms in writing that the registrant has moved outside the county in which the registrant is registered, or registers to vote in any other jurisdiction; or

(2) has failed to respond to the notice described in subsection (e) and has not appeared to vote in an election during the period beginning on the date of the notice and ending on the day after the date of the second federal general election that occurs after the date of the notice.

(e) When a voter's name is subject to removal from the registration book and the party affiliation list as provided in subsection (c), the county election officer shall attempt to notify such voter by first-class mail at the mailing address specified in the registration book. Such notification shall advise that the registration books show that the person did not vote in the applicable November general election and that it is necessary to reregister if the residence of such person has changed. Such notification shall be mailed in an envelope or on a postcard which clearly indicates that it is not to be forwarded to another address. If such notification is not returned undelivered to the county election officer and no address correction which indicates that the voter has moved is received by the county election officer, the voter's name shall not be removed from the registration book or party affiliation list. If such notification is returned undelivered to the county election officer or if an address correction which indicates that the voter has moved is received by the county election officer, the county election officer shall check to verify that the mailing address on the notification is the same as that on the voter registration list. If it is determined that an error was made in addressing the notification, another notice shall be sent to the correct mailing address. If it is determined that no error was made in addressing the original notification or if the second notification is returned undelivered or an address correction is received therefor, the name of such person shall be stricken from the registration books and the party affiliation lists. A county election officer shall send a confirmation notice upon which a registrant may state such registrant's current address, within 45 days of the following events:

(1) A notice of disposition of an application for voter registration is returned as undeliverable;

(2) change of address information supplied by the National Change of Address program identifies a registrant whose address may have changed;

(3) if it appears from information provided by the postal service that a registrant has moved to a different residence address in the county in which the registrant is currently registered; or

(4) if it appears from information provided by the postal service that a registrant has moved to a different residence address outside the county in which the registrant is currently registered.

The confirmation notice shall be sent by forwardable mail and shall include a postage prepaid and preaddressed return card in a form prescribed by the chief state election official.

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(e) (f) Except as otherwise provided by law, when a voter dies or is disqualified for voting, the registration of the voter shall be void, and the county election officer shall remove such voter's name from the registration books and the party affiliation lists. Whenever (1) an obituary notice appears in a newspaper having general circulation in the county reports the death of a registered voter, or (2) a registered voter requests in writing that such voter's name be removed from registration, or (3) a court of competent jurisdiction orders removal of the name of a registered voter from registration lists, or (4) the name of a registered voter appears on a list of deceased residents compiled by the secretary of health and environment as provided in K.S.A. 65-2422, and amendments thereto, or appears on a copy of a death certificate provided by the secretary of health and environment, or (5) pursuant to K.S.A. 25-2316d, and amendments thereto, a registered voter fails to vote in two consecutive state general elections, the county election officer shall remove from the registration books and the party affiliation lists in such officer's office the name of any person shown by such list or death certificate to be deceased. The county election officer shall not use or permit the use of such lists of deceased residents or copies for any other purpose than provided in this section.

(g) When the chief state election official receives written notice of a felony conviction in a United States district court, such official shall notify within five days the county election officer of the jurisdiction in which the offender resides. Upon notification of a felony conviction from the chief state election official, or from a county or district attorney or a Kansas district court, the county election officer shall remove the name of the offender from the registration records.

(f) Election board judges are hereby authorized to administer oaths for the purpose of taking affidavits under this section. All such affidavits shall be made upon forms approved by the secretary of state. Every affidavit given under this section shall be returned to the county election officer with the registration books.

(g) (h) Except as otherwise provided in this section, no person whose name has been removed from the registration books shall be entitled to vote until such person has registered again.

New Sec. 13. Once each calendar year a check of the registration records of voters in the state of Kansas shall be commenced by the chief state election official or the county election officer by comparing such records to the National Change of Address files. A county election officer may complete one or more checks each calendar year. If the chief state election official performs the check, any discrepancies discovered in the check shall be reported to the appropriate county election officer, who shall initiate the confirmation process prescribed by K.S.A. 25-2316c, and amendments thereto, within 45 days. The chief state election official may adopt rules and regulations to carry out the provisions of this section.

Sec. 14. K.S.A. 1995 Supp. 25-2352 is hereby amended to read as follows: 25-2352. (a) An application for voter registration for elections shall be included as part of the application for any motor vehicle driver's license and nondriver identification card issued by the division of vehicles. (1) Each Kansas division of motor vehicles driver's license application and nondriver identification card application (including any renewal application) submitted to a division of motor vehicles office in Kansas shall serve as an application for voter registration unless the applicant fails to sign the voter registration application. An individual who completes the application for voter registration and is otherwise eligible shall be registered to vote in accordance with the information supplied by the individual.

(2) An application for voter registration submitted under subsection (a)(1) shall be considered as updating any previous voter registration by the applicant.

(b) The voter registration section of the application:

(1) May require a second signature or other information that duplicates, or is in addition to, information in the driver's license or nondriver's identification card section of the application only if the duplicate or additional information is necessary for prevention of multiple registration of the same individual, for determination of eligibility to vote, or for administration of voter registration or other aspects of the election process to prevent duplicate voter registrations, and to enable Kansas election officials to assess the eligibility of the applicant and to administer voter registration and other parts of the election process;

(2) shall include a statement that specifies each eligibility requirement for voting, contains an attestation that the applicant meets each such requirement, including citizenship, and requires the signature of the applicant, under penalty of perjury; and

(3) shall include a statement that, if an applicant declines to register to vote, the fact that the applicant has declined to register will remain confidential and will be used only for voter registration purposes;

(4) shall include a statement that if an applicant does register to vote, the office at which the applicant submits a voter registration application will remain confidential and will be used only for voter registration purposes;

(3) (5) shall be made available by the division of vehicles (as submitted by the applicant, or in machine-readable or other format) to the secretary of state and county election officers, as provided by rules and regulations adopted by the secretary of state; and

(6) shall be transmitted to the county election officer not later than five days after the date of acceptance.

(c) The motor vehicle driver's license and nondriver identification card form used for change of residence address shall also serve as a notification of change of residence address for voter registration for elections, unless the registrant states on the form that the change is not for voter registration purposes.

(d) The voter registration portion of the motor vehicle driver's license and nondriver identification card applications and change of address forms used shall be subject to approval by the secretary of state for purposes of voter registration under this section.

(e) Following the line fixed for the signature of the applicant on the application for voter registration, a statement shall be printed stating that voting without being qualified is a class A misdemeanor carrying penalties of not to exceed one year in jail or a fine of not to exceed \$2,500 or both such imprisonment and fine the penalty for submission of a false voter registration application is a maximum presumptive sentence of 17 months in prison.

(f) The secretary of state is hereby authorized to adopt such rules and regulations in the manner prescribed by law as may be necessary for the administration of the provisions of this act section.

Sec. 15. K.S.A. 25-2504 is hereby amended to read as follows: 25-2504. "County election officer" means the election commissioner in counties having an election commissioner, and the county clerk in counties which do not have an election commissioner.

"Chief state election official" means the secretary of state.

Sec. 16. K.S.A. 1995 Supp. 25-2709 is hereby amended to read as follows: 25-2709. The county election officer may destroy the following election records may be destroyed after they have been on file for the period stated:

- (1) Appointments and oaths of office of election board members, two years.
- (2) Registration lists, five years.
- (3) Poll books, five years.
- (4) Party affiliation lists, five years.
- (5) Abstracts of voting records, 20 years.
- (6) Affidavits required to be filed by the election laws of the state of Kansas, including advance voting and mail ballot envelopes containing voters' declarations, two years.
- (7) All other election records used at polling places, two years.
- (8) Declination forms maintained by voter registration agencies and the division of motor vehicles, two years.
- (9) Confirmation notices, two years.
- (10) Confirmation responses, two years.

Sec. 17. K.S.A. 1995 Supp. 25-2909 is hereby amended to read as follows: 25-2909. (a) Any voter unable to mark such person's ballot by reason of physical disability, visual handicap or lack of proficiency in reading the English language or any voter 65 or more years of age may request assistance in voting.

(b) Upon request as provided in subsection (a), the voter shall be accompanied to the voting booth by a person chosen by the voter or, if no person is chosen, by two members of the election board of different political parties, who shall mark the ballot as such voter directs.

(c) If a voter requests assistance but is challenged, such voter shall be permitted to vote as provided by law for challenged provisional voters.

(d) If a voting place is inaccessible to a disabled voter by reason of stairs or steps, such voter may request that such person's ballot be brought to the entrance to such voting place, for the purpose of allowing such voter to vote. Two members of the election board of different political parties shall take a ballot to the voter so requesting and shall remain with such voter while such person votes. In voting places where paper ballots are used, such board members shall deposit such voter's ballot in the ballot box. In voting places where voting machines are used, such voter shall vote on an advance voting ballot, and, if the county election officer so directs, the two board members, upon returning to the voting place, shall cast the voter's votes, exactly in the manner shown on such voter's ballot, on a voting machine. If the voter's votes are cast on a voting ma-

chine, the advance voting ballots used in this subsection shall be marked "VOID" with a notation indicating that the votes thereon have been tabulated on a voting machine. Any such ballot, together with objected to and challenged provisional ballots, shall be packaged in accordance with K.S.A. 25-3008, and amendments thereto.

(e) Intoxication shall not be regarded as a physical disability.

Sec. 18. K.S.A. 25-3008 is hereby amended to read as follows: 25-3008. Before leaving the voting place the supervising judge shall ascertain that the election supplies and ballots that are to be returned have been packaged, packed and separated as provided in this section:

(a) All ballots both voted and unvoted, except void, objected to and challenged provisional ballots, shall be placed in bags or sacks. Such bags or sacks shall be sealed and appropriately labeled. The method of sealing and labeling shall be a method approved by the secretary of state and directed by the county election officer.

(b) Ballots that are spoiled and returned by the voter shall be marked "spoiled" on the back thereof and shall be placed in the bags or envelopes specified in subsection (a) of this section.

(c) Challenged ballots and objected to ballots Provisional ballot envelopes containing ballots, with applications for registration attached, shall be placed in an appropriately labeled envelope, and shall be sealed as in subsection (a) of this section.

(d) Objected to ballots shall be placed in an appropriately labeled envelope, and shall be sealed as in subsection (a) of this section.

(e) Ballots that are cast but not counted shall be marked "void" on the back thereof and shall be placed in the same envelope that contains challenged and objected to ballots.

(f) Ballots specified in subsections (a) and (b) shall be separately packaged from ballots specified in subsections (c) and (d) and (e).

(g) Poll books, registration books, party affiliation lists, tally sheets, abstracts and election supplies not listed in the preceding subsections of this section shall be returned sealed but not packaged with the items specified in subsections (a), (b), (c), (d) and (e) and (f).

Sec. 19. K.S.A. 25-3306 is hereby amended to read as follows: 25-3306. County election officers and deputy election officers, voter registration agencies, and offices of the division of motor vehicles shall inform each person registering as a voter that such person may declare a party affiliation with any recognized political party or a voter affiliation with any registered political organization and shall inform such person of the procedure for declaring such affiliation. A printed notice containing such information shall be posted conspicuously at each registration place.

New Sec. 20. The secretary of state may adopt rules and regulations to comply with the National Voter Registration Act.

Sec. 21. K.S.A. 21-4615 is hereby amended to read as follows: 21-4615. (1) A person who has been convicted in any state or federal court of a crime punishable by death or by imprisonment for a term of one year or longer and is imprisoned pursuant to such conviction felony shall, by reason of such conviction and imprisonment, be ineligible to hold any public office under the laws of the state of Kansas, or to register as a voter or to vote in any election held under the laws of the state of Kansas or to serve as a juror in any civil or criminal case.

(2) The disabilities ineligibilities imposed by this section shall attach when the convicted person is delivered to the custody of the secretary of corrections for imprisonment upon conviction and shall continue until such person is finally discharged from parole or conditional release or is discharged from custody by reason of the expiration of the term of imprisonment to which the person was sentenced; except that when a sentence of imprisonment is modified by the court within 120 days from the date thereof and the convicted person is admitted to probation or assigned to a community correctional services program, such person shall not thereafter be subject to the disabilities imposed by this section.

(3) The disabilities ineligibilities imposed upon a convicted person by this section shall be in addition to such other penalties as may be provided by law.

New Sec. 22. Any person registered to vote for federal elections during the period from January 1, 1995, through the effective date of this act shall be deemed to be registered to vote in all elections in Kansas, if otherwise qualified, upon the effective date of this act.

Sec. 23. K.S.A. 1995 Supp. 25-1117 is hereby amended to read as follows: 25-1117. (a) "Question submitted election" means any election at which a special question is to be voted on by the electors of the state or a part of them.

(b) "Election officer" means the county clerk or the election commissioner, if there is one, or the city clerk when specifically charged by law to conduct a particular election.

(c) "Ballot" or "advance voting ballot" means the ballot a voter casts when he is not in the county in which he resides on election day, except ballots cast under the authority of K.S.A. 25-1214 to through 25-1228 and amendments thereto.

Sec. 24. K.S.A. 1995 Supp. 25-1122 is hereby amended to read as follows: 25-1122. (a) Any person described in K.S.A. 25-1119, and amendments thereto, or any qualified elector of such person's county of residence, on behalf of such person, may file with the county election officer where such person is a resident, or where such person is authorized by law to vote as a former precinct resident, an application for an advance voting ballot. A person making application on behalf of any other person for an advance voting ballot to be transmitted to the voter by the person making such application, shall be permitted to personally transmit only one ballot. Any additional applications for advance voting ballots made by such person shall be applications for advance voting ballots to be transmitted by mail.

(b) Applications made by or on behalf of persons specified in K.S.A. 25-1119, and amendments thereto, for advance voting ballots to be transmitted to the voter by mail shall be filed only at the following times:

(1) For the primary election occurring on the first Tuesday in August in even-numbered years, between April 1 of such year and the last business day of the week preceding such primary election.

(2) For the general election occurring on the Tuesday succeeding the first Monday in November in even-numbered years, between 90 days prior to such election and the last business day of the week preceding such general election.

(3) For the primary election held five weeks preceding the first Tuesday in April, between January 1 of the year of such election and the last business day of the week preceding such primary election.

(4) For the general election occurring on the first Tuesday in April, between January 1 of the year of such election and the last business day of the week preceding such general election.

(5) For question submitted elections occurring on the date of a primary or general election, the same as is provided for ballots for election of officers at such election.

(6) For question submitted elections not occurring on the date of a primary or general election, between the time of the first published notice thereof and the last business day of the week preceding such question submitted election, except that if the question submitted election is held on a day other than a Tuesday, the county election officer shall determine the final date for mailing of advance voting ballots, but such date shall not be more than three business days before such election.

(7) For any special election of officers, at such time as is specified by the secretary of state.

(8) For the presidential preference primary, between January 1 of the year in which such primary is held and the last business day of the week preceding such primary election.

The county election officer of any county may receive applications prior to the time specified in this subsection (b) and hold such applications until the beginning of the prescribed application period. Such applications shall be treated as filed on that date.

(c) Except as otherwise provided in subsection (e), applications made by persons specified in K.S.A. 25-1119, and amendments thereto, for advance voting ballots to be transmitted to the voter in person in the office of the county election officer shall be filed only on the Tuesday next preceding the election, or such earlier date as the county election officer may designate, on each subsequent business day and, if the county election officer so provides, on Saturday, until no later than 12:00 noon on the day preceding such election. Upon receipt of any such application, properly executed, the county election officer shall deliver to the voter such ballots and instructions as are provided for in this act.

(d) Except as otherwise provided in subsection (e), applications made on behalf of persons specified in K.S.A. 25-1119, and amendments thereto, for advance voting ballots to be transmitted to the voter by the person making application on behalf of the voter shall be filed only on the Tuesday next preceding the election, or such earlier date as the county election officer may designate, on each subsequent business day and, if the county election officer so provides, on Saturday, until no later than the hour for closing of the polls on the day of the election. Notwithstanding this provision, advance voting ballots shall be received in accordance with K.S.A. 25-1132, and amendments thereto.

(e) Any person having a permanent physical disability or an illness which has been diagnosed as a permanent illness who would be qualified to vote an advance voting ballot pursuant to K.S.A. 25-1119, and amend-

(continued)

ments thereto, is hereby authorized to make or to have made on their behalf an application for permanent advance voting status. Applications for permanent advance voting status shall be in the form and contain such information as is required for application for advance voting ballots but shall also contain information which establishes the voter's right to permanent advance voting status.

(f) (e) On receipt of any application filed under the provisions of this section, the county election officer shall prepare and maintain in such officer's office a list of the names of all persons who have filed such applications, or in whose behalf such applications have been filed, together with their correct post office address and the precinct, ward, township or voting area in which such persons claim to be registered voters or to be authorized by law to vote as former precinct residents and the present resident address of each applicant, which names and addresses shall remain so listed until the day of such election available for inspection upon request in compliance with this subsection by any registered voter during regular business hours. The county election officer upon receipt of such applications shall enter upon a record kept by such officer the name and address of each such person, which record shall conform to the list above required. The county election officer shall maintain a separate listing of the names and addresses of persons qualifying for permanent advance voting status. Before inspection of any advance voting ballot application list, the person desiring to make such inspection shall provide to the county election officer identification in the form of driver's license or other reliable identification and shall sign a log book or application form maintained by such officer stating such person's name and address and showing the date and time of inspection. All records made by the county election officer shall be subject to public inspection, except that the identifying number on ballots and ballot envelopes and records of such number shall in no case be made public.

(g) (f) If an advance voting ballot is destroyed, spoiled, lost or not received by the voter, the voter may request a replacement ballot from the county election officer as provided in this subsection. When a request is timely received under this subsection, the county election officer shall deliver the ballot to the voter if the voter is present in the office of the county election officer, or promptly transmit the ballot by mail to the voter at the address contained in the original application, except when prohibited in the subsection. The county election officer shall keep a record of each replacement advance voting ballot provided under this subsection.

Sec. 25. K.S.A. 1995 Supp. 25-1122a is hereby amended to read as follows: 25-1122a. The county election officer of any county in which voting machines are used may authorize persons filing applications for advance voting ballots as provided by K.S.A. 25-1122, and amendments thereto, to cast their votes upon voting machines. If the county election officer authorizes the use of voting machines by advance voting voters such officer shall equip the office of the county election officer with enough voting machines to enable all absentee advance voting voters to cast their votes upon such machines.

Such machines shall be of a make certified by the secretary of state and shall be sealed in a manner to allow tabulation of the total vote only at the time of the closing of the polls on the day of the election for which such machines are used.

Sec. 26. K.S.A. 1995 Supp. 25-1122d is hereby amended to read as follows: 25-1122d. (a) If the application for an advance voting ballot is made by the person desiring to vote an advance voting ballot, such application shall be accompanied by an affirmation in substance as follows:

Affirmation of an Elector of the County of _____ and State of Kansas Desiring to Vote an Advance Voting Ballot

State of _____, County of _____, ss:

I, _____
(Please print name)

do solemnly affirm that I am a qualified elector of the _____ precinct of the _____ ward, residing at number _____ on _____ street, city of _____, or in the township of _____, county of _____, and state of Kansas. I am entitled to vote an advance voting ballot and I have not voted and will not otherwise vote at the election to be held on _____ (date). My political party is _____ (to be filled in only when requesting primary election ballots). I desire my ballots to be sent to the following address _____

Signature of voter.

Note: False statement on this affirmation is a class C misdemeanor.

(b) If the application for an advance voting ballot is made on behalf of the person desiring to vote an advance voting ballot by a qualified

elector of such person's county of residence, such application shall be accompanied by an affirmation in substance as follows:

Affirmation of an Elector on Behalf of an Elector of the County of _____, and State of Kansas Desiring to Vote an Advance Voting Ballot
State of _____, County of _____, ss:

I, _____
(Please print name)

do solemnly, sincerely and truly declare and affirm that I am a qualified elector of the _____ precinct of the _____ ward, residing at number _____ on _____ street, city of _____, or in the township of _____, county of _____, and state of Kansas; and do solemnly, sincerely and truly declare and affirm that _____, a qualified elector of the _____ precinct of the

_____ ward, residing at number _____ on _____ street, city of _____, or in the township of _____, county of _____, and state of Kansas, is entitled to vote an advance voting ballot at the election to be held on _____ (date); and desires to vote under the provisions of the advance voting law. Such person's political party is _____ (to be filled in only when requesting primary election ballots). This person desires that such ballots to be sent to the following address _____

Signature: _____

Note: False statement on this affirmation is a class G misdemeanor.

(e) An application for permanent advance voting status shall be on a form prescribed by the secretary of state for this purpose. Such application shall contain an affirmation concerning substantially the same information required in subsection (a) or (b) and in addition thereto a statement regarding the permanent character of such illness or disability.

(d) (c) Any application by or on behalf of a former precinct resident shall state both the former and present residence, address, precinct and county of such former precinct resident and the date of change of residence.

Sec. 27. K.S.A. 1995 Supp. 25-1123 is hereby amended to read as follows: 25-1123. When an application for an advance voting ballot has been filed in accordance with K.S.A. 25-1122 and amendments thereto, the county election officer shall transmit to the voter applying thereto, or to the person making application on behalf of such voter, one each of the appropriate ballots. No advance voting ballot shall be transmitted by the county election officer by any means prior to the 20th day before the election for which an application for an advance voting ballot has been received by such county election officer. If the advance voting ballot is transmitted by mail or by the person making application on behalf of the voter, such ballot shall be transmitted with printed instructions prescribed by the secretary of state and a ballot envelope bearing upon the outside a printed form as described in K.S.A. 25-1120, and amendments thereto, and the same number as the number of the ballot. If the advance voting ballot is transmitted to the applicant in person in the office of the county election officer, such advance voting ballot and printed instructions shall be transmitted in an advance voting ballot envelope bearing upon the outside a printed form as described in K.S.A. 25-1120, and amendments thereto, and the same number as the number of the ballot unless the voter elects to deposit the advance voting ballot into a locked ballot box without an envelope. All ballots shall be transmitted to the advance voting voter not more than 20 days before the election but within two business days of the receipt of such voter's application by the election officer or the commencement of such 20-day period. In primary elections required to be conducted on a partisan basis, the election officer shall deliver to such voter the ballot of the political party of the applicant.

Sec. 28. K.S.A. 1995 Supp. 25-1124 is hereby amended to read as follows: 25-1124. (a) Any person qualified to vote pursuant to K.S.A. 25-1119 and amendments thereto, upon receiving any ballot transmitted to such person as provided in this act, shall cast their vote as follows: The voter shall make a cross or check mark in the square or parentheses opposite the name of each candidate or question for whom the voter desires to vote. The voter shall make no other mark, and shall allow no other person to make any mark, upon such ballot. If the advance voting ballot was transmitted by mail or by a person on behalf of the voter, the voter shall then personally place the ballot in the ballot envelope bearing the same number as the ballot and seal the envelope. The voter shall then fill out in full the form on the ballot envelope and shall sign the same. The ballot envelope shall be mailed or otherwise transmitted to the county election officer. If the advance voting ballot was transmitted to the voter in person in the office of the county election officer, the voter may deposit such ballot into a locked ballot box without an envelope.

(b) Any sick, physically disabled or illiterate voter who is unable to apply for or mark or transmit an advance voting ballot and who has received an advance voting ballot pursuant to K.S.A. 25-1119 and amend-

ments thereto, may request assistance in *applying for or marking* or transmitting an advance voting ballot.

(c) The county election officer shall allow a person to assist a sick, physically disabled or illiterate voter in *applying for or marking and or transmitting an application or advance voting ballot*, provided a written statement is signed by the person who renders assistance to the sick, physically disabled or illiterate voter and submitted to the county election officer with the *application or ballot*. The statement shall be on a form prescribed by the secretary of state and shall contain a statement from the person providing assistance that the person has not exercised undue influence on the voting decision of the sick, physically disabled or illiterate voter and that the person providing assistance has *completed the application or marked the ballot as instructed by the sick, physically disabled or illiterate voter*.

(d) Any person assisting a sick, physically disabled or illiterate voter in *applying for or marking and or transmitting an advance voting ballot* who knowingly and willfully fails to sign and submit the statement required by this section shall be guilty of a class E felony.

Sec. 29. K.S.A. 25-1133 is hereby amended to read as follows: 25-1133. (a) The county election officer of any county not using voting machines may establish a special election board of at least three (3) members who shall be registered voters of the county. Special election boards established under this subsection (a) shall meet in the county courthouse at a time on election day designated by the county election officer after the opening of the polls.

(b) (a) The county election officer of every county, which does not use voting machines and which does not have a special election board established under subsection (a), *optical scanning systems or electronic or electromechanical voting systems*, shall establish a special election board under this subsection (b). Such special election board shall consist of the election board members in the precinct in which is located the office of the county election officer and/or the members of such additional election boards of the county as the county election officer may designate. Such special election board shall meet at the voting place in the precinct in which is located the office of the county election officer on election day, at the time of the closing of the polls, or as soon as practicable thereafter.

(c) (b) In counties where voting machines, *optical scanning systems or electronic or electromechanical voting systems* are used, the county election officer shall appoint a special election board consisting of at least three (3) members who. Such members shall be registered voters of such county. Such special election board shall meet in the office of the county election officer, at the time of the opening of the polls on election day or at such time before election day as the county election officer deems necessary.

Sec. 30. K.S.A. 1995 Supp. 25-1134 is hereby amended to read as follows: 25-1134. (a) The county election officer in counties which have a special election board established under subsection (a) or subsection (c) of K.S.A. 25-1133, and amendments thereto, shall deliver all advance voting ballots to the special election board when such special election board convenes, and thereafter as advance voting ballots are received during election day, until the time for closing of the polls.

(b) In counties having a special election board established under subsection (b) of K.S.A. 25-1133, and amendments thereto, the county election officer shall deliver all advance voting ballots to such special election board at the time of the closing of the polls, or as soon as practicable thereafter. *The special election board may conduct the original canvass of advance voting ballots when the board convenes, but shall not complete final tabulation prior to election day.*

Sec. 31. K.S.A. 21-4615, 25-410, 25-414, 25-1133, 25-1337, 25-2303, 25-2309, 25-2309c, 25-2312, 25-2315, 25-2316c, 25-2316d, 25-2504, 25-3008, 25-3306 and K.S.A. 1995 Supp. 25-409, 25-1117, 25-1122, 25-1122a, 25-1122d, 25-1123, 25-1124, 25-1134, 25-1136, 25-2311, 25-2352, 25-2709 and 25-2909 are hereby repealed.

Sec. 32. This act shall take effect and be in force from and after its publication in the Kansas register.

(Published in the Kansas Register April 25, 1996.)

SUBSTITUTE for SENATE BILL No. 473

AN ACT creating the Kansas nongame and endangered species advisory task force; and prescribing the membership, powers and duties thereof.

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

Section 1. (a) There is hereby created the Kansas nongame and endangered species advisory task force. Such task force shall consist of 17 members as follows: (1) The chairperson of the Kansas nongame advisory council; (2) a representative of the Kansas farm bureau, appointed by the farm bureau; (3) a representative of the Kansas advisory council on environmental education, appointed by the council; (4) a representative of the Kansas chapter of the American fisheries society, appointed by the chapter; (5) a representative of the Kansas herpetological society, appointed by the society; (6) a representative of the Kansas chapter of the wildlife society, appointed by the society; (7) a representative of the Kansas ornithological society, appointed by the society; (8) a representative of the Kansas livestock association, appointed by the association; (9) a representative of the Kansas Audubon Council, appointed by the council; (10) a representative of the Kansas association of conservation districts, appointed by the association; (11) a representative of the Kansas natural resource council, appointed by the council; (12) the secretary of wildlife and parks, or a designee of the secretary; (13) the president of the Kansas building industry association, inc., or a person appointed by the president; (14) a representative of the state association of Kansas watersheds, appointed by the association; (15) one private landowner appointed by the state executive director of the farm service agency of the United States department of agriculture; (16) one member of the Kansas wildlife and parks commission, designated by the chairperson of the commission; and (17) a private landowner appointed by the other members of the task force.

(b) The chairperson of the Kansas nongame advisory council shall call and preside at the first meeting of the task force. At such meeting the members of the task force shall elect a permanent chairperson and vice-chairperson. The task force shall meet on the call of the chairperson. All meetings of the task force shall be open public meetings.

(c) It shall be the duty of the task force to review the provisions of the nongame and endangered species conservation act, giving particular attention to the practices and procedures involved in determining whether any species of wildlife indigenous to the state is a threatened or endangered species in this state, the task force shall make recommendations emphasizing voluntary compliance with the nongame and endangered species conservation act and shall make a report and recommendations thereon to the chairperson, vice-chairperson and ranking minority member of the standing committees on energy and natural resources of the senate and the house of representatives, on or before the first day of the 1997 regular session of the legislature.

(d) The provisions of this section shall expire on July 1, 1997.

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

(Published in the Kansas Register April 25, 1996.)

HOUSE BILL No. 2730

AN ACT concerning state property; relating to acquisitions and improvements thereon; concerning capital improvements; concerning provision of architectural services for certain projects; authorizing the conveyance of certain real property owned by the university of Kansas to the Kansas university endowment association and authorizing the acceptance and conveyance of certain real property owned by the Kansas university endowment association to the university of Kansas; amending K.S.A. 1995 Supp. 75-1253 and repealing the existing section.

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

Section 1. K.S.A. 1995 Supp. 75-1253 is hereby amended to read as follows: 75-1253. (a) Whenever it becomes necessary in the judgment of the secretary of administration or in any case when the total cost of a project for the construction of a building or for major repairs or improvements to a building for a state agency is expected to exceed \$500,000, the secretary of administration shall convene a negotiating committee. The state building advisory commission shall prepare a list of at least three and not more than five firms which are, in the opinion of the state building advisory commission, qualified to serve as project architect for the project. Such list shall be submitted to the negotiating committee so convened, without any recommendation of preference or other recommendation.

(continued)

The secretary of administration shall meet with each negotiating committee and shall advise the negotiating committee but shall have no vote in the selection process or other matter upon which the committee may vote.

(b) The secretary of administration may combine two or more separate projects for the construction of buildings or for major repairs or improvements to buildings for state agencies, for the purpose of procuring architectural services for all such projects from a single firm and. In each such case such, the combined projects shall be construed to be a single project for all purposes under the provisions of K.S.A. 75-1250 to 75-1267, inclusive, and amendments thereto.

(c) (1) This section shall not apply to any repetitive project with a standard plan that was originally designed by the secretary of administration or an agency architect pursuant to paragraphs (2) and (3) of subsection (a) of K.S.A. 75-1254, and amendments thereto. In such a case, the secretary of administration or the agency architect may provide architectural services for the repetitive project. The repetitive design exception authorized by this subsection shall not apply if the in-house architectural design section of the division of architectural services has a staff of greater than one chief architect and five designers.

(2) "Repetitive project" means a project which uses the same standard design as was used for a project constructed previously, including, but not limited to, sub-area shops and salt domes of the department of transportation and showers and toilet buildings of the department of wildlife and parks. The plans for the project may be modified as required for current codes, operational needs or cost control. The total floor area of the project may be increased by an area of not more than 25% of the floor area of the originally constructed project, except that not more than 25% of the linear feet of the exterior and interior walls may be moved for such increase. A project shall not be considered to be repetitive if it has been over four years between the substantial completion of the last project using the design plans and the appropriation of funds for the proposed project.

New Sec. 2. (a) As used in this section:

(1) "University real property" means:

A tract of land contained in the Northeast Quarter of Section 2, Township 13 South, Range 19 East of the 6th Principal Meridian, all in Douglas County, Kansas, described as follows: Beginning at the Southwest corner of the Southeast ¼ of the Northeast ¼ of Section 2, Township 13 South, Range 19 East, thence North along the West line of said Southeast ¼ of the Northeast ¼ a distance of 440 feet, thence North 60 degrees East to the centerline of Constant Avenue, thence Southeast along said centerline to the South line of said Northeast ¼, thence West to the point of beginning, less a 50 foot right-of-way on the west side of Constant Avenue. Said tract contains 13.9 acres, more or less.

(2) "Foundation real property" means:

A tract of land contained in the Northeast Quarter of Section 2, Township 13 South, Range 19 East of the 6th Principal Meridian, all in Douglas County, Kansas, described as follows: Beginning at a point 440 feet North of the Southwest corner of the Southeast ¼ of the Northeast ¼ of Section 2, Township 13 South, Range 19 East thence South 60 degrees West, a distance of approximately 285 feet, thence North 30 degrees West, a distance of approximately 315 feet to the Northwest line of Irving Hill Road extended, thence following said Northwest line of Irving Hill Road, Northeast to the West line of said Southeast ¼ of the Northeast ¼, thence South along said West line to the point of beginning, a distance of approximately 425 feet. This tract contains approximately 3.2 acres and a building consisting of approximately 24,700 square feet.

(b) The state board of regents, for and on behalf of the university of Kansas, is hereby authorized to exchange and convey the university real property described in subsection (a)(1) to the Kansas university endowment association in consideration for the conveyance of the foundation real property described in subsection (a)(2) to the university of Kansas and to accept such real property. The deed to the property conveyed to the university of Kansas shall be held in escrow from the date of the conveyance for a period not to exceed 24 months from such date. The Kansas university endowment association is authorized to occupy such property during the period such property is held in escrow and shall maintain the property and provide utilities.

(c) The exchange and conveyance of real property by the state board of regents under this section shall be executed in the name of the state board of regents by the chairperson and executive officer, and shall be delivered upon receipt of a good and sufficient warranty deed from the Kansas university endowment association conveying the foundation real property which is specified for the particular exchange and conveyance. Before any such real property is exchanged and conveyed, the attorney

general shall approve the instruments of conveyance of the state board of regents to the Kansas university endowment association and the instruments of conveyance of the Kansas university endowment association to the university of Kansas and shall approve the title to the real property exchanged and conveyed by the Kansas university endowment association.

Sec. 3. K.S.A. 1995 Supp. 75-1253 is hereby repealed.

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

(Published in the Kansas Register April 25, 1996.)

SENATE BILL No. 665

AN ACT concerning banks and trust companies; stock; bank hours of business; liquidation, merger or consolidation; mortgages; mortgage business and mortgage loans; amending K.S.A. 9-903, 9-904, 9-1108, 9-1110, 9-1122 and 9-1604 and K.S.A. 1995 Supp. 9-519 and repealing the existing sections.

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

New Section 1. As used in this act:

(a) "Commissioner" means the Kansas state bank commissioner.

(b) "Mortgage business" means engaging in, or holding out to the public as willing to engage in, for compensation or gain, or in the expectation of compensation or gain, directly or indirectly, the business of making, originating, servicing, soliciting, placing, negotiating, acquiring, selling, or arranging for others, or offering to solicit, place, negotiate, acquire, sell or arrange for others, five or more mortgage loans in a calendar year.

(c) "Mortgage loan" means a loan made to a natural person which is secured by a first mortgage or other similar instrument or document, and which creates a first lien on a one-to-four family dwelling, located in this state, occupied or intended to be occupied for residential purposes by the owner, including the renewal or refinancing of such a loan.

(d) "Person" means any individual, sole proprietorship, corporation, partnership, trust, association, joint venture, pool syndicate, unincorporated organization or other form of entity, however organized.

New Sec. 2. The following are exempt from the registration requirements of this act:

(a) Any bank, bank holding company, savings bank, trust company, savings and loan association, credit union or any other financial institution regulated by an agency of the United States or of any state;

(b) any entity directly or indirectly regulated by an agency of the United States or of Kansas which is a subsidiary or affiliate of any entity in subsection (a);

(c) any person who is registered with the Kansas securities commissioner as a loan broker pursuant to K.S.A. 50-1001 et seq. and amendments thereto or who is licensed by the Kansas consumer credit commissioner as a supervised lender pursuant to K.S.A. 16a-2-301 et seq. and amendments thereto; and

(d) the United States of America, the state of Kansas, any other state, or any agency or instrumentality of any governmental entity.

New Sec. 3. On and after November 1, 1996, no person shall conduct mortgage business in Kansas unless registered with the office of the state bank commissioner pursuant to this act.

New Sec. 4. (a) Any person required to register pursuant to this act shall submit to the commissioner an application for registration on forms prescribed and provided by the commissioner. The application shall contain information the commissioner deems necessary to adequately identify:

(1) The location and nature of the business to be conducted;

(2) the identity, character and qualifications of an individual applicant;

(3) the identity, character and qualifications of the officers and directors of the entity, if the applicant is a partnership, corporation or other business entity;

(4) the name under which the applicant intends to conduct business; and

(5) other information the commissioner requires to evaluate the financial responsibility, character, qualifications and fitness of the applicant.

(b) Each application for registration shall be accompanied by a non-refundable fee of not less than \$100, which may be increased by rules and regulations pursuant to section 9.

(c) An application for registration shall be approved, and a non-signable certificate of registration shall be issued to the applicant by the commissioner provided:

(1) The commissioner has received the complete application and fee required by this section; and

(2) the commissioner determines the financial responsibility, character, qualifications and fitness of the applicant warrants a belief that the business of the applicant will be conducted competently, honestly, fairly and within the purposes of this act.

New Sec. 5. (a) A certificate of registration shall become effective as of the date specified on the face of the original certificate and is effective for one year. The registration shall be renewed annually by filing with the commissioner, at least 30 days prior to the expiration of the registration, a renewal application, containing information the commissioner requires to determine the existence of material changes from the information contained in the applicant's original registration application or prior renewal applications.

(b) Each renewal application shall be accompanied by a nonrefundable fee which shall be established by rules and regulations pursuant to section 9.

New Sec. 6. If the commissioner notifies the applicant, in writing, that any application has been denied, or the commissioner fails to issue a certificate of registration within 60 days or grant a renewal within 30 days after a filed application is deemed complete by the commissioner, the applicant may make written request for an appeal on the issue of the applicant's registration or renewal qualifications. The commissioner shall conduct a hearing in accordance with the Kansas administrative procedure act.

New Sec. 7. (a) The commissioner may deny, suspend or revoke the registration of a mortgage business if the commissioner finds:

(1) The applicant or registrant has repeatedly or willfully violated any section of this act or any rule and regulation or order lawfully made pursuant to this act;

(2) facts or conditions exist which would have justified the denial of the registration or renewal had these facts or conditions existed or been known to exist at the time the application for registration or renewal was made;

(3) the applicant or registrant has filed with the commissioner any document or statement containing any false representation of a material fact or fails to state a material fact; or

(4) the applicant or registrant has been convicted, within 10 years before the date of an application, renewal or review of any crime involving fraud, dishonesty or deceit.

(b) The commissioner shall not revoke a registration until the registrant is provided written notice of the facts or conduct the commissioner believes to form the basis for the proposed revocation and of the registrant's right to request a hearing in accordance with the Kansas administrative procedure act.

New Sec. 8. (a) Every certificate of registration shall be properly displayed in a prominent place within the registrant's place of business in a way that reasonably assures recognition by customers and members of the general public who enter the registrant's place of business.

(b) Prior to entering into any contract for the provision of services or prior to the registrant receiving any compensation or promise of compensation the registrant shall acquire from the customer a signed acknowledgment that contains only the following items:

(1) The name and address of the mortgage business;

(2) the name and position of the individual presenting the acknowledgment to the customer for a signature;

(3) a statement in at least 10 point boldface letters which reads "[name of the registrant] is a mortgage business registered with the Kansas Office of the State Bank Commissioner in accordance with the laws of the state of Kansas. This registration does not represent an endorsement or recommendation of the registrant's products or services by the Office of the State Bank Commissioner. As a consumer, you may submit a complaint or inquiry about this mortgage business by delivering a written statement to the Office of the State Bank Commissioner, 700 Jackson, Suite 300, Topeka, Kansas 66603"; and

(4) an original signature of the customer(s) and the date such signature(s) was attached.

New Sec. 9. The commissioner may exercise the following powers:

(a) Adopt rules and regulations as necessary to carry out the intent and purpose of this act;

(b) make investigations and examinations of the registrant's operations, books and records as the commissioner deems necessary for:

(1) Determining the adequacy or acceptability of any application for registration;

(2) pursuing a complaint or information which forms reasonable grounds for belief that an investigation or examination is necessary or advisable for more complete protection of the interests of the public;

(c) charge reasonable costs of investigation or examination to be paid by the registrant under investigation or examination;

(d) order any registrant to cease any activity or practice which the commissioner deems to be deceptive, dishonest, violative of state or federal law or unduly harmful to the interests of the public; and

(e) exchange any information regarding the administration of this act with any agency of the United States or any state which regulates the registrant or administers statutes, rules and regulations or programs related to mortgage loans.

New Sec. 10. All fees collected by the commissioner pursuant to this act shall be subject to the provisions of K.S.A. 75-1308 and amendments thereto.

Sec. 11. K.S.A. 9-903 is hereby amended to read as follows: 9-903. The shares of stock of any bank or trust company shall be deemed personal property and shall be transferred on the books of the bank or trust company in such manner as the bylaws thereof may direct. No transfer of stock shall be valid against the issuing bank or trust company so long as the registered owner thereof shall be liable as principal debtor, surety or otherwise to the bank or trust company on a matured, *charged off or forgiven* obligation, nor shall any dividend, interest or profit be paid on such stock so long as the registered owner thereof is indebted to the bank or trust company on a matured, *charged off or forgiven* obligation, but all such dividends or profits shall be retained by the bank or trust company and applied to the discharge of *any* such *matured* obligations. No stock shall be transferred on the books of any bank or trust company when the bank or trust company is in a failing condition, or when its capital stock is impaired, except upon approval of the commissioner. Whenever a transfer of shares of stock of any bank or trust company occurs which results in direct or indirect ownership by a stockholder or an affiliated group of stockholders of 10% or more of the outstanding stock of the bank or trust company, and whenever additional shares of stock of the bank or trust company are transferred to such stockholder or affiliated group of stockholders, the president or other chief executive officer of the bank or trust company shall report such transfer to the commissioner within 10 days after transfer of the shares of stock on the books of the bank or trust company.

Sec. 12. K.S.A. 9-904 is hereby amended to read as follows: 9-904. (a) The capital stock of any bank or trust company may be reduced to the minimum provided by law for a new bank or trust company by resolution adopted by the stockholders representing $\frac{2}{3}$ of the voting stock of such bank or trust company, except that no such reduction shall become effective until the ~~board~~ commissioner approves the same.

(b) *With prior approval of the state banking board, a bank or trust company may reduce its capital stock below the minimum amount allowed by subsection (a) by transferring capital stock to its surplus fund. No such reduction shall be approved unless the state banking board finds:*

(1) *The proposed reduction is necessary to provide greater operational flexibility to an adequately capitalized, well-managed institution;*

(2) *the proposed reduction does not result in or is not in furtherance of a reduction in the institution's capital to an amount below 8% of total deposits for a bank or below \$250,000 for a trust company;*

(3) *the proposed reduction is not intended to delay, prevent or be in lieu of capital stock impairment or a stockholder's assessment pursuant to K.S.A. 9-906 and amendments thereto; and*

(4) *the proposed reduction poses no significant risk to the financial stability, safety or soundness of the institution.*

(c) After the commissioner or state banking board has approved such reduction a certificate signed by the president and cashier of the bank or trust company setting forth the result of such reduction of its capital stock, the names of its stockholders and the amount of stock held by each, shall be filed with the secretary of state and a duplicate shall be filed with the commissioner.

(d) Whenever the capital stock of any bank or trust company shall be reduced as herein provided, every stockholder, owner or holder of any stock certificate shall surrender the same for cancellation and shall be entitled to receive a new certificate for such person's proportion of the new stock. No dividends shall be paid to any such stockholder until the old certificate is surrendered.

Sec. 13. K.S.A. 9-1122 is hereby amended to read as follows: 9-1122. (a) Any bank or trust company may remain closed on any one business day of every week *or may make a permanent change in bank hours of*

(continued)

business, upon the adoption by its board of directors of a resolution authorizing the same to be done, and the posting of ~~such~~ the resolution in a conspicuous place within the bank or trust company premises at least fifteen (15) 15 days in advance of any such closing or change in hours. Thereafter, the bank or trust company may remain closed on the business day of every week designated in ~~such~~ the resolution, or may operate under the changed bank hours designated in the resolution, and ~~such~~ the resolution and the posting thereof shall control until the same be repealed or amended by subsequent resolution which shall require the same procedure in order to be effective: *Provided, however, That* If the business day designated in ~~such~~ resolution shall be any resolution regarding closing is a legal public holiday, the bank or trust company may close on the business day next preceding or following the legal public holiday.

Should a legal public holiday fall on Sunday, any bank or trust company may close on the next preceding or following business day.

(b) Every day on which any bank or trust company shall remain closed pursuant to this act shall be deemed a holiday for all of the purposes of chapter 84 of the Kansas Statutes Annotated, and all acts amendatory thereof or supplemental amendments thereto, and with respect to any banking business of any character, with respect to any such bank or trust company; and, No such bank or trust company shall be required to permit access to its safe, deposit vault or vaults on any such day. Where a contract by its terms requires the payment of money or the performance of a condition on any such day by, through, with or at any such bank or trust company, then ~~such~~ the payment may be made or condition performed on the next business day with the same force and effect as if made or performed in accordance with the terms of the contract; and, No liability or loss of rights of any kind shall result from ~~such~~ the delay.

(c) The posting of the notice provided herein for in this section shall be notice to everyone of the closing of ~~such~~ or change in hours of the bank or trust company, and thereafter no liability shall be incurred by ~~such~~ the bank or trust company by reason of closing or changing the bank hours pursuant to this act.

Sec. 14. K.S.A. 9-1108 is hereby amended to read as follows: 9-1108. Upon the affirmative vote of at least two-thirds a majority of the outstanding voting stock, any bank may liquidate by paying in full all of its depositors and creditors. Any bank desiring to liquidate voluntarily shall file notice thereof with the commissioner and immediately surrender its certificate of authority to transact a banking business. The commissioner may examine ~~such~~ the bank at any time during the period in which it is being liquidated and may compel ~~such~~ the bank to file reports with the commissioner during the time it is being liquidated. Upon the completion of the liquidation the bank shall remove all advertising signs, and the commissioner shall make a final examination to determine that all depositors and creditors have been paid before any distribution is made to stockholders.

Sec. 15. K.S.A. 9-1110 is hereby amended to read as follows: 9-1110. Upon the affirmative vote of at least two-thirds a majority of the outstanding voting stock any bank for the purpose of liquidation or merger or consolidation may sell all or any part of its assets to any other bank, either state or national, and may receive in payment thereof cash or its equivalent or, shares of stock in the purchasing bank, or both.

Sec. 16. K.S.A. 9-1604 is hereby amended to read as follows: 9-1604. Upon the affirmative vote of at least two-thirds a majority of the outstanding voting stock any bank having trust authority may liquidate, or may consolidate or merge its trust department with any other bank having trust authority or with any trust company, and any trust company may liquidate, or may consolidate or merge with any other trust company or with any bank having trust authority: *Provided, except* that such liquidation, consolidation or merger shall not be effective until the commissioner has approved the same in writing after the terms thereof have been submitted to the commissioner for his or her examination and approval.

Sec. 17. K.S.A. 1995 Supp. 9-519 is hereby amended to read as follows: 9-519. For the purposes of K.S.A. 9-520 through 9-524, and amendments thereto, and K.S.A. 9-532 through 9-539 9-541, and amendments thereto, unless otherwise required by the context:

(a) (1) "Bank holding company" means any company:

(A) Which directly or indirectly owns, controls, or has power to vote 25% or more of any class of the voting shares of a bank or 25% or more of any class of the voting shares of a company which is or becomes a bank holding company by virtue of this act;

(B) which controls in any manner the election of a majority of the directors of a bank or of a company which is or becomes a bank holding company by virtue of this act;

(C) for the benefit of whose shareholders or members 25% or more of any class of the voting shares of a bank or 25% or more of any class of the voting shares of a company which is or becomes a bank holding company by virtue of this act, is held by trustees; or

(D) which, by virtue of acquisition of ownership or control of, or the power to vote the voting shares of, a bank or another company, becomes a bank holding company under this act.

(2) Notwithstanding paragraph (1), no company:

(A) Shall be deemed to be a bank holding company by virtue of its ownership or control of shares acquired by it in connection with its underwriting of securities if such shares are held only for such period of time as will permit the sale thereof on a reasonable basis;

(B) formed for the sole purpose of participating in a proxy solicitation shall be deemed to be a bank holding company by virtue of its control of voting rights of shares acquired in the course of such solicitation;

(C) shall be deemed to be a bank holding company by virtue of its ownership or control of shares acquired in securing or collecting a debt previously contracted in good faith, provided such shares are disposed of within a period of two years from the date on which such shares could have been disposed of by such company;

(D) owning or controlling voting shares of a bank shall be deemed to be a bank holding company by virtue of its ownership or control of shares held in a fiduciary capacity except where such shares are held for the benefit of such company or its shareholders.

(b) "Company" means any corporation, trust, limited partnership, association or similar organization including a bank but shall not include any corporation the majority of the shares of which are owned by the United States or by any state, or include any individual or partnership.

(c) "Bank" means an insured bank as defined in section 3(h) of the federal deposit insurance act, 12 U.S.C. 1813(h), except the term shall not include a national bank which engages only in credit card operations, does not accept demand deposits or deposits that the depositor may withdraw by check or similar means for payment to third parties or others, does not accept any savings or time deposits of less than \$100,000, accepts deposits only from corporations which own 51% or more of the voting shares of the bank holding company or its parent corporation of which the bank engaging only in credit card operations is a subsidiary, maintains only one office that accepts deposits, and does not engage in the business of making commercial loans.

(d) "Subsidiary" with respect to a specified bank holding company means:

(1) Any company more than 5% of the voting shares of which, excluding shares owned by the United States or by any company wholly owned by the United States, is directly or indirectly owned or controlled by such bank holding company or is held by it with power to vote;

(2) any company the election of a majority of the directors of which is controlled in any manner by such bank holding company; or

(3) any company more than 5% of the voting shares of which is held by trustees for the benefit of such bank holding company or its shareholders.

(e) "Commissioner" means the Kansas state bank commissioner.

(f) "Kansas bank" means any bank, as defined by subsection (c), which, in the case of a state chartered bank, is a bank chartered under the authority of the state of Kansas, and in the case of a national banking association, a bank with its main office located in Kansas.

(g) "Kansas bank holding company" means a bank holding company, as defined by subsection (a), with total subsidiary bank deposits in Kansas which exceed the bank holding company's subsidiary bank deposits in any other state.

(h) "Out-of-state bank holding company" means any holding company which is not a Kansas bank holding company as defined in subsection (g).

(i) "Foreign bank" means any company organized under the laws of a foreign country, a territory of the United States, Puerto Rico, Guam, American Samoa or the Virgin Islands, which engages in the business of banking, or any subsidiary or affiliate, organized under such laws, of any such company.

Sec. 18. K.S.A. 9-903, 9-904, 9-1108, 9-1110, 9-1122 and 9-1604 and K.S.A. 1995 Supp. 9-519 are hereby repealed.

Sec. 19. 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

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1-2-1	Revoked	V. 14, p. 1441
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1-2-5	Revoked	V. 14, p. 1441
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1-2-9	Amended	V. 14, p. 1441
1-2-11	Revoked	V. 14, p. 1441
1-2-14	New	V. 14, p. 1441
1-2-17	Amended	V. 14, p. 1441
1-2-20	New	V. 14, p. 172, 483
1-2-26	Revoked	V. 14, p. 1441
1-2-27	Revoked	V. 14, p. 1441
1-2-29	Revoked	V. 14, p. 1441
1-2-31	Amended	V. 14, p. 1441
1-2-35	Amended	V. 14, p. 1441
1-2-37	Revoked	V. 14, p. 1441
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1-2-42a	New	V. 14, p. 1441
1-2-43	Revoked	V. 14, p. 1442
1-2-44	New	V. 14, p. 1442
1-2-46	Amended	V. 14, p. 1442
1-2-47	Revoked	V. 14, p. 1442
1-2-48	Amended	V. 14, p. 1442
1-2-49	Revoked	V. 14, p. 1442
1-2-50	Amended	V. 14, p. 1442
1-2-51	Amended	V. 14, p. 1442
1-2-54	New	V. 14, p. 1442
1-2-55	Revoked	V. 14, p. 1442
1-2-67	Amended	V. 14, p. 1442
1-2-68	New	V. 14, p. 1443
1-2-70	New	V. 14, p. 1443
1-2-71	Amended	V. 14, p. 1443
1-2-72	New	V. 14, p. 1443
1-2-73	Amended	V. 14, p. 1443
1-2-75	Revoked	V. 14, p. 1443
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1-2-85	Amended	V. 14, p. 1443
1-2-86	New	V. 14, p. 1443
1-2-88	Amended	V. 14, p. 1443
1-2-91	Revoked	V. 14, p. 1443
1-2-95	Revoked	V. 14, p. 1443
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1-4-1	Amended	V. 14, p. 1444
1-4-7	Amended	V. 14, p. 1444
1-5-3	Amended	V. 14, p. 1444
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1-5-5	Revoked	V. 14, p. 1444
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1-5-16	Amended	V. 14, p. 1444-1447
1-15-18	Revoked	V. 14, p. 1448
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1-6-1	Amended	V. 14, p. 1451

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1-6-8	Amended	V. 14, p. 1452
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1-6-20	Revoked	V. 14, p. 1452
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1-9-25	New	V. 14, p. 173, 484
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1-10-8	Amended	V. 14, p. 1468
1-10-9	Amended	V. 14, p. 1469
1-13-1a	Amended	V. 14, p. 1469
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1-14-8	Amended	V. 14, p. 1470
1-14-10	Amended	V. 14, p. 1471
1-16-18	Amended	V. 14, p. 1376
1-16-18a	Amended	V. 15, p. 317
1-18-1a	Amended	V. 14, p. 971, 1018
1-21-1	Amended	V. 14, p. 1472
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1-21-4	Amended	V. 14, p. 1472
1-24-1	Amended	V. 14, p. 1472

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5-25-10	Amended	V. 15, p. 410-412

AGENCY 7: SECRETARY OF STATE

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10-21-6	New	V. 14, p. 1630, 1631

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11-8-8	New	V. 14, p. 629, 630

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16-5-1	Amended	V. 15, p. 375
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16-6-1	Amended	V. 15, p. 376

AGENCY 25: STATE GRAIN INSPECTION DEPARTMENT

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25-3-3	Amended	V. 15, p. 138
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AGENCY 26: DEPARTMENT ON AGING

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26-9-1	New	V. 14, p. 884, 970

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28-4-563	Amended	V. 15, p. 490-494
28-4-567	Amended	V. 15, p. 494
28-4-570	Amended	V. 15, p. 495
28-19-7	Amended	V. 14, p. 1580
28-19-45	Revoked	V. 15, p. 183
28-19-46	Revoked	V. 15, p. 183
28-19-47	Revoked	V. 15, p. 183
28-19-202	Amended	V. 15, p. 257
28-19-511	Amended	V. 14, p. 1589
28-19-512	Amended	V. 14, p. 1591
28-19-518	Amended	V. 14, p. 1594
28-19-645	New	V. 15, p. 183
28-19-646	New	V. 15, p. 183
28-19-647	New	V. 15, p. 183
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28-19-800	New	V. 15, p. 257
28-19-801	New	V. 15, p. 258
28-29-84	Amended	V. 14, p. 992
28-29-85	Amended	V. 14, p. 992
28-29-98	Amended	V. 14, p. 91
28-31-4	Amended	V. 15, p. 297
28-31-10	Amended	V. 15, p. 301
28-33-1	Revoked	V. 15, p. 495
28-33-11	Revoked	V. 15, p. 495
28-33-12	Amended	V. 15, p. 495
28-34-11	Amended	V. 15, p. 497
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. 15, p. 188
30-5-59	Amended	V. 14, p. 168
30-5-64	Amended	V. 15, p. 194
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

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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
30-10-1b	Amended	V. 14, p. 1671
30-10-2	Amended	V. 14, p. 1671
30-10-15a	Amended	V. 14, p. 1672
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30-10-18	Amended	V. 14, p. 1675
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30-10-23a	Amended	V. 14, p. 1677
30-10-23b	Amended	V. 14, p. 1678
30-10-24	Amended	V. 14, p. 1678
30-10-25	Amended	V. 14, p. 1680
30-10-27	Amended	V. 14, p. 1680
30-10-29	Amended	V. 14, p. 1681
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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
30-26-6	Revoked	V. 14, p. 1682
30-44-4	New	V. 14, p. 921

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37-1-5a	Revoked	V. 14, p. 1633
37-1-6	through	
37-1-12	Revoked	V. 14, p. 1633

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40-4-37	Amended	V. 15, p. 77
40-4-37d	Amended	V. 15, p. 78
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40-4-41g	New	V. 14, p. 584-587, 625-628
40-5-109	Amended	V. 15, p. 78

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Reg. No.	Action	Register
51-9-7	Amended	V. 15, p. 345

AGENCY 60: BOARD OF NURSING

Reg. No.	Action	Register
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

Reg. No.	Action	Register
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
63-3-16	Amended	V. 14, p. 1439
63-3-19	Amended	V. 14, p. 1439
63-4-1	Amended	V. 14, p. 1440
63-5-1	Amended	V. 14, p. 1440
63-5-2	Revoked	V. 14, p. 1440
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 66: BOARD OF TECHNICAL PROFESSIONS

Reg. No.	Action	Register
66-6-1	Amended	V. 15, p. 184
66-6-6	Amended	V. 15, p. 185
66-7-3	Amended	V. 15, p. 185
66-8-1	Amended	V. 15, p. 185
66-10-1	Amended	V. 15, p. 185
66-12-1	Amended	V. 15, p. 185
66-14-1	through	
66-14-12	New	V. 15, p. 186, 187

AGENCY 67: BOARD OF HEARING AID EXAMINERS

Reg. No.	Action	Register
67-2-4	Amended	V. 14, p. 66

AGENCY 68: BOARD OF PHARMACY

Reg. No.	Action	Register
68-1-1a	Amended	V. 14, p. 124
68-1-1f	Amended	V. 14, p. 125
68-2-12a	Amended	V. 14, p. 125
68-2-20	Amended	V. 14, p. 125
68-7-12a	Amended	V. 14, p. 125
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

AGENCY 69: BOARD OF COSMETOLOGY

Reg. No.	Action	Register
69-1-1	Amended	V. 15, p. 292
69-1-2	Amended	V. 15, p. 292
69-1-3	Revoked	V. 15, p. 292
69-1-4	Amended	V. 15, p. 292
69-1-7	Revoked	V. 15, p. 293
69-1-8	Amended	V. 15, p. 293
69-2-1	Revoked	V. 15, p. 293
69-3-1	Amended	V. 15, p. 293
69-3-2	Revoked	V. 15, p. 293
69-3-3	Amended	V. 15, p. 293
69-3-4	Amended	V. 15, p. 294
69-3-5	Revoked	V. 15, p. 294
69-3-6	Amended	V. 15, p. 294
69-3-7	Amended	V. 15, p. 294
69-3-9	Amended	V. 15, p. 294
69-3-10	Revoked	V. 15, p. 294
69-3-11	Revoked	V. 15, p. 294
69-3-17	Revoked	V. 15, p. 294
69-3-19	Revoked	V. 15, p. 294
69-3-22	through	
69-3-25	Revoked	V. 15, p. 294
69-3-26	New	V. 15, p. 294
69-3-27	New	V. 15, p. 294
69-3-28	New	V. 15, p. 294
69-4-2	Amended	V. 15, p. 294
69-4-6	Revoked	V. 15, p. 295
69-4-9	Amended	V. 15, p. 295
69-4-11	Revoked	V. 15, p. 295
69-4-12	Amended	V. 15, p. 295
69-5-2	Revoked	V. 15, p. 295
69-5-6	Amended	V. 15, p. 295
69-5-10	Revoked	V. 15, p. 295
69-5-13	Revoked	V. 15, p. 295

69-5-14	New	V. 15, p. 295
69-5-15	New	V. 15, p. 295
69-5-16	New	V. 15, p. 295
69-6-1	Revoked	V. 15, p. 295
69-6-2	Amended	V. 15, p. 295
69-6-5	Amended	V. 15, p. 295
69-6-6	Revoked	V. 15, p. 296
69-6-7	Amended	V. 15, p. 296
69-8-2	Revoked	V. 15, p. 296
69-8-3	Revoked	V. 15, p. 296
69-8-4	Revoked	V. 15, p. 296
69-8-6	Revoked	V. 15, p. 296
69-11-1	Amended	V. 15, p. 296
69-11-2	Amended	V. 15, p. 296
69-13-1	Amended	V. 15, p. 296
69-13-2	Amended	V. 15, p. 296

AGENCY 70: BOARD OF VETERINARY MEDICAL EXAMINERS

Reg. No.	Action	Register
70-3-1	Amended	V. 14, p. 90
70-3-2	Amended	V. 14, p. 90
70-3-4	Revoked	V. 14, p. 90

AGENCY 71: KANSAS DENTAL BOARD

Reg. No.	Action	Register
71-1-13	Revoked	V. 14, p. 68
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
74-14-2	Revoked	V. 14, p. 1739

AGENCY 81: OFFICE OF THE SECURITIES COMMISSIONER

Reg. No.	Action	Register
81-2-1	Amended	V. 14, p. 287
81-5-12	New	V. 14, p. 287

AGENCY 82: STATE CORPORATION COMMISSION

Reg. No.	Action	Register
82-3-101	Amended	V. 14, p. 129
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
82-12-1	through	
82-12-9	New	V. 14, p. 1048, 1049

AGENCY 86: REAL ESTATE COMMISSION

Reg. No.	Action	Register
86-1-10	Amended	V. 14, p. 1495
86-1-11	Amended	V. 14, p. 1496
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

AGENCY 91: DEPARTMENT OF EDUCATION

Reg. No.	Action	Register
91-1-30	Amended	V. 14, p. 1704
91-1-34	Amended	V. 14, p. 1705
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
91-1-68a through 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
91-1-146d	Amended	V. 14, p. 1709
91-12-22	Amended	V. 15, p. 226
91-12-23	Amended	V. 14, p. 91
91-12-25	Amended	V. 14, p. 91
91-12-29	Revoked	V. 14, p. 92
91-12-34	Revoked	V. 14, p. 92
91-12-35	Amended	V. 14, p. 92
91-12-41	Amended	V. 14, p. 92
91-12-42	Amended	V. 14, p. 93
91-12-51	Amended	V. 14, p. 94
91-12-54	Amended	V. 14, p. 94
91-12-55	Amended	V. 15, p. 230
91-12-56	Amended	V. 14, p. 94
91-12-60	Amended	V. 14, p. 95
91-12-61	Amended	V. 15, p. 230
91-12-74	New	V. 14, p. 95

AGENCY 100: BOARD OF HEALING ARTS

Reg. No.	Action	Register
100-38-1	Amended	V. 14, p. 676

AGENCY 102: BEHAVIORAL SCIENCES REGULATORY BOARD

Reg. No.	Action	Register
102-1-1	Amended	V. 14, p. 1014
102-1-4	Amended	V. 14, p. 488
102-1-5	Amended	V. 14, p. 488
102-1-10	Amended	V. 14, p. 1015
102-1-13	Amended	V. 14, p. 1016
102-2-3	Amended	V. 14, p. 1016
102-3-2	Amended	V. 14, p. 1016
102-4-1	Amended	V. 14, p. 489
102-4-2	Amended	V. 14, p. 1016
102-4-4	Amended	V. 14, p. 490
102-4-5	Amended	V. 14, p. 490
102-4-6	Amended	V. 14, p. 491
102-4-7	Revoked	V. 14, p. 492
102-4-10	Amended	V. 14, p. 492
102-5-2	Amended	V. 14, p. 1016
102-6-1	New	V. 14, p. 796
102-6-2	New	V. 14, p. 797
102-6-4	New	V. 14, p. 797
102-6-5	New	V. 14, p. 797
102-6-8	New	V. 14, p. 798
102-6-9	New	V. 14, p. 798
102-6-10	New	V. 14, p. 798
102-6-11	New	V. 14, p. 799
102-6-12	New	V. 14, p. 799

AGENCY 109: BOARD OF EMERGENCY MEDICAL SERVICES

Reg. No.	Action	Register
109-8-1	Amended	V. 14, p. 1710
109-10-1	Amended	V. 14, p. 1242

AGENCY 111: KANSAS LOTTERY

Reg. No.	Action	Register
111-1-2	Amended	V. 7, p. 1190
111-1-5	Amended	V. 13, p. 1045
111-2-1	Amended	V. 14, p. 311
111-2-2	Amended	V. 12, p. 1261
111-2-2a through 111-2-2e	New	V. 14, p. 1633, 1634
111-2-6	Revoked	V. 13, p. 149
111-2-7	Revoked	V. 10, p. 1210
111-2-13	Revoked	V. 10, p. 881
111-2-14	Amended	V. 14, p. 1634
111-2-15	Revoked	V. 10, p. 881
111-2-16	Revoked	V. 10, p. 1210
111-2-17	Revoked	V. 10, p. 1210
111-2-18	Revoked	V. 11, p. 413
111-2-19	Revoked	V. 11, p. 413
111-2-20 through 111-2-26	Revoked	V. 13, p. 1401
111-2-27	Revoked	V. 14, p. 972
111-2-28	New	V. 12, p. 1844
111-2-29	Revoked	V. 14, p. 972
111-2-30	Amended	V. 14, p. 403
111-2-31	New	V. 14, p. 170
111-2-32	New	V. 14, p. 311
111-2-33	Amended	V. 14, p. 1741
111-2-34	Amended	V. 14, p. 722
111-2-35	New	V. 14, p. 796
111-2-36	New	V. 14, p. 908
111-2-37	New	V. 14, p. 1094
111-2-38	New	V. 14, p. 1741
111-2-39	New	V. 14, p. 1502
111-2-40	New	V. 14, p. 1502
111-2-41	New	V. 14, p. 1742
111-2-42	New	V. 14, p. 1742
111-2-43	New	V. 15, p. 287
111-2-44	New	V. 15, p. 288
111-2-45	New	V. 15, p. 288
111-3-1	Amended	V. 14, p. 908
111-3-6	Amended	V. 12, p. 677
111-3-9	Revoked	V. 11, p. 1793
111-3-10 through 111-3-31	New	V. 7, p. 201-206
111-3-11	Amended	V. 13, p. 35
111-3-12	Amended	V. 13, p. 1826
111-3-13	Amended	V. 11, p. 1148
111-3-14	Amended	V. 13, p. 1826
111-3-16	Amended	V. 9, p. 1566
111-3-19 through 111-3-22	Amended	V. 9, p. 30
111-3-19	Revoked	V. 13, p. 1827
111-3-20	Amended	V. 11, p. 1148
111-3-21	Amended	V. 11, p. 1148
111-3-22	Amended	V. 11, p. 1148
111-3-23	Revoked	V. 10, p. 883
111-3-25	Amended	V. 13, p. 1827
111-3-26	Amended	V. 11, p. 1149
111-3-27	Amended	V. 11, p. 1149
111-3-29	Revoked	V. 11, p. 1149
111-3-31	Amended	V. 8, p. 209
111-3-32	Amended	V. 10, p. 883
111-3-33	New	V. 7, p. 1434
111-3-34	New	V. 13, p. 149
111-3-35	Amended	V. 14, p. 909
111-3-36	New	V. 13, p. 877
111-3-37	New	V. 13, p. 877
111-4-1 through 111-4-5	Revoked	V. 12, p. 113
111-4-5a	Revoked	V. 12, p. 113
111-4-6 through 111-4-15	Revoked	V. 12, p. 113
111-4-66 through 111-4-77	New	V. 7, p. 207-209
111-4-96 through 111-4-114	New	V. 7, p. 1606-1610
111-4-100	Amended	V. 14, p. 972
111-4-101	Amended	V. 14, p. 972

111-4-102	Amended	V. 12, p. 1114
111-4-103	Amended	V. 10, p. 1211
111-4-104	Amended	V. 14, p. 972
111-4-105	Amended	V. 14, p. 972
111-4-106	Amended	V. 14, p. 973
111-4-106a	Amended	V. 14, p. 974
111-4-107	Amended	V. 11, p. 978
111-4-108	Amended	V. 14, p. 974
111-4-110	Amended	V. 11, p. 978
111-4-111	Amended	V. 9, p. 1366
111-4-112	Amended	V. 14, p. 974
111-4-113	Amended	V. 9, p. 1366
111-4-114	Amended	V. 9, p. 1366
111-4-153 through 111-4-160	Revoked	V. 9, p. 1676, 1677
111-4-177 through 111-4-212	Revoked	V. 9, p. 1677, 1678
111-4-213 through 111-4-220	Revoked	V. 10, p. 1213
111-4-217	Amended	V. 9, p. 986
111-4-221 through 111-4-224	Revoked	V. 10, p. 1585
111-4-225 through 111-4-228	Revoked	V. 10, p. 1585
111-4-229 through 111-4-236	Revoked	V. 10, p. 1585, 1586
111-4-237 through 111-4-240	Revoked	V. 11, p. 413
111-4-241 through 111-4-244	Revoked	V. 12, p. 1371
111-4-245 through 111-4-248	Revoked	V. 12, p. 1371
111-4-249 through 111-4-256	Revoked	V. 12, p. 113, 114
111-4-257 through 111-4-286	Revoked	V. 11, p. 413, 414
111-4-287 through 111-4-300	New	V. 10, p. 883-886
111-4-287 through 111-4-290	Revoked	V. 12, p. 1371
111-4-291 through 111-4-300	Revoked	V. 12, p. 114
111-4-301 through 111-4-307	Revoked	V. 13, p. 1402
111-4-301	Amended	V. 12, p. 1115
111-4-303	Amended	V. 12, p. 1115
111-4-304	Amended	V. 12, p. 1115
111-4-306	Amended	V. 12, p. 1115
111-4-308 through 111-4-320	New	V. 10, p. 1214, 1215
111-4-308	Amended	V. 12, p. 1261
111-4-311	Amended	V. 12, p. 1262
111-4-312	Amended	V. 12, p. 1262
111-4-313	Amended	V. 12, p. 1262
111-4-318 through 111-4-321	Revoked	V. 12, p. 114
111-4-322 through 111-4-331	New	V. 10, p. 1411-1413
111-4-322	Revoked	V. 12, p. 1371
111-4-327 through 111-4-335	Revoked	V. 12, p. 114

(continued)

111-4-336			111-4-445			111-4-683		
through			through			through		
111-4-345	New	V. 10, p. 1526-1528	111-4-448	Revoked	V. 12, p. 1374	111-4-694	New	V. 14, p. 404-406
111-4-336			111-4-449			111-4-695		
through			through			through		
111-4-340	Amended	V. 12, p. 1371, 1372	111-4-453	Revoked	V. 14, p. 8	111-4-702	New	V. 14, p. 725-727
111-4-341	Revoked	V. 11, p. 1473	111-4-454			111-4-703		
111-4-341a	Revoked	V. 12, p. 1372	through			through		
111-4-341b	Amended	V. 12, p. 1372	111-4-465	Revoked	V. 12, p. 1664, 1665	111-4-723	New	V. 14, p. 909-914
111-4-341c	New	V. 12, p. 1664	111-4-466			111-4-724		
111-4-344	Amended	V. 12, p. 1373	through			through		
111-4-346			111-4-473	New	V. 12, p. 316, 317	111-4-736	New	V. 14, p. 978-981
through			111-4-466			111-4-737		
111-4-361	New	V. 10, p. 1586-1589	through			through		
111-4-356			111-4-473	New	V. 12, p. 316, 317	111-4-749	New	V. 14, p. 1095-1098
through			111-4-466			111-4-750		
111-4-361	Revoked	V. 14, p. 7	through			through		
111-4-346			111-4-469	Revoked	V. 12, p. 1665	111-4-757	New	V. 14, p. 1408, 1409
through			111-4-470	Amended	V. 12, p. 522	111-4-758		
111-4-349	Revoked	V. 12, p. 114	111-4-474			through		
111-4-362			through			111-4-761	New	V. 14, p. 1502, 1503
through			111-4-488	New	V. 12, p. 522-524	111-4-762		
111-4-365	Revoked	V. 12, p. 114, 115	111-4-478			through		
111-4-362	Amended	V. 11, p. 13	through			111-4-778	New	V. 14, p. 1410-1414
111-4-366			111-4-492	Revoked	V. 14, p. 974, 975	111-4-769	Amended	V. 14, p. 1503
through			111-4-493			111-4-779		
111-4-379	New	V. 11, p. 136-139	through			through		
111-4-366			111-4-496	New	V. 12, p. 525	111-4-791	New	V. 14, p. 1504-1507
through			111-4-497			111-4-792		
111-4-369	Revoked	V. 12, p. 1373	through			through		
111-4-370			111-4-512	Revoked	V. 14, p. 975	111-4-803	New	V. 14, p. 1635-1638
through			111-4-513			111-4-804		
111-4-379	Revoked	V. 14, p. 7, 8	through			through		
111-4-380			111-4-521	New	V. 12, p. 1374, 1375	111-4-816	New	V. 15, p. 116-119
through			111-4-519	Amended	V. 14, p. 1095	111-4-817		
111-4-383	Revoked	V. 12, p. 1664	111-4-522			through		
111-4-384			through			111-4-824	New	V. 15, p. 289, 290
through			111-4-571	Revoked	V. 14, p. 975-977	111-4-825		
111-4-387	Revoked	V. 12, p. 1373	111-4-572			through		
111-4-388			through			111-4-838	New	V. 15, p. 449-452
through			111-4-585	New	V. 13, p. 878-880	111-5-1		
111-4-400	New	V. 11, p. 478-481	111-4-572	Amended	V. 14, p. 723	through		
111-4-388			111-4-574	Amended	V. 14, p. 724	111-5-23	New	V. 7, p. 209-213
through			111-4-575	Amended	V. 14, p. 724	111-5-9		
111-4-391	Revoked	V. 12, p. 1373	111-4-576	Amended	V. 14, p. 724	through		
111-4-392	Amended	V. 12, p. 520	111-4-577	Amended	V. 14, p. 724	111-5-19	Revoked	V. 15, p. 291
111-4-394			111-4-579	Amended	V. 14, p. 724	111-5-21		
through			111-4-581	Amended	V. 14, p. 725	through		
111-4-400	Amended	V. 12, p. 521, 522	111-4-582	Amended	V. 14, p. 725	111-5-33	New	V. 11, p. 415-418
111-4-401			111-4-583	Amended	V. 14, p. 725	111-5-21	Revoked	V. 15, p. 291
through			111-4-584	Amended	V. 14, p. 725	111-5-22	Amended	V. 13, p. 1438
111-4-404	Revoked	V. 12, p. 1373	111-4-586			111-5-23	Amended	V. 11, p. 481
111-4-405			through			111-5-24	Amended	V. 11, p. 983
through			111-4-606	Revoked	V. 14, p. 977, 978	111-5-25	Amended	V. 11, p. 482
111-4-413	New	V. 11, p. 756, 757	111-4-607			111-5-27	Amended	V. 11, p. 482
111-4-405	Amended	V. 14, p. 723	through			111-5-28	Amended	V. 12, p. 317
111-4-407	Amended	V. 13, p. 877	111-4-619	New	V. 13, p. 1436-1438	111-5-34	New	V. 12, p. 318
111-4-408	Amended	V. 14, p. 723	111-4-607	Amended	V. 14, p. 1407	111-5-34a	Amended	V. 14, p. 1098
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through			through			111-6-15	New	V. 7, p. 213-217
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111-7-43	New	V. 7, p. 1197, 1198
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