

Kansas Register

Ron Thornburgh, Secretary of State

Vol. 15, No. 29

July 18, 1996

Pages 1075-1112

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State of Kansas

Legislature

Interim Committee Schedule

The following committee meetings have been scheduled during the period of July 22 through August 4:

Date	Room	Time	Committee	Agenda
July 22	123-S	10:00 a.m.	Joint Committee on Pensions, Investments and Benefits	Review of interim study topics.
July 23	123-S	9:00 a.m.		
July 22	531-N	10:00 a.m.	Joint Committee on Special Claims Against the State	Hearings on claims filed to date.
July 23	531-N	9:00 a.m.		
July 23	514-S	1:00 p.m.	Task Force on Regulation of Residential Building Contractors	Election of chair and vice-chair. Scope of study and future meeting dates will be determined.
July 23	TBA	TBA	Joint Committee on State Building Construction	To be announced.
July 24	TBA	TBA		
July 25	TBA	TBA		
July 24	519-S	10:00 a.m.	Special Committee on Property Taxation	24th: Review of Governor's Tax Equity Task Force recommendations; review of Shawnee County District Court Order 92-CV-796; Kansas property tax calendar.
July 25	519-S	9:00 a.m.		25th: Use valuation of agricultural land; review of 1995 inheritance tax study topic.
July 25	526-S	10:00 a.m.	Task Force on Gas Gathering	Agenda not available.
July 25	514-S	10:00 a.m.	Special Committee on School Finance	Agenda not available.
July 26	514-S	9:00 a.m.		
July 26	519-S	9:00 a.m.	Endangered Species Task Force	Agenda not available.

Emil Lutz
Director of Legislative
Administrative Services

Doc. No. 017897

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Ron Thornburgh
Secretary of State
2nd Floor, State Capitol
300 S.W. 10th Ave.
Topeka, KS 66612-1594
(913) 296-4564



Register Office:
Room 233-N, State Capitol
(913) 296-3489
Fax (913) 291-3051

State of Kansas

State Employees Health Care Commission

Notice of Meeting

A Health Care Commission meeting has been scheduled from 1:30 to 4:30 p.m. Tuesday, July 23, in the old Supreme Court Room, 313-S, State Capitol, 300 S.W. 10th Ave., Topeka. For further information, contact the Benefits Office at (913) 296-6280.

Duane Nightingale
Interim Chair

Doc. No. 017894

State of Kansas

Department of Human Resources

Notice of Hearing on Proposed
Administrative Regulations

A public hearing will be conducted at 9 a.m. Tuesday, September 17, at the Kansas Department of Human Resources, third floor conference room, 401 S. Topeka Blvd., Topeka, to consider the revocation of the following regulations of the Kansas Department of Human Resources. This 60-day notice constitutes a public comment period for the purpose of receiving written public comments on the proposed revocation of the regulations.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed revocation of the regulations and the economic impact statements in an accessible format. Requests for accommodation should be made at least 10 working days in advance of the hearing by contacting Merrill J. Hicklin Befort, Staff Attorney, Kansas Department of Human Resources, 401 S. Topeka Blvd., Topeka, 66603, (913) 296-4902.

A copy of the full text of the regulations and the economic impact statement may be reviewed or obtained by contacting Merrill J. Hicklin Befort. The following is a summary of the proposed revocation of the regulations.

K.A.R. 49-45-10 through 49-45-19 and 49-53-1 and 49-53-2. The proposed revocation of these regulations will ensure that there is no duplication of effort by the State of Kansas and the federal government in regulating nuclear power facilities. At the present time, both federal and state regulations require compliance with the American Society of Mechanical Engineers (A.S.M.E.) Section XI. Federal law, Title 10, Code of Federal Regulations, Part 50.55a, currently requires that all nuclear power facilities within the United States shall comply with A.S.M.E. Section XI.

Economic Impact: The revocation of the regulations would result in a savings to power facilities in Kansas. This cost savings to power facilities is needed to maintain economic competitiveness and the potential to keep the cost down for Kansas consumers. No Department of Human Resources cost is involved.

Wayne L. Franklin
Secretary of Human Resources

Doc. No. 017886

State of Kansas

State Banking Board

Notice of Meeting

The State Banking Board will meet at 9 a.m. Monday, August 19, in the conference room of the Office of the State Bank Commissioner, Suite 300, Jayhawk Tower, 700 S.W. Jackson, Topeka. The board reviews matters relating to its supervisory authority as set forth in K.S.A. 9-1801 et seq.

W. Newton Male
State Bank Commissioner

Doc. No. 017889

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 July 8-12:

Corporation for Change

Judge Nancy Parrish, Shawnee County Courthouse, Topeka, 66603. Appointed by the Senate Minority Leader.

Emergency Medical Services Board

Ralph D. Unger, Route 2, Box 114, Oberlin, 67749. Term expires May 30, 2000. Reappointment.

Supreme Court Nominating Commission

Sue Bond, 9823 Nall Ave., Overland Park, 66207. Term expires May 30, 2000. Succeeds John Strick.

Kansas Water Authority

Richard L. Nellor, 322 N. Cherry, Gardner, 66030. Effective September 1, 1996. Term expires August 31, 2000. Succeeds Joe Glassman.

Don Paxson, P.O. Box 487, Penokee, 67659. Term expires May 31, 2000. Succeeds Sheila Leiker Page.

Dennis Schwartz, 3260 S.E. Tecumseh Road, Tecumseh, 66542. Term expires May 31, 2000. Reappointment.

Kansas Workforce Investment
Partnership Council

(Members serve at the pleasure of the Governor.)

James Hodges, 1231 Eugene St., Topeka, 66608.

Greg Jones, 310 W. Central, Wichita, 67202. New position.

James Keele, 28420 Old Kansas City Road, Paola, 66071. New position.

Dwayne Peasley, P.O. Box 4041, Lawrence, 66046. Succeeds Harry Helser.

Norman Scott, 110 W. 6th, Topeka, 66603. Succeeds Wayne Maichel.

Ron Thornburgh
Secretary of State

State of Kansas

Speech-Language Pathology and
Audiology Advisory Board

Notice of Meeting

The Speech-Language Pathology and Audiology Advisory Board will meet at 10 a.m. Thursday, August 1, in the fourth floor conference room of the Mills Building, 109 S.W. 9th, Topeka.

Lesa Bray, Director
Health Occupations Credentialing

Doc. No. 017902

State of Kansas

Department of Human Resources

Notice of Hearing on Proposed
Administrative Regulations

A public hearing will be conducted at 9 a.m. Thursday, September 19, at the Kansas Department of Human Resources, third floor conference room, 401 S. Topeka Blvd., Topeka, to consider the adoption of the following amended regulation of the Kansas Department of Human Resources. This 60-day notice constitutes a public comment period for the purpose of receiving written public comments on the proposed amended regulation.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulation and the economic impact statement in an accessible format. Requests for accommodation should be made at least 10 working days in advance of the hearing by contacting Merrill J. Hicklin Befort, Staff Attorney, Kansas Department of Human Resources, 401 S. Topeka Blvd., Topeka, 66603; (913) 296-4902.

A copy of the full text of the regulation and the economic impact statement may be reviewed or obtained by contacting Merrill J. Hicklin Befort. The following is a summary of the proposed amended regulation.

K.A.R. 50-2-21. The amendments to K.A.R. 50-2-21, specifically K.A.R. 50-2-21(e)(4)(A) and 50-2-21(f), are part of the regulations which describe the methodology used to assign unemployment insurance contribution rates to experience rated employers with a positive account balance. The first change amends the number of rate groups, which was increased from 21 to 51 effective July 1, 1990. The second and fourth changes amend and clarify the rounding procedures used in the calculation of rates by rewording the notation of percentages. The third change amends and corrects the statutory reference, K.S.A. 44-710a(a)(3). Other changes to K.A.R. 50-2-21 are for routine housekeeping purposes.

Economic Impact: The proposed amendments will have no economic impact.

Wayne L. Franklin
Secretary of Human Resources

Doc. No. 017885

State of Kansas

Board of Healing Arts

Notice of Hearing on Proposed
Administrative Regulations

A public hearing will be conducted at 10 a.m. Friday, September 27, at the office of the Kansas State Board of Healing Arts, 235 S. Topeka Blvd., Topeka, to consider the adoption of eight proposed amended rules and regulations and two new proposed rules and regulations relating to the registration of respiratory therapists.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed rules and regulations. All interested parties may submit comments prior to the hearing to the Board of Healing Arts at the address above. All interested parties will be given a reasonable opportunity to present their views, orally or in writing, concerning the adoption of the proposed regulations during the hearing. In order to give all persons an opportunity to present their views, it may be necessary to request each participant to limit any oral presentations to five minutes.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulations and economic impact statements in an accessible format. Request for accommodation should be made at least five working days in advance of the hearing by contacting Pamela Dawes at (913) 291-3684. Handicapped parking is located at the west end of the Hutton Building, and the northwest entrance to the building is accessible.

Summaries of the proposed amended regulations and their economic impact follow:

100-55-1. Application. This regulation specifies the information to be included on an application for registration as a respiratory therapist.

100-55-2. Education requirements. This regulation specifies the educational programs for respiratory therapists which shall be approved by the board.

100-55-3. Examinations. This regulation specifies the examination required to be passed by all applicants to be registered as a respiratory therapist.

100-55-4. Fees. This regulation establishes the fees to be collected by the board for initial registration of respiratory therapists and also for temporary registrations, renewal, late renewal, reinstatement and for providing certified copies of registration.

100-55-5. Unprofessional conduct defined. This regulation defines 24 specific grounds which would constitute unprofessional conduct by a respiratory therapist.

100-55-6. Registration; renewal; late renewal and reinstatement. This regulation specifies the requirements for renewal of registrations, late renewals and reinstatement of registrations.

100-55-7. Continuing education; registration renewal. This regulation specifies the minimum continuing education requirements to be fulfilled for renewal of registrations.

100-55-8. Reinstatement; expired and revoked registrations. This regulation specifies the minimum continu-

ing education requirements to be fulfilled to renew an expired registration and to reinstate a registration.

Summaries of the two proposed new rules and regulations and their economic impact are as follows:

100-55-9. Special permits. This regulation establishes the criteria which must be met for a student to hold a special permit.

100-55-10. Temporary registrations. This regulation specifies the requirements which must be met to obtain a second temporary registration.

The above regulations are all related to registration of respiratory therapists by the Kansas State Board of Healing Arts. There is no economic impact on state agencies or the general public. The economic impact on persons who wish to hold themselves out as respiratory therapists is a \$40 initial registration fee and \$30 annual renewal fee.

Copies of the proposed regulations and the associated economic impact statements may be obtained by contacting Betty Johnson, Kansas State Board of Healing Arts, 235 S. Topeka Blvd., Topeka, 66612, (913) 296-3680.

Lawrence T. Buening, Jr.
Executive Director

Doc. No. 017905

(Published in the Kansas Register July 18, 1996.)

Summary Notice of Bond Sale

\$12,100,000

Sedgwick County, Kansas

General Obligation Bonds

Series A, 1996

(General obligation bonds payable from unlimited ad valorem taxes)

Sealed Bids

Subject to the notice of bond sale dated July 10, 1996, sealed bids will be received by the director, Bureau of Finance of Sedgwick County, Kansas (the issuer), on behalf of the governing body at the Sedgwick County Courthouse, 525 N. Main, Suite 823, Wichita, KS 67203, until 9:30 a.m. C.D.T. July 31, 1996, for the purchase of \$12,100,000 principal amount of General Obligation Bonds, Series A, 1996. No bid of less than 99 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. The bonds will be dated August 1, 1996, and will become due on August 1 in the years as follows:

Year	Principal Amount
1997	\$ 950,000
1998	975,000
1999	1,000,000
2000	1,025,000
2001	1,025,000
2002	1,050,000
2003	1,050,000
2004	1,075,000
2005	1,075,000
2006	1,100,000
2007	325,000

2008	325,000
2009	350,000
2010	375,000
2011	400,000

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.

Optional Book-Entry-Only System

The successful bidder may elect to have the bonds registered under a book-entry-only system administered through DTC.

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a good faith deposit in the form of a cashier's or certified check drawn on a bank located in the United States of America or a qualified financial surety bond in the amount of \$242,000 (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 August 27, 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 \$2,469,601,639. The total general obligation indebtedness of the issuer as of the date of delivery of the bonds, including the bonds being sold but excluding temporary notes to be retired in conjunction therewith, is \$85,245,000.

Approval of Bonds

The bonds will be sold subject to the legal opinion of Gilmore & 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 Richard J. Hesse, Cash/Debt Management Coordinator, Sedgwick County Courthouse, Suite 823, 525 N. Main, Wichita, KS 67203, (316) 383-7591, fax (316) 383-7729.

Dated July 10, 1996.

Sedgwick County, Kansas

Doc. No. 017910

State of Kansas

State Corporation Commission

Correction Notice Concerning Hearing on Proposed Administrative Regulations

The notice of hearing on proposed permanent administrative regulations concerning the conservation of crude oil and natural gas, which was published in the Kansas Register June 27, 1996, contained an error. The last sentence of the second paragraph of the economic impact statement should have read: This equates to a .75 of one cent per barrel increase in oil and a .06 of one cent increase for 1,000 cubic feet of gas.

Judith McConnell
Executive Director

Doc. No. 017816

Application for Abandonment of Public Service:

Bonanza Energy Corporation)
East Main St.)
Benedict, KS 66714) MC ID No. 122365

Applicant's Attorney: None

Application for Certificate of Convenience and Necessity:

Roy O. Bretton, dba)
R & J Trucking)
661 East St.)
Phillipsburg, KS 67661) MC ID No. 153196

Applicant's Attorney: None

General commodities,

Between all points and places in the State of Kansas.

State of Kansas

State Corporation Commission

Notice of Motor Carrier Hearings

Applications set for hearing are to be heard at 9:30 a.m. August 6 before the State Corporation Commission, 1500 S.W. Arrowhead Road, Topeka.

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

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

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

Applications set for August 6, 1996

Application for Abandonment of Certificate of Public Service:

Lee N. Barber, dba)
Lee's Auto & Transmission)
Service)
7903 Metcalf)
Overland Park, KS 66204-3836) MC ID No. 122248

Applicant's Attorney: None

Application for Certificate of Convenience and Necessity:

Joseph Berta IV and Billy L.)
Maples, dba)
Cimarron Trucking)
Route 1, Box 171)
Lahoma, OK 73754) MC ID No. 214018

Applicant's Attorney: None

General commodities,

Between all points and places in the State of Kansas.

Application for Certificate of Public Service:

Lonny Brewer Auto Repair &)
Tow, Inc.)
404 N. East St.)
Paola, KS 66071) MC ID No. 153197

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

General commodities (restricted against the transportation of hazardous materials and household goods),

Between all points and places in the State of Kansas.

Application for Certificate of Public Service:

Richard P. Cornwell and)
Donna M. Grayson, dba)
Cornwell Towing)
201 S.W. Elmwood)
Topeka, KS 66606) MC ID No. 153200

Applicant's Attorney: None

Wrecked, disabled, repossessed and replacement vehicles,

Between all points and places in the State of Kansas.

Application for Abandonment of Public Service:

Edgar E. Crome, dba)
Crome Truck Line)
808 2nd Road)
Bremen, KS 66412) MC ID No. 100474

Applicant's Attorney: None

Application for Abandonment of Public Service:

Glenn E. Frye, dba)
Frye Motor Co.)
414 Main St.)
Haddam, KS 66944) MC ID No. 121316

Applicant's Attorney: None

Application for Name Change for Certificate of Public Service:

Grain & Gravel Express, LLC)
13565 County Road 49)
Burlington, CO 80807) MC ID No. 151455
TO:
Grain & Gravel Express, Ltd
13565 County Road 49
Burlington, CO 80807

Applicant's Attorney: None

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

Between all points and places in the State of Kansas.

Application for Certificate of Public Service:

Harvey Herra, dba)
Herra Trucking)
Route 1)
Linn, KS 66953) MC ID No. 153543

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

General commodities (except hazardous materials and household goods),

Between all points and places in the State of Kansas.

Application for Abandonment of Public Service:

Tommy L. Long, dba)
Tom's Service Center)
1103 W. 21st)
Topeka, KS 66604-3011) MC ID No. 121350

Applicant's Attorney: None

Application for Certificate of Public Service:

Love Transport Co., Inc.)
700 E. 37th St. North)
Wichita, KS 67219) MC ID No. 103893

Applicant's Attorney: None

General commodities (except household goods and hazardous materials),

Between all points and places in the State of Kansas.

Application for Certificate of Public Service:

Marcy A. Mink, dba)
Fast Eddies Tow Service)
4639 Parallel)
Kansas City, KS 66102) MC ID No. 153199

Applicant's Attorney: None

*Wrecked, disabled, repossessed and replacement vehicles,
Between all points and places in the State of Kansas.*

Application for Abandonment of Public Service:

Petroleum Express)
Transportation, Inc.)
617 E. Emma Ave.)
Springdale, AR 72764) MC ID No. 147674

Applicant's Attorney: None

Application for Abandonment of Public Service:

Otis C. Schaffer)
1510 St. John)
Garden City, KS 67846-5060) MC ID No. 105297

Applicant's Attorney: None

Application for Abandonment of Public Service:

Scrivner of Kansas, Inc.)
124 E. 5th)
Concordia, KS 66901-2218) MC ID No. 114994

Applicant's Attorney: None

Application for Certificate of Public Service:

Western Liquid Express, Inc.)
4490 N.W. Silver Lake Road)
Topeka, KS 66618) MC ID No. 150267

Applicant's Attorney: None

General commodities (except household goods),

Between all points and places in the State of Kansas.

Application for Certificate of Public Service:

Jeffery D. Wyss, dba)
Wyss Ranch and Hay)
Route 1, Box 86)
Florence, KS 66851) MC ID No. 153198

Applicant's Attorney: None

General commodities (except household goods and explosives),

Between all points and places in the State of Kansas.

Don Carlile
Administrator
Transportation Division

Doc. No. 017907

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, July 29, 1996

- 31939
University of Kansas—Yogurt (chilled)
- 31940
Pittsburg State University—Mental health services
- 31948
Department of Wildlife and Parks—Motorgrader and dozer service, Elk City Wildlife Area
- 31952
University of Kansas—Natural gas
- 04368
Kansas State Fair—Front deck riding mower

Tuesday, July 30, 1996

- 31942
Emporia State University—Printing of "Spotlight"
- 31944
Department of Transportation—Maintenance on printing press
- 31945
Statewide—Paging services
- 04369
Kansas State University—Noncarbonated drink bases
- 04370
Emporia State University—Musical equipment (piano)

Wednesday, July 31, 1996

- A-7887
Kansas Bureau of Investigation—Lighting/electrical modifications, Headquarters Building
- A-7928
University of Kansas—New door hardware, Watkins Student Health Center
- 31943
Statewide—Printing and offset duplicating supplies
- 31954
Statewide—Bakery products

Thursday, August 1, 1996

- A-7936
Department of Administration, Division of Facilities Management—Capitol Complex, parking lot repairs
- 31953
Kansas Highway Patrol—Lightbars
- 04381
Adjutant General's Department—Furnish and install fencing materials
- 04382
Adjutant General's Department—Furnish all labor and materials for utility and electric meter installation, Fort Leavenworth

04384

Kansas State University—Furnish and install fencing materials, De Soto

04385

Department of Wildlife and Parks—Construct fish kettle structures

04386

El Dorado Correctional Facility—Bedsprad/blanket

04387

Kansas State University—Mini blinds

04388

Division of Printing—Bookcover cloth

Friday, August 2, 1996

04371

El Dorado Correctional Facility—Pipe rollers

04372

Kansas Correctional Industries—Northern hard maple

04373

Kansas State University—Steel expansion tank

04374

Kansas State University—Furnish and install carpet and cove base

04375

Kansas State University—High speed color copier

04376

Division of Printing—Tax return envelopes

Tuesday, August 13, 1996

A-7849

Emporia State University—HVAC modifications, Vissar, Cremer and King Halls

A-7858 Rev.

University of Kansas—CFC improvements, printing services

Wednesday, August 14, 1996

A-7732 and A-7733

Kansas State School for the Blind—Renovate pool and lights, Brighton Recreation Center

A-7937

Department of Wildlife and Parks—Repair and stabilization, Adobe House, Prairie Dog State Park, Norton

04383

Adjutant General's Department—Renovation of OMS #9

Friday, August 30, 1996

31936

Fort Hays State University—Property insurance

Request for Proposals

Tuesday, August 20, 1996

31932

On-line gaming system and related services for the Kansas Lottery

John T. Houlihan
Director of Purchases

Doc. No. 017908

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.

Monday, August 5, 1996

727013

Bed casters

727014

Animal caging items

Barbara Lockhart
Purchasing Director

Doc. No. 017901

State of Kansas

Department of Administration
Division of Architectural Services

Notice of Commencement of
Negotiations for Engineering Services

Notice is hereby given of the commencement of negotiations for engineering services for the upgrade of the fire protection/notification systems at Topeka Correctional Facility housing units. This project scope is to bring the existing five dormitory buildings at Topeka Correctional Facility into compliance with current building codes for fire protection. The engineer should be able to present options for review by the committee. Once an option is selected, the engineering firm will provide complete professional services for the design and construction of the project.

For information regarding the scope of services, contact Michael E. Gaito, Manager, Capital Improvements and Facility Maintenance, (913) 296-5187.

If interested, an original and six copies of the SF 255 form (plus relevant attachments of information regarding similar projects) should be submitted. These submittals should be concise, relevant to the project and follow the State Building Advisory Commission guidelines for submittal. Copies of the guidelines have previously been distributed to firms; if copies of the guidelines are required, contact Gary Grimes, Division of Architectural Services, 625 Polk, Topeka, 66603, (913) 233-9367. Submittals not complying with the guidelines will be returned without consideration.

Expressions of interest and the SF 255 submittals should be received by Gary Grimes before 5 p.m. August 2.

Thaine Hoffman, AIA
Director, Division of
Architectural Services

Doc. No. 017892

State of Kansas

Board of Emergency Medical Services

Notice of Meeting

The Board of Emergency Medical Services will meet at 9 a.m. Friday, August 2, at the Pozez Education Center, Stormont-Vail Medical Center, 1500 S.W. 10th, Topeka. Agenda items include committee reports and action on the FY 1998 budget.

All meetings of the board are open to the public. For more information, contact the administrator at 109 S.W. 6th, Topeka, 66603, (913) 296-7296.

Bob McDaneld
Administrator

Doc. No. 017896

State of Kansas

Department of Administration
Division of Architectural Services

Notice of Commencement of Negotiations
for Architectural/Engineering Services

Notice is hereby given of the commencement of negotiations for architectural/engineering services for the upgrade of the locking system in "A" Cellhouse at El Dorado Correctional Facility. This project scope is the replacement of the current sliding slam type locking system installed on 128 cells in "A" Cellhouse with a fully electric sliding locking system. The selected firm needs to review the existing system, report to the committee on the status of the current system, and make recommendations on how to upgrade it to a fully electric locking system. If approved, the firm will then provide full design and construction administration services.

For information regarding the scope of services, contact Michael E. Gaito, Manager, Capital Improvements and Facility Maintenance, (913) 296-5187.

If interested, an original and six copies of the SF 255 form (plus relevant attachments of information regarding similar projects) should be submitted. These submittals should be concise, relevant to the project and follow the State Building Advisory Commission guidelines for submittal. Copies of the guidelines have previously been distributed to firms; if copies of the guidelines are required, contact Gary Grimes, Division of Architectural Services, 625 Polk, Topeka, 66603, (913) 233-9367. Submittals not complying with the guidelines will be returned without consideration.

Expressions of interest and the SF 255 submittals should be received by Gary Grimes before 5 p.m. August 2.

Thaine Hoffman, AIA
Director, Division of
Architectural Services

Doc. No. 017893

State of Kansas

Pooled Money Investment Board

Notice of Investment Rates

The following rates are published in accordance with K.S.A. 1995 Supp. 75-4210, as amended by 1996 Senate Bill No. 476. These rates and their uses are defined in K.S.A. 1995 Supp. 12-1675(b)(c)(d), and K.S.A. 1995 Supp. 75-4201(l) and 75-4209(a)(1)(B), as amended by 1996 Senate Bill 476.

Effective 7-22-96 through 7-28-96	
Term	Rate
0-90 days	5.19%
3 months	5.26%
6 months	5.54%
9 months	5.81%
12 months	5.94%
18 months	6.16%
24 months	6.24%
36 months	6.46%
48 months	6.58%

William E. Lewis
Chairman

Doc. No. 017890

State of Kansas

Department of Administration
Division of Architectural ServicesNotice of Commencement of
Negotiations for Engineering Services

Notice is hereby given of the commencement of negotiations for engineering services for the replacement of the thermal piping at El Dorado Correctional Facility. The thermal piping system consists of steam, condensate, compressed air, softened water, chilled water and chilled water return with distribution of the systems across the facility. This project is for the design and construction administration for the replacement of those lines.

The consultant shall present at least two options for the replacement of the utilities, including cost estimates. The replacement system to be utilized will take into consideration the security and occupancy aspects of the facility. Improvements in the electrical distribution for the facility also will be studied and included. The consultant will be called upon to evaluate the condition of the existing piping systems and make recommendations as to its replacement or reuse. Temporary utilities required for the replacement shall be included. The owner will select one of the designs or a variation to proceed with through final design and construction. The project will proceed over a number of fiscal years until the replacement is completed, requiring phasing of construction.

For information regarding the scope of services, contact Michael E. Gaito, Manager, Capital Improvements and Facility Maintenance, (913) 296-5187.

If interested, an original and six copies of the SF 255 form (plus relevant attachments of information regarding similar projects) should be submitted. These submittals should be concise, relevant to the project and follow the State Building Advisory Commission guidelines for sub-

mittal. Copies of the guidelines have previously been distributed to firms; if copies of the guidelines are required, contact Gary Grimes, Division of Architectural Services, 625 Polk, Topeka, 66603, (913) 233-9367. Submittals not complying with the guidelines will be returned without consideration.

Expressions of interest and the SF 255 submittals should be received by Gary Grimes before 5 p.m. August 2.

Thaine Hoffman, AIA
Director, Division of
Architectural Services

Doc. No. 017891

State of Kansas

Department of Health
and Environment

Request for Comments

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality operating permit. Graphic Technology, Inc. has applied for a Class II operating permit in accordance with the provisions of K.A.R. 28-19-540. Emissions of VOCs, individual HAPs and combined HAPs were evaluated during the permit review process. The purpose of a Class II permit is to limit the potential-to-emit for these pollutants to below major source thresholds.

Graphic Technology, Inc., New Century, owns and operates a commercial printing operation.

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 Johnson County Environmental Department, 11180 Thompson Ave., Lenexa. To obtain or review the proposed permit and supporting documentation, contact Troy B. Percival, (913) 296-6439, at the KDHE central office, or Mike Boothe, (913) 492-0402, at the Johnson County Environmental Department. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Troy B. Percival, KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, 66620. Written comments must be received by the close of business August 19 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 August 19 in order for the Secretary of Health and Environment to consider the request.

James J. O'Connell
Secretary of Health
and Environment

Doc. No. 017898

State of Kansas

Continuing Legal Education Commission

Notice of Meeting

The Kansas Continuing Legal Education Commission will meet at noon Friday, July 19, in Suite 202, 400 S. Kansas Ave., Topeka.

Ronald M. Keefover
Education-Information Officer

Doc. No. 017895

State of Kansas

Department of Health and Environment

Request for Comments

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality operating permit. Wall-Rogalsky Milling Company has applied for a Class II operating permit in accordance with the provisions of K.A.R. 28-19-540. Emissions of PM₁₀ were evaluated during the permit review process. The purpose of a Class II permit is to limit the potential-to-emit for these pollutants to below major source thresholds.

Wall-Rogalsky Milling Company owns and operates a wheat flour milling processing facility located at 416 N. Main, McPherson.

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 north central district office, 2501 Market Place, Salina. To obtain or review the proposed permit and supporting documentation, contact Cheryl Evans, (913) 296-6438, at the KDHE central office, or Rick Brunetti, (913) 827-9639, at the KDHE north central district office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Cheryl Evans, KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, 66620. Written comments must be received by the close of business August 19 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 August 19 in order for the Secretary of Health and Environment to consider the request.

James J. O'Connell
Secretary of Health and Environment

Doc. No. 017903

State of Kansas

Department of Health and Environment

Public Notice

The Kansas Department of Health and Environment has received and reviewed a request to vertically expand the McPherson County municipal solid waste landfill. The McPherson County landfill is located 7 miles north of McPherson on Highway 81 and 3/4 of a mile east of Highway 81 at 1481 Pueblo Road, McPherson. The McPherson County landfill is owned by McPherson County and operated by the McPherson Area Solid Waste Utility.

The requested vertical expansion would allow the landfill to operate after October 9, 1996, without the construction of a lined cell and allow an increase in height of the currently operating cell from the original maximum permitted elevation of 1,525 feet above mean sea level to 1,532 feet above mean sea level. KDHE is providing public notice of its intent to modify the existing municipal solid waste landfill permit for the McPherson landfill to allow the vertical expansion of the currently operating cell for a five-year period.

A copy of the administrative record, which includes the draft amended permit, and all information regarding this permit action is available for public review from July 26 to August 30 during normal business hours, 8 a.m. to 5 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

McPherson Area Solid Waste Utility
115 E. Marlin
McPherson, 67460
Contact: Scott Fitch
(316) 241-6559

Anyone wishing to comment on the draft amended permit or permit amendment request should submit written statements postmarked by August 30 to Miles Stotts at the KDHE Forbes Field address.

A public hearing will be conducted in conjunction with the public comment period. The hearing has been scheduled for 11 a.m. August 28 in the third floor courtroom of the McPherson County Courthouse, 117 N. Maple, McPherson. After consideration of all comments received, the director of the Division of the 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. 017899

State of Kansas

Department of Health
and Environment

Request for Comments

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

Emporia State University owns and operates a series of boilers for building heat.

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 Cheryl Evans, (913) 296-6438, 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 Cheryl Evans, KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, 66620. Written comments must be received by the close of business August 19 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 August 19 in order for Secretary of Health and Environment to consider the request.

James J. O'Connell
Secretary of Health
and Environment

Doc. No. 017900

State of Kansas

Department of Health
and Environment

Request for Comments

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality operating permit. Lone Star Industries has applied for a Class II operating permit in accordance with the provisions of K.A.R. 28-19-540. Emissions of PM₁₀ were evaluated during the permit review process. The purpose of a Class II permit is to limit the potential-to-emit for these pollutants to below major source thresholds.

Lone Star Industries owns and operates a cement bulk terminal located at 330 E. Kechi Road, Kechi.

A copy of the proposed permit, permit application, all supporting nonconfidential documentation and all infor-

mation 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 Wichita-Sedgwick County Department of Community Health, 1900 E. 9th, Wichita. To obtain or review the proposed permit and supporting documentation, contact Cheryl Evans, (913) 296-6438, at the KDHE central office, or Fred Spencer, (316) 268-8448, at the Wichita-Sedgwick County Department of Community Health. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Cheryl Evans, KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, 66620. Written comments must be received by the close of business August 19 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 August 19 in order for the Secretary of Health and Environment to consider the request.

James J. O'Connell
Secretary of Health
and Environment

Doc. No. 017904

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-96-261/306

Name and Address of Applicant	Legal Description	Receiving Water
Terry Mendenhall P.O. Box 45A Gove, KS 67736	S/2, Sec. 28, T13S, R28W, Gove County	Smoky Hill River Basin

Kansas Permit No. A-SHGO-B013

This is an existing facility for 800 head (800 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
Zenity Project, L.L.C. Dr. Steve Henry 320 N.E. 14th Abilene, KS 67410	SE/4, Sec. 1, T18S, R7W, Rice County	Little Arkansas River Basin

Kansas Permit No. A-LARC-S005

This is a new facility for 1,426 head (570.4 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: The waste management plan developed by designer and approved by the department shall be adhered to as a condition of this permit. The plan calls for nutrient analysis of both liquids and solids with applications to meet crop nutrient needs. If wastes are not analyzed for nutrient content, wastewater shall be applied at not greater than 1.1 acre inch per acre per year.

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 240 gallons per minute and dispersing the wastewater over 96 acres of land suitable for waste application. Written verification of the acquisition of the equipment shall be submitted to the department.

Copies of the written agreements for the additional 850 acres of land to conduct wastewater disposal activities shall be submitted to the department by October 1, 1996. They shall be submitted to the Kansas Department of Health and Environment, North Central District, 2501-D, Salina, KS 67401.

Name and Address of Applicant	Legal Description	Receiving Water
Lloyd Klassen Klassen, Inc. Route 1, Box 40 Hillsboro, KS 67063	SW/4, Sec. 4, T19S, R2E, Marion County	Neosho River Basin

Kansas Permit No. A-NEMN-M020 Federal Permit No. KS-0092801

This is an existing expansion facility for 500 head (700 animal units) of dairy cows and 400 replacements (400 animal units) for a total of 1,100 animal units.

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: The waste management plan developed by the designer and approved by the department shall be adhered to as a condition of this permit. The plan calls for nutrient analysis of both liquids and solids with applications to meet crop nutrient needs. If wastes are not analyzed for nutrient content, wastewater shall be applied at not greater than 1.2 acre inch per acre per year and solids shall be applied at not greater than 19 ton per acre from concrete storage pits and 10 tons per acre from open lots.

Name and Address of Applicant	Legal Description	Receiving Water
Steve Eck Route 1, Box 46 Sharon, KS 67138	NW/4, Sec. 22, T32S, R10W, Barber County	Lower Arkansas River Basin

Kansas Permit No. A-ARBA-M004

This is an existing facility for 125 head (175 animal units) of dairy cattle.

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

Compliance Schedule: None, existing controls adequate.

Name and Address of Applicant	Legal Description	Receiving Water
York Brothers-Dwight York P.O. Box 218 Healy, KS 67850	NW/4, Sec. 9, T17S, R30W, Lane County	Upper Arkansas River Basin

Kansas Permit No. A-UALE-B004

This is an existing facility for 850 head (850 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: None, existing controls adequate.

Name and Address of Applicant	Legal Description	Receiving Water
Deryll Amstutz Route 2, Box 42 Hillsboro, KS 67063	NW/4, Sec. 31, T20S, R2E, Marion County	Neosho River Basin

Kansas Permit No. A-NEMN-H001 Federal Permit No. KS-0088218

This is an existing facility for 3,600 head (1,440 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: Due to the large capacity of the lagoons, dewatering equipment is not required at this time. However, when liquid level in the second cell reaches within 11 inches of the top (elevation 1,469 ft. or 11 ft. of depth), a written rental agreement must be obtained stating dewatering equipment will be available at any time needed. The equipment must have at least 265 gallon per minute capacity and be able to distribute water over 20 acres. The agreement shall be submitted to this department within 30 days of its consummation.

Name and Address of Applicant	Legal Description	Receiving Water
Sagebrush Feeders, Inc. P.O. Box 137 Ingalls, KS 67853	NE/4, Sec. 10, T26S, R28W, Gray County	Upper Arkansas River Basin

Kansas Permit No. A-UAGY-C009 Federal Permit No. KS-0086941

This is an existing facility for 4,995 head (4,995 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: None, existing controls adequate.

Name and Address of Applicant	Legal Description	Receiving Water
Century Feeders, Inc. 6845 Road 17 Goodland, KS 67735	S/2, Sec. 35, T7S, R40W, Sherman County	Upper Republican River Basin

Kansas Permit No. A-URSH-C001 Federal Permit No. KS-0040592

This is an existing facility for 15,000 head (15,000 animal units) of cattle.

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

Compliance Schedule: None, existing controls adequate.

Name and Address of Applicant	Legal Description	Receiving Water
DeKalb Swine Breeders, Inc. 23179 #5 Road Plains, KS 67869	NW/4 & NE/4, Sec. 21, T33S, R31W, Seward County	Cimarron River Basin

Kansas Permit No. A-CISW-H002 Fed. Permit No. KS-0118559

This is an existing facility for 28,000 head (11,200 animal units) of swine.

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

(continued)

water storage capacity is provided, which meets or exceeds KDHE minimum requirements.

Compliance Schedule: Livestock wastes and soils at the application site shall be tested for nutrient content and application rates shall be based on crop nutrient needs.

Name and Address of Applicant	Legal Description	Receiving Water
Nelson Circles, Inc. Troy Nelson Route 2, Box 91 Lewis, KS 67552	SW/4, Sec. 21, T25S, R17W, Edwards County	Lower Arkansas River Basin

Kansas Permit No. A-ARED-C002 Federal Permit No. KS-0088251
This is an existing facility for 2,500 head (2,500 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: None, existing controls adequate.

Name and Address of Applicant	Legal Description	Receiving Water
Pioneer, Inc. James Keller Route 1, Box 69A Oakley, KS 67748	N/2 & SW/4, Sec. 18, & NW/4, Sec. 19, T11S, R 31W, Gove County	Smoky Hill River Basin

Kansas Permit No. A-SHGO-C003 Federal Permit No. KS-0115860
This is an existing facility for 40,000 head (40,000 animal units) of cattle.

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

Compliance Schedule: None, existing controls adequate.

Name and Address of Applicant	Legal Description	Receiving Water
Coake Feeding Company, Inc. P.O. Box 628 Dodge City, KS 67801	NE/4, Sec. 33, T26S, R24W, Ford County	Upper Arkansas River Basin

Kansas Permit No. A-UAFO-C003 Federal Permit No. KS-0115398
This is an existing facility for 6,000 head (6,000 animal units) of cattle.

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

Compliance Schedule: None, existing controls adequate.

Name and Address of Applicant	Legal Description	Receiving Water
Jody Nittler 405 Eldorado Ave. Medicine Lodge, KS 67104	SW/4, Sec. 10, T31S, R14W, Barber County	Arkansas River Basin

Kansas Permit No. A-ARBA-S001
This is an existing facility for 600 head (240 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
Lloyd R. Helwig Route 2, Box 142 Columbus, KS 66725	SW/4, Sec. 30, T33S, R25E, Cherokee County	Neosho River Basin

Kansas Permit No. A-NECK-S001
This is an existing facility for 1,000 head (400 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
Paul Krause Route 1, Box 42 Marienthal, KS 67863	SW/4, Sec. 13, T18S, R35W, Wichita County	Upper Arkansas River Basin

Kansas Permit No. A-UAWH-S001
This is an existing facility for 950 head (380 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
J.D. Nuss Route 2, Box 217 Jetmore, KS 67854	SW/4, Sec. 11, T21S, R25W, Hodgeman County	Upper Arkansas River Basin

Kansas Permit No. A-UAHG-B005
This is an existing facility for 800 head (800 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: None, existing controls adequate.

Name and Address of Applicant	Legal Description	Receiving Water
Seidl Dairy 2659 S. 231 W. Goddard, KS 67052	Sec. 2, T28S, R3W, Sedgwick County	Lower Arkansas River Basin

Kansas Permit No. A-ARSG-M022
This is an existing facility for 100 head (140 animal units) of dairy cattle.

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

Compliance Schedule: None, existing controls adequate.

Name and Address of Applicant	Legal Description	Receiving Water
R & V Hog Farm Vaughn Martin 5160 N. 231 W. Andale, KS 67001	NW/4, Sec. 24, T26S, R3W, Sedgwick County	Lower Arkansas River Basin

Kansas Permit No. A-LASG-S003
This is an existing facility for 500 head (200 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
Cedar Lawn Swine Farm Bill Budde 4504 N.E. 36th Newton, KS 67114	NE/4, Sec. 36, T22S, R1E, Harvey County	Lower Arkansas River Basin

Kansas Permit No. A-LAHV-S013
This is an existing facility for 2,000 head (800 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
Byron Bergkamp 12502 E. Boundary Road Mt. Hope, KS 67108	SE/4, Sec. 22, T26S, R4W, Reno County	Arkansas River Basin

Kansas Permit No. A-ARRN-M006

This is an existing facility for 25 head (35 animal units) of dairy cattle.
Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided, which meets or exceeds KDHE minimum requirements.

Compliance Schedule: None, existing controls adequate.

Name and Address of Applicant	Legal Description	Receiving Water
Klein Dairy Phil Klein P.O. Box 244 Garden Plain, KS 67050	NE/4, Sec. 17, T27S, R3W, Sedgwick County	Arkansas River Basin

Kansas Permit No. A-ARSG-M012

This is an existing facility for 120 head (168 animal units) of dairy cattle.
Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided, which meets or exceeds KDHE minimum requirements.

Compliance Schedule: None, existing controls adequate.

Name and Address of Applicant	Legal Description	Receiving Water
Elbert E. Esau 13766 N.W. Remington Road Newton, KS 67114	NE/4, Sec. 25, T23S, R3E, Butler County	Walnut River Basin

Kansas Permit No. A-WABU-S013

This is an existing facility for 125 head of cattle (125 animal units) and 300 head of swine (120 animal units).

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
Big M Farm C.G. McGinn 6618 S. Ridge Road Sedgwick, KS 67135	SW/4, Sec. 15, T24S, R1W, Harvey County	Little Arkansas River Basin

Kansas Permit No. A-LAHV-S015

This is an existing facility for 900 head (360 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
Zabel Swine Farm Dwayne Zabel Route 2, Box 96 Belle Plaine, KS 67013	NE/4, Sec. 36, T30S, R1W, Sumner County	Lower Arkansas River Basin

Kansas Permit No. A-ARSU-S007

This is an existing facility for 1,000 head (400 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
Hillman Farms Larry Hillman 33115 W. 47th St. South Cheney, KS 67025	NE/4, Sec. 23, T28S, R4W, Sedgwick County	Arkansas River Basin

Kansas Permit No. A-ARSG-M016

This is an existing facility for 250 head (350 animal units) of dairy cattle.

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

Compliance Schedule: None, existing controls adequate.

Name and Address of Applicant	Legal Description	Receiving Water
Lloyd E. Willhite 4837 S.E. Flinthills Road Rosalia, KS 67132	SE/4, Sec. 26 & SW/4, Sec. 36, T26S, R7E, Butler County	Walnut River Basin

Kansas Permit No. A-WABU-S029

This is an existing facility for 650 head (260 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
DJ Dairy Co. Jim Pauly Route 1, Box 130 Viola, KS 67149	NW/4, Sec. 1, T29S, R3W, Sedgwick County	Arkansas River Basin

Kansas Permit No. A-ARSG-M011

This is an existing facility for 130 head (182 animal units) dairy 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: None, existing controls adequate.

Name and Address of Applicant	Legal Description	Receiving Water
Gus Rahjes & Sons, Inc. Route 1, Box 94 Agra, KS 67621	NE/4, Sec. 6, T4S, R16W, Phillips County	Solomon River Basin

Kansas Permit No. A-SOPL-S009

This is an existing facility for 600 head (240 animal units) 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
Gus Rahjes & Sons, Inc. Route 1, Box 94 Agra, KS 67621	NW/4, Sec. 34, T3S, R17W, Phillips County	Solomon River Basin

Kansas Permit No. A-SOPL-S017

This is an existing facility for 999 head (400 animal units) 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
Kelly McKenzie Route 3, Box 2 Smith Center, KS 66967	NW/4, Sec. 35, T3S, R13W, Smith County	Solomon River Basin

Kansas Permit No. A-SOSM-B008

This is an existing facility for 500 head (500 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.

(continued)

Compliance Schedule: None, existing controls adequate.

Name and Address of Applicant	Legal Description	Receiving Water
CJB Cox Farms Jerry Cox Route 1, Box 33 Long Island, KS 67647	E/2, Sec. 27, T1S, R20W, Phillips County	Upper Republican River Basin

Kansas Permit No. A-URPL-S001

This is an existing facility for 2,000 head (800 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
Bretz & Bretz Kenneth Bretz Box 224 Lucas, KS 67648	SW/4, Sec. 34, T11S, R11W, Russell County	Saline River Basin

Kansas Permit No. A-SARS-S002

This is an existing facility for 300 head (120 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
Dan Ochs Route 2, Box 25 Grainfield, KS 67737	NE/4, Sec. 25, T9S, R28W, Sheridan County	Saline River Basin

Kansas Permit No. A-SASD-B007

This is an existing facility for 999 head (999 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: None, existing controls adequate.

Name and Address of Applicant	Legal Description	Receiving Water
Duane Doyle Route 1, Box 84 Lebanon, KS 66952	NE/4, Sec. 23, T15S, R11W, Smith County	Lower Republican River Basin

Kansas Permit No. A-LRSM-M001

This is an existing facility for 175 head (245 animal units) of dairy cattle.

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

Compliance Schedule: None, existing controls adequate.

Name and Address of Applicant	Legal Description	Receiving Water
Alderman Livestock Corp. 1684 Ave. M Lyons, KS 67554	NE/4, Sec. 3, T20S, R8W, Rice County	Lower Arkansas River Basin

Kansas Permit No. A-ARRC-B003

This is an existing facility for 800 head (800 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: None, existing controls adequate.

Name and Address of Applicant	Legal Description	Receiving Water
Stanley A. Johnson 2288 Cimarron Road Galva, KS 67443	SE/4, Sec. 26, T20S, R2W, McPherson County	Little Arkansas River Basin

Kansas Permit No. A-LAMP-M010

This is an existing facility for 80 head (112 animal units) of dairy cattle.

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

Compliance Schedule: None, existing controls adequate.

Name and Address of Applicant	Legal Description	Receiving Water
Wiebe Brothers Dairy Justin and Jas Wiebe Route 1, Box 41A Durham, KS 67438	SW/4, Sec. 8, T18S, R2E, Marion County	Neosho River Basin

Kansas Permit No. A-NEMN-M011

This is an existing facility for 168 head (235 animal units) of dairy cattle.

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

Compliance Schedule: None, existing controls adequate.

Name and Address of Applicant	Legal Description	Receiving Water
Larry Dennis Route 1, Box 162 Kensington, KS 66951	NE/4, Sec. 26, T1S, R16W, Phillips County	Solomon River Basin

Kansas Permit No. A-SOPL-S018

This is an existing facility for 200 head (120 animal units) of swine and 25 head (35 animal units) of dairy cattle.

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

Compliance Schedule: None, existing controls adequate.

Name and Address of Applicant	Legal Description	Receiving Water
Sunrise Farms Robert M. Leroy 131 N.W. 60th Ave. Great Bend, KS 67530	SW/4, Sec. 20, T19S, R14W, Barton County	Upper Arkansas River Basin

Kansas Permit No. A-UABT-S003

This is an existing facility for 650 head (260 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
Hiss, Inc. Jim Hiss Route 4, Box 17 Great Bend, KS 67530	NW/4, Sec. 25, T19S, R14W, Barton County	Upper Arkansas River Basin

Kansas Permit No. A-UABT-M001

This is an existing facility for 600 head (840 animal units) of dairy cattle.

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

Compliance Schedule: None, existing controls adequate.

Name and Address of Applicant	Legal Description	Receiving Water
W & S Ranch, Inc. Route 3, Box 1B Smith Center, KS 66967	NW/4, Sec. 26, T3S, R13W, Smith County	Solomon River Basin

Kansas Permit No. A-SOSM-B012

This is an existing facility for 700 head (700 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.

water 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
Buck Creek Farms Henry Pakkebie & Sons HC 63, Box 138 Lenora, KS 67645	SE/4, Sec. 31, T4S, R21W, Norton County	Solomon River Basin

Kansas Permit No. A-SONT-S002

This is an existing facility for 700 head (280 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
Don Norden Route 1, Box 36 Kensington, KS 66951	SW/4, Sec. 13, T4S, R16W, Phillips County	Solomon River Basin

Kansas Permit No. A-SOPL-S013

This is an existing facility for 2,000 head (800 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
Cox's Valley View Farms, Inc. Route 2, Box 10 Long Island, KS 67647	SW/4, Sec. 13, T1S, R20W, Phillips County	Upper Republican River Basin

Kansas Permit No. A-URPL-S007

This is an existing facility for 400 head (160 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
Hillside Dairy John Maxwell Route 2, Box 104 Atwood, KS 67730	Sec. 23, T3S, R35W, Rawlins County	Upper Republican River Basin

Kansas Permit No. A-URRA-M002

This is an existing facility for 100 head (140 animal units) of dairy cattle.

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

Compliance Schedule: None, existing controls adequate.

Name and Address of Applicant	Legal Description	Receiving Water
Taylor Ranch Harold Taylor Route 1, Box 81 Hoxie, KS 67740	NW/4, Sec. 23, T8S, R27W, Sheridan County	Solomon River Basin

Kansas Permit No. A-SOSD-B002

This is an existing facility for 900 head (900 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: None, existing controls adequate.

Public Notice No. KS-96-113/126

Name and Address of Applicant	Waterway	Type of Discharge
City of Admire City Hall P.O. Box 115 Admire, KS 66830	142 Mile Creek via Hill Creek	Treated domestic wastewater
Kansas Permit No. M-MC01-0001		Fed. Permit No. KS-0081795
Location: NE¼, S29, T16S, R12E, Lyon County		

Name and Address of Applicant	Waterway	Type of Discharge
City of Alden P.O. Box 25 Alden, KS 67512	Lower Arkansas River	Treated domestic wastewater
Kansas Permit No. M-AR02-0001		Fed. Permit No. KS-0051641
Location: SE¼, S9, T21S, R9W, Rice County		

Name and Address of Applicant	Waterway	Type of Discharge
City of Altamont. P.O. Box 305 Altamont, KS 67330	Neosho River via Labette Creek via Hackberry Creek via Deer Creek	Treated domestic wastewater
Kansas Permit No. M-NE01-0001		Fed. Permit No. KS-0045918
Location: SE¼, S11, T33S, R19E, Labette County		

Name and Address of Applicant	Waterway	Type of Discharge
City of Cherokee P.O. Box 34 Cherokee, KS 66724	Lightning Creek via Limestone Creek via Wolf Creek	Treated domestic wastewater
Kansas Permit No. M-NE12-0001		Fed. Permit No. KS-0081230
Location: SE¼, S13, T31S, R23E, Crawford County		

Name and Address of Applicant	Waterway	Type of Discharge
City of Colony P.O. Box 68 Colony, KS 66015	Deer Creek via unnamed tributary	Treated domestic wastewater
Kansas Permit No. M-NE14-0001		Fed. Permit No. KS-0116122
Location: NE¼, S6, T23S, R19E, Anderson County		

Name and Address of Applicant	Waterway	Type of Discharge
City of Hepler City Hall Hepler, KS 66746	Neosho River via Walnut Creek via unnamed tributary	Treated domestic wastewater
Kansas Permit No. M-NE34-0001		Fed. Permit No. KS-0028533
Location: NE¼, S35, T27S, R22E, Crawford County		

Name and Address of Applicant	Waterway	Type of Discharge
City of Kincaid City Clerk Kincaid, KS 66039	N. Fork L. Osage River via unnamed tributary	Treated domestic wastewater
Kansas Permit No. M-MC17-0001		Fed. Permit No. KS-0080578
Location: SW¼, S31, T22S, R21E, Anderson County		

Name and Address of Applicant	Waterway	Type of Discharge
City of Robinson City Clerk Robinson, KS 66532	Wolf Creek	Treated domestic wastewater
Kansas Permit No. M-MO17-0001		Fed. Permit No. KS-0047546
Location: SE¼, S4, T3S, R18E, Brown County		

(continued)

Name and Address of Applicant	Waterway	Type of Discharge
City of Wathena City Clerk P.O. Box 27 Wathena, KS 66090	Missouri River via unnamed tributary	Treated domestic wastewater
Kansas Permit No. M-MO23-0001		Fed. Permit No. KS-0026158
Location: SW $\frac{1}{4}$, S34, T3S, R22E, Doniphan County		

Name and Address of Applicant	Waterway	Type of Discharge
Jerry and Peggy Baze Bradford Acres P.O. Box 467 Pittsburg, KS 66762	Spring Creek via Cow Creek via unnamed tributary	Treated domestic wastewater
Kansas Permit No. C-NE67-0001		Fed. Permit No. KS-0082392
Location: Route 1, Weir, KS/NE $\frac{1}{4}$, S19, T31S, R25E, Cherokee County		

Facility Description: For the facilities listed above (Public Notice KS-96-113/122), the proposed action is for reissuance of existing permits for operation of existing wastewater treatment lagoon facilities treating domestic wastewater. The effluent limitations are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria, and are technology based.

Name and Address of Applicant	Waterway	Type of Discharge
University Park SD Riley County Public Works 110 Courthouse Plaza Manhattan, KS 66502	Tuttle Creek Reservoir	Treated domestic wastewater
Kansas Permit No. C-BB25-0002		Fed. Permit No. KS-0079243
Location: 2 Facilities / NW $\frac{1}{4}$ and NE $\frac{1}{4}$, S12, T8S, R6E, Riley County		

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

Name and Address of Applicant	Waterway	Type of Discharge
City of Wellington 317 S. Washington Ave. Wellington, KS 67152	Slate Creek	Treated domestic wastewater
Kansas Permit No. M-AR92-0001		Fed. Permit No. KS-0020869
Location: NW $\frac{1}{4}$, S26, T32S, R1W, Sumner County		

Facility Description: The proposed action is for reissuance of an existing permit for operation of an existing wastewater treatment facility (two contact stabilization basins) treating domestic wastewater. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, ammonia, fecal coliform, pH, dissolved oxygen, biomonitoring (whole effluent toxicity), total residual chlorine, and monitoring for heavy metals, flow and priority pollutants. A schedule of compliance has been proposed for meeting the fecal coliform requirements. The effluent limitations are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria, and are water quality based.

Name and Address of Applicant	Waterway	Type of Discharge
Nelson Quarries, Inc. St. Paul Quarry 108 W. 8th LaHarpe, KS 66751	Neosho River via Flat Rock Creek via unnamed tributary	Pit dewatering and stormwater
Kansas Permit No. I-NE59-PO01		Fed. Permit No. KS-0092649
Legal: SE $\frac{1}{4}$, S24, T28S, R20E, Neosho County		

Facility Description: The proposed action is for issuance of a new permit for operation of a new quarry operation. This facility is engaged in the limestone quarrying and crushing but no washing. The effluent limitations are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria, and are technology based.

Name and Address of Applicant	Waterway	Type of Discharge
Waste Management of KS, Inc. 4800 Kaw Drive Kansas City, KS 66101	Kansas River via storm sewer	Abandoned quarry dewatering
Kansas Permit No. I-KS27-PO38		Fed. Permit No. KS-0090425
Location: 4800 Kaw Drive, Kansas City, KS		

Facility Description: The proposed action is for reissuance of an existing permit for dewatering an abandoned quarry being used for a municipal solid waste landfill. This facility is required by its city special-use permit to dewater an abandoned limestone mine beneath the landfill to control the water level below the landfill. Groundwater which has seeped into the mine from the adjacent geologic units is to be pumped and routed to a stormwater retention pond. The pond discharges into a storm sewer leading to the Kansas River. The maximum daily discharge is about 0.23 million gallons. The effluent limitations are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria, and are water quality based.

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 post-marked or received on or before August 16 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate public notice number (KS-AG-96-261/306, KS-96-113/126) and the name of applicant as listed when preparing comments.

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

The applications, proposed permits, including proposed effluent limitations and special conditions, fact sheets as appropriate, comments received, and other information are on file and may be inspected at the Kansas Department of Health and Environment offices, Building 283, Forbes Field, Topeka, from 8 a.m. to 4:30 p.m. Monday through Friday. The documents are available upon request at the copying cost assessed by KDHE. Additional copies of this public notice also may be obtained at the Division of Environment.

James J. O'Connell
Secretary of Health
and Environment

Doc. No. 017906

State of Kansas

Workforce Investment Partnership Council

Notice of Meeting

The Kansas Workforce Investment Partnership Council will meet from 9 a.m. to noon Thursday, July 25, at the Topeka-Shawnee County Public Library, 1515 S.W. 10th Ave., Topeka. The meeting is open to the public.

Wayne L. Franklin
Secretary of Human Resources

Doc. No. 017909

State of Kansas

Department of Wildlife and Parks

Permanent Administrative Regulations

Article 2.—FEES, REGISTRATIONS AND OTHER CHARGES

115-2-5. Trail access pass; requirement, fees, exceptions and general provisions. (a) Each individual 16 years of age and older using the Prairie Spirit rail trail or designated portions thereof, or trail systems on the Sand Hills state park or designated portions thereof, shall possess a trail access pass.

(b) The provisions of subsection (a) shall not apply to any individual using a trail system for which the trail access pass is required who is:

- (1) engaged in construction, development, operation, maintenance, concession or agricultural activities approved by the department in writing;
(2) engaged in emergency or law enforcement activities;
(3) engaged in official government business for a governmental entity;
(4) in possession of a special permit or pass issued by the secretary;
(5) engaged in news media activities as described in K.A.R. 115-18-6; or

(6) using the trail system during the period of time established by the secretary as free state park use days.

(c) The fee for a trail access pass shall be:

Table with 2 columns: Fee description and Amount. Annual trail access pass 10.00, Daily trail access pass 2.00

(d) Each annual trail access pass shall expire on December 31 of the year for which issued.

(e) Each daily trail access pass shall expire at 11:59 p.m. on the day for which it is issued.

(f) A trail access pass shall not be transferable.

(g) Each daily trail access pass shall be valid only for the trail system for which it is issued.

(h) A motor vehicle permit shall not be required to enter the Prairie Spirit rail trail or the Sand Hills state park.

(i) This regulation shall be effective on and after August 1, 1996. (Authorized by and implementing K.S.A. 32-807, K.S.A. 32-901 and K.S.A. 1995 Supp. 32-988; effective April 1, 1996; amended Aug. 2, 1996.)

Steven A. Williams
Secretary of Wildlife and Parks

Doc. No. 017888

State of Kansas

Animal Health Department

Temporary Administrative Regulations

Article 10.—PUBLIC LIVESTOCK MARKETS

9-10-31. Occasional livestock sale fees. The annual fee for an occasional livestock sales license shall be as follows:

Table with 2 columns: Sales per year and Fee. (a) 1-2 sales per year \$ 25.00, (b) 3-5 sales per year \$ 50.00, (c) 6-9 sales per year \$ 75.00, (d) 10-12 sales per year \$100.00

(Authorized by and implementing K.S.A. 47-1001d, as amended by 1996 S.B. 659, § 2; effective, T-9-7-1-96, July 1, 1996.)

9-10-32. Exemption from occasional livestock sale requirements. Occasional livestock sales held in conjunction with a county, district, regional, or state exhibition for junior exhibitors shall not be required to apply for or obtain an occasional livestock sale license. (Authorized by and implementing K.S.A. 47-1001d, as amended by 1996 S.B. 659, § 2; effective, T-9-7-1-96, July 1, 1996.)

Article 18.—ANIMAL FACILITY INSPECTION PROGRAM—LICENSE AND REGISTRATION FEES

9-18-1. Fees. Each applicant for a license and each registrant under K.S.A. 47-1701 et seq., and any amendments thereto shall pay the appropriate application fee as set forth below:

Table with 2 columns: License description and Fee. (a) License for animal breeder premises of a person licensed under 7 U.S.C. § 2131 et seq. \$150.00, (b) License for animal breeder premises of a person not licensed under 7 U.S.C. § 2131 et seq. \$300.00, (c) License for a pound or shelter \$200.00, (d) License for a retail breeder licensed under 7 U.S.C. § 2131 et seq. \$150.00, (e) License for a retail breeder not licensed under 7 U.S.C. § 2131 et seq. \$300.00, (f) License for an operator of a temporary pet shop not licensed under 7 U.S.C. § 2131 et seq. \$50.00, (1) 1-2 sale days during license year \$75.00, (2) 3-4 sale days during license year \$100.00, (3) 4-6 sale days during license year \$200.00, (4) 7-12 sale days during license year \$50.00, (g) License for an operator of a temporary pet shop licensed under 7 U.S.C. § 2131 et seq. \$75.00, (1) 1-2 sale days during license year \$100.00, (2) 3-4 sale days during license year \$125.00, (3) 4-6 sale days during license year \$150.00, (4) 7-12 sale days during license year \$150.00, (h) License for an operator of a pet shop licensed under 7 U.S.C. § 2131 et seq. \$300.00, (i) License for an operator of a pet shop not licensed under 7 U.S.C. § 2131 et seq. \$150.00, (j) License for an operator of a research facility licensed under 7 U.S.C. § 2131 et seq. \$300.00, (k) License for an operator of a research facility not licensed under 7 U.S.C. § 2131 et seq. \$75.00, (l) License for hobby breeders or boarding kennel operators \$150.00, (m) License for animal distributor licensed under 7 U.S.C. § 2131 et seq. \$300.00, (n) License for animal distributor not licensed under 7 U.S.C. § 2131 et seq. \$300.00

(continued)

(o) Out-of-state distributor permit licensed under 7 U.S.C. § 2131 <i>et seq.</i>	\$150.00;
(p) Out-of-state distributor permit not licensed under 7 U.S.C. § 2131 <i>et seq.</i>	\$300.00;
(q) Closing permit	\$75.00.

(Authorized by and implementing K.S.A. 47-1721, as amended by Sub. for 1996 HB 2607, Sec. 21; effective, T-9-7-22-89, July 27, 1989; amended Sept. 11, 1989; amended, T-9-7-1-91, July 1, 1991; amended, T-9-10-22-91, Oct. 22, 1991; amended Feb. 10, 1992; amended, T-9-7-1-96, July 1, 1996.)

Article 19.—ANIMAL BREEDERS AND DISTRIBUTORS; FACILITY STANDARDS, ANIMAL HEALTH, HUSBANDRY, AND OPERATIONAL STANDARDS

9-19-1. Housing facilities, general. (a) *Structure; construction.* Each housing facility for dogs and cats shall be designed and constructed in such a manner that it:

- (1) is structurally sound;
- (2) protects the animals from injury;
- (3) contains the animals securely; and
- (4) restricts other animals from entering.

Each licensee shall maintain the housing facility in good repair.

(b) *Condition and site.* Each breeder licensee and each distributor licensee shall ensure that the areas used for storing animal food or bedding are free of any accumulation of trash, waste material, junk, weeds, and other discarded materials. The licensee shall keep animal areas inside each housing facility neat and free of clutter, including equipment, furniture, and stored material, but the animal areas may contain materials actually used and necessary for cleaning the area, and fixtures or equipment necessary for proper husbandry practices. Each housing facility shall be physically separated from any other business. If a housing facility is located on the same premises as another business, it shall be physically separated from the other business so that animals the size of dogs, skunks, and raccoons are prevented from entering it.

(c) *Surfaces.*

(1) *General requirements.*

(A) The surfaces of each housing facility, including houses, dens, and fixtures and objects in the facility which are similar to furniture, shall be:

- (i) constructed in a manner and made of materials that allow them to be readily cleaned and sanitized as required in paragraph (3); or
- (ii) removed or replaced when worn or soiled.

(B) All interior surfaces and any surfaces that come into contact with dogs or cats shall:

- (i) be free of excessive rust which prevents the required cleaning and sanitization, or that affects the structural strength of the surface; and
- (ii) be free of jagged edges or sharp points that might injure the animals.

(2) *Maintenance and replacement of surfaces.* Each licensee shall maintain all surfaces in the housing facility on a regular basis. Any such surface that cannot be readily cleaned and sanitized, including houses, dens, and fixtures and objects in the facility which are similar to furniture, shall be replaced when worn or soiled.

(3) *Cleaning.* Each licensee shall spot clean daily all hard surfaces with which the dogs or cats come into contact and sanitize such surfaces in accordance with K.A.R. 9-19-10(b)(3) to prevent accumulation of excreta and reduce disease hazards. Each licensee shall rake and spot clean floors made of dirt, absorbent bedding, sand, gravel, grass, or other similar material with sufficient frequency to ensure that all animals are free to avoid contact with excreta. The licensee shall replace contaminated material whenever raking and spot-cleaning is not sufficient to prevent or eliminate odors or insect, pest, or vermin infestation. Each licensee shall clean and sanitize all other surfaces of housing facilities when necessary to satisfy generally-accepted husbandry standards and practices. The licensee may use any of the sanitation methods provided in K.A.R. 9-19-10(b)(3) for primary enclosures.

(d) *Water and electric power.* Every housing facility shall have reliable electric power which is adequate for heating, cooling, ventilation, and lighting and for carrying out other husbandry requirements in accordance with the regulations in this article. The housing facility shall provide adequate, running potable water for the dogs' and cats' drinking needs, for cleaning, and for carrying out other husbandry requirements.

(e) *Storage.* Each licensee shall store supplies of food and bedding in a manner that protects the supplies from spoilage, contamination, and vermin infestation. The licensee shall store supplies off the floor and away from walls to allow cleaning underneath and around the supplies. Food requiring refrigeration shall be stored accordingly, and all food shall be stored in a manner that prevents contamination and deterioration of its nutritive value. Each licensee shall keep all open supplies of food and bedding in leak-proof containers with tightly fitting lids to prevent contamination and spoilage. Only food and bedding that is currently being used may be kept in the animal areas. The licensee shall not store any substance that is toxic to the dogs or cats but is required for normal husbandry practices in food storage and preparation areas, but may store such substances in cabinets in the animal areas.

(f) *Drainage and waste disposal.*

(1) Each licensee shall provide for regular and frequent collection, removal, and disposal of animal and food wastes, bedding, debris, garbage, water, other fluids, wastes, and dead animals in a manner that minimizes contamination and disease risks.

(2)(A) Each housing facility shall be equipped with disposal facilities and drainage systems that are constructed and operated so that animal waste and water are rapidly eliminated and animals stay dry. The disposal and drainage systems shall minimize vermin and pest infestation, insects, odors and disease hazards. All drains shall be properly constructed, installed and maintained.

(B) If a closed drainage system is used, it shall be equipped with traps and shall prevent the backflow of gases and the backup of sewage onto the floor. If the facility uses sump or settlement ponds or other similar systems for drainage and animal waste disposal, the system shall be located far enough from the animal area of the housing facility to prevent odors, diseases, pests, and vermin infestation.

(3) Each licensee shall ensure that standing puddles of water in animal enclosures are drained or mopped up so that animals stay dry.

(4) Each licensee shall use trash containers in housing facilities and in food storage and food preparation areas that are leak-proof and shall keep tightly-fitted lids on the containers at all times.

(5) Dead animals, animal parts, and animal waste shall not be kept in food storage or food preparation areas, food freezers, food refrigerators, or animal areas.

(g) *Washrooms and sinks.* Washing facilities shall be provided for animal caretakers and shall be readily accessible. Washing facilities may include washrooms, basins, sinks, or showers. (Authorized by and implementing K.S.A. 1995 Supp. 47-1712, as amended by Sub. for 1996 HB 2607, § 15; effective, T-9-10-22-91, Oct. 28, 1991; effective Feb. 10, 1992; amended, T-9-7-1-96, July 1, 1996.)

9-19-2. Indoor housing facilities. (a) *Heating, cooling and temperature.* Each breeder licensee and each distributor licensee operating an indoor housing facility for dogs and cats shall ensure that the indoor housing facility is sufficiently heated and cooled when necessary to protect dogs and cats from temperature extremes and to provide for their health and well-being.

(1) Except as approved by the attending veterinarian, a licensee operating an indoor housing facility shall not permit the ambient temperature in the facility to fall below 50° F. or 10° C. when any of the following dogs or cats are present:

(A) any dog or cat not acclimated to lower temperatures;

(B) any dog or cat of a breed that cannot tolerate lower temperatures without stress or discomfort, including short-haired breeds; or

(C) any dog or cat that is sick, aged, young, or infirm.

(2) Each licensee shall provide dry bedding, solid resting boards, or other methods of conserving body heat when the ambient temperature is below 50° F. or 10° C.

(3) Each licensee shall ensure that, when dogs or cats are present, the ambient temperature does not fall below 45° F. or 7.2° C. for more than four consecutive hours, and does not rise above 85° F. or 29.5° C. for more than four consecutive hours.

(b) *Ventilation.* The licensee shall ensure that, when dogs or cats are present, each indoor housing facility for dogs and cats is sufficiently ventilated at all times to provide for their health and well-being, and to minimize odors, drafts, ammonia levels, and moisture condensation. Ventilation shall be provided by windows, vents, fans, or air conditioning. The licensee shall provide auxiliary ventilation when the ambient temperature is 85° F. or 29.5° C. or higher. Auxiliary ventilation may include fans, blowers, or air conditioning. The licensee shall maintain the relative humidity at a level that ensures the health and well-being of the dogs or cats housed in the facility, in accordance with the directions of the attending veterinarian and generally accepted professional and husbandry practices.

(c) *Lighting.* Every licensee shall provide enough lighting for each indoor housing facility for dogs and cats to permit routine inspection and cleaning of the facility and

observation of the dogs and cats. Each animal area shall be provided with a regular diurnal lighting cycle of either natural or artificial light. Lighting shall be uniformly diffused throughout the animal facility and shall provide sufficient illumination to aid in maintaining good housekeeping practices, adequate cleaning, adequate inspection of animals, and the well-being of the animals. Each primary enclosure shall be placed in a manner which protects the dogs and cats from excessive light.

(d) *Interior surfaces.* The floors and walls of each indoor housing facility, and any other surfaces in contact with the animals, shall be impervious to moisture. The ceilings of each indoor housing facility shall be impervious to moisture or shall be replaceable. (Authorized by and implementing K.S.A. 1995 Supp. 47-1712, as amended by Sub. for 1996 HB 2607, § 15; effective, T-9-10-22-91, Oct. 22, 1991; effective Feb. 10, 1992; amended, T-9-7-1-96, July 1, 1996.)

9-19-3. Sheltered housing facilities. (a) *Heating, cooling, and temperature.* Each breeder licensee and each distributor licensee operating a sheltered housing facility for dogs and cats shall ensure that the sheltered portion of the facility is sufficiently heated and cooled when necessary to protect the dogs and cats from temperature extremes and to provide for their health and well-being.

(1) Except as approved by the attending veterinarian, the licensee shall not permit the ambient temperature in the sheltered portion of the facility to fall below 50° F. or 10° C. when any of the following dogs or cats are present:

(A) any dog or cat not acclimated to lower temperatures;

(B) any dog or cat of a breed that cannot tolerate lower temperatures without stress and discomfort, including short-haired breeds; or

(C) any dog or cat which is sick, aged, young, or infirm.

(2) Each licensee shall provide dry bedding, solid resting boards, or other methods of conserving body heat when the ambient temperature is below 50° F. or 10° C.

(3) The licensee shall ensure that, when dogs or cats are present, the ambient temperature does not fall below 45° F. or 7.2° C. for more than four consecutive hours, and does not rise above 85° F. or 29.5° C. for more than four consecutive hours.

(b) *Ventilation.* The licensee shall ensure that the enclosed or sheltered portion of the housing facility is sufficiently ventilated at all times dogs or cats are present to provide for their health and well-being, and to minimize odors, drafts, ammonia levels, and moisture condensation. Ventilation shall be provided by windows, doors, vents, fans, or air conditioning. The licensee shall provide auxiliary ventilation when the ambient temperature is 85° F. or 29.5° C. or higher. Auxiliary ventilation may include fans, blowers, or air conditioning.

(c) *Lighting.* Each licensee shall provide enough lighting for each sheltered housing facility for dogs and cats to permit routine inspection and cleaning of the facility, and observation of the dogs and cats. Each animal area shall be provided with a regular diurnal lighting cycle of either natural or artificial light. Lighting shall be uni-

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formly diffused throughout animal facilities and shall provide sufficient illumination to aid in maintaining good housekeeping practices, adequate cleaning, adequate inspection of animals, and the well-being of the animals. Each primary enclosure shall be placed in a manner which protects the dogs and cats from excessive light.

(d) *Shelter from the elements.* Each licensee shall provide one or more shelter structures which adequately shelter the dogs or cats from the elements at all times to protect their health and well-being. The shelter structure or structures shall be large enough to allow each animal to sit, stand, and lie in a normal manner and to turn about freely.

(e) *Surfaces.*

(1) The following areas in sheltered housing facilities shall be impervious to moisture:

(A) indoor floor areas in contact with animals;

(B) outdoor floor areas in contact with the animals, when the floor areas are not exposed to the direct sun, or are made of a hard material, including wire, wood, metal, or concrete; and

(C) all walls, boxes, houses, dens, and other surfaces in contact with the animals.

(2) Outside floor areas in contact with the animals and exposed to the direct sun may be compacted earth, absorbent bedding, sand, gravel, or grass. (Authorized by and implementing K.S.A. 1995 Supp. 47-1712, as amended by Sub. for 1996 HB 2607, §15; effective, T-9-10-22-91, Oct. 22, 1991; effective Feb. 10, 1992; amended, T-9-7-1-96, July 1, 1996.)

9-19-4. Outdoor housing facilities. (a) Restrictions.

(1) A breeder licensee or distributor licensee shall not keep any of the following categories of dogs or cats in outdoor facilities, unless that practice is specifically approved by the attending veterinarian:

(A) any dog or cat that is not acclimated to the temperatures prevalent in the area or region in which the animal is maintained;

(B) any dog or cat of a breed that cannot tolerate the prevalent temperatures of the area without stress or discomfort, including short-haired breeds in cold climates; and

(C) any dog or cat which is sick, infirm, aged, or young.

(2) If a licensee operating an outdoor housing facility does not know whether a dog or cat is acclimated, the licensee shall not keep such a dog or cat in the outdoor facility when the ambient temperature is less than 50° F. or 10° C.

(b) *Shelter from the elements.* Each outdoor facility for dogs or cats shall include one or more shelter structures that are accessible to each animal in the outdoor facility, and that are large enough to allow each animal in the shelter structure to sit, stand, and lie in a normal manner, and to turn about freely. In addition to the shelter structures, each licensee shall provide one or more separate, outside areas of shade which are large enough to contain all the animals at one time and protect them from the direct rays of the sun. Each shelter structure in an outdoor facility for dogs or cats shall contain a roof, four sides, and a floor, and shall:

(1) provide the dogs and cats with adequate protection and shelter from the cold and heat;

(2) provide the dogs and cats with protection from the direct rays of the sun and the direct effects of wind, rain, or snow;

(3) be provided with a wind break and rain break at the entrance; and

(4) contain clean, dry bedding material if the ambient temperature is below 50° F. or 10° C. The licensee shall provide additional clean, dry bedding material when the temperature is 35° F. or 1.7° C. or lower.

(c) *Construction.* All building surfaces in outdoor housing facilities which come into contact with animals shall be impervious to moisture. A licensee shall not use metal barrels, cans, refrigerators, freezers, or similar items as shelter structures. The floor of each outdoor housing facility may be compacted earth, absorbent bedding, sand, gravel, or grass.

(d) *Maintenance.* Each licensee shall replace floor materials if there are any prevalent odors, diseases, insects, pests, or vermin. The licensee shall maintain all surfaces on a regular basis. The licensee shall replace the surfaces of outdoor housing facilities that cannot be readily cleaned and sanitized, including houses, dens, and similar structures, when the surfaces are worn or soiled. (Authorized by and implementing K.S.A. 1995 Supp. 47-1712, as amended by Sub. for 1996 HB 2607, §15; effective, T-9-10-22-91, Oct. 22, 1991; effective Feb. 10, 1992; amended, T-9-7-1-96, July 1, 1996.)

9-19-5. Primary enclosures; minimum requirements for dogs and cats. Each primary enclosure for dogs and cats shall meet the following minimum requirements.

(a) *General requirements.*

(1) Each primary enclosure shall be designed and constructed of suitable materials so that it is structurally sound. Each breeder licensee and each distributor licensee shall keep the primary enclosure in good repair.

(2) Each primary enclosure shall be constructed and maintained in such a manner that the enclosure:

(A) has no sharp points or edges that could injure the dogs and cats;

(B) protects the dogs and cats from injury;

(C) contains the dogs and cats securely;

(D) keeps other animals from entering the enclosure;

(E) enables the dogs and cats to remain dry and clean;

(F) provides shelter and protection to all the dogs and cats from extreme temperatures and weather conditions that may be uncomfortable or hazardous;

(G) provides sufficient shade to shelter all the dogs and cats housed in the primary enclosure at one time;

(H) provides all the dogs and cats with easy and convenient access to clean food and water;

(I) enables all surfaces in contact with dogs and cats to be readily cleaned and sanitized in accordance with K.A.R. 9-19-10(b), or to be replaced when worn or soiled;

(J) has floors that are constructed in a manner which protects the dogs' and cats' feet and legs from injury, and if the floor is constructed of mesh or with slats, does not allow the dogs' and cats' feet to pass through any openings in the floor. If the floor of the primary enclosure is constructed of wire, the licensee shall provide one or

more solid resting surfaces that, in the aggregate, are large enough to hold all the occupants of the primary enclosure comfortably at the same time; and

(K) provides sufficient space to allow each dog and cat to turn about freely, to stand, sit, and lie in a comfortable, normal position, and to walk in a normal manner.

(b) *Additional requirements for cats.*

(1) *Space.* The licensee shall provide the following minimum vertical space and floor space for each cat, including weaned kittens, housed in any primary enclosure.

(A) Each primary enclosure housing cats shall be at least 24 inches or 60.96 cm. high.

(B) Each cat with a weight up to and including 8.8 lbs. or 4 kg. shall be provided with at least 3.0 sq. ft. or 0.28 m² of floor space.

(C) Each cat with a weight over 8.8 lbs. or 4 kg. shall be provided with at least 4.0 sq. ft. or 0.37m² of floor space.

(D) Each queen with nursing kittens shall be provided with an additional amount of floor space, based on her breed and behavioral characteristics, and in accordance with generally accepted husbandry practices. If the additional amount of floor space available for each nursing kitten is less than five percent of the minimum requirement for the queen, the housing shall be approved by the livestock commissioner.

(E) The minimum floor space required by this regulation shall not include any space occupied by food or water pans. The litter pan may be considered part of the floor space if properly cleaned and sanitized.

(2) *Compatibility.* Each licensee shall ensure that cats housed in the same primary enclosure are compatible, as determined from observation.

(A) The licensee shall not house more than 12 adult non-conditioned cats in the same primary enclosure.

(B) The licensee shall not house queens in heat in the same primary enclosure with sexually mature males, except for breeding purposes. Except when maintained in breeding colonies, queens with litters shall not be housed in the same primary enclosure with other adult cats. The licensee shall not house kittens four months of age or less in the same primary enclosure with adult cats other than their dams or foster dams.

(C) The licensee shall house any cat exhibiting a vicious or overly aggressive disposition separately.

(3) *Litter.* The licensee shall provide a receptacle in each primary enclosure which contains sufficient clean litter to contain excreta and other body wastes.

(4) *Resting surfaces.* Each primary enclosure housing cats shall contain one or more resting surfaces that, in the aggregate, are large enough to hold all the occupants of the primary enclosure comfortably at the same time. Each resting surface shall be elevated, impervious to moisture, and easily cleaned and sanitized or easily replaced when soiled or worn. Low resting surfaces that do not allow the space under them to be comfortably occupied by the animal shall be counted as part of the floor space.

(c) *Additional requirements for dogs.*

(1) *Space.*

(A) The licensee shall provide a minimum amount of floor space for each dog housed in a primary enclosure,

including each weaned puppy, which shall be calculated as follows:

(i) find the mathematical square of the sum of the length of the dog in inches, measured from the tip of its nose to the base of its tail, plus six inches; and

(ii) divide the product by 144.

This calculation shall be expressed as follows: (the length of the dog in inches + 6 inches) × (the length of the dog in inches + 6 inches) = required floor space in square inches. The required floor space in square inches divided by 144 shall equal the required floor space in square feet.

(B) The licensee shall provide each bitch with nursing puppies with an additional amount of floor space, based upon the dog's breed and behavioral characteristics, and in accordance with generally accepted husbandry practices, as determined by the attending veterinarian. If the additional amount of floor space for each nursing puppy is less than five percent of the minimum requirement for the bitch, the housing shall be approved by the livestock commissioner.

(C) The interior height of a primary enclosure shall be at least six inches higher than the head of the tallest dog in the enclosure in a normal standing position.

(2) *Dogs on tethers.*

(A) A licensee may keep dogs on tethers only in outside housing facilities that meet the requirements of K.A.R. 9-19-4 and only when the tether meets the requirements of this paragraph.

(i) The tether shall be attached either to the front of the dog's shelter structure or to a post in front of the shelter structure. The tether shall be at least three times the length of the dog as measured from the tip of its nose to the base of its tail.

(ii) The tether shall allow the dog convenient access to the shelter structure and to food and water containers.

(iii) The tether shall be of the type and strength commonly used for the size of dog involved and shall be attached to the dog by a well-fitted collar that will not cause trauma or injury to the dog. The licensee shall not use collars made of wire, flat chains, chains with sharp edges, chains with rusty or non-uniform links, or collars made of similar materials.

(iv) The tether shall be attached so that the dog cannot become entangled with other objects or come into physical contact with other dogs in the outside housing facility, and so the dog can roam to the full range of the tether.

(B) Each outside housing area where dogs are kept on a tether shall be enclosed by a perimeter fence that is of sufficient height to keep unwanted animals out. Fences less than six feet high shall be approved by the livestock commissioner. The fence shall be constructed so that it protects the dogs by preventing animals the size of dogs, skunks, and raccoons from going through it or under it and having contact with the dogs inside.

(3) *Compatibility.* Each licensee shall ensure that dogs housed in the same primary enclosure are compatible, as determined from observation.

(A) The licensee shall not house more than 12 adult non-conditioned dogs in the same primary enclosure.

(B) The licensee shall not house bitches in heat in the same primary enclosure with sexually mature males, ex-

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cept for breeding purposes. Except when maintained in breeding colonies, bitches with litters shall not be housed in the same primary enclosure with other adult dogs. The licensee shall not house puppies four months of age or less in the same primary enclosure with adult dogs other than their dams or foster dams.

(C) The licensee shall house any dog exhibiting a vicious or overly aggressive disposition separately.

(d) *Innovative primary enclosures.* With the approval of the livestock commissioner, any licensee may use an innovative primary enclosure not precisely meeting the floor area and height requirements provided in this regulation, if the primary enclosure provides the dogs or cats with a sufficient volume of space and the opportunity to express species-typical behavior. (Authorized by and implementing K.S.A. 1995 Supp. 47-1712, as amended by Sub. for 1996 HB 2607, § 15; effective, T-9-10-22-91, Oct. 22, 1991; effective Feb. 10, 1992; amended, T-9-7-1-96, July 1, 1996.)

9-19-6. Compatible grouping. With the following additional restrictions, each breeder licensee and each distributor licensee shall ensure that dogs and cats that are housed in the same primary enclosure are compatible, as determined from observation.

(a) The licensee shall not house females in heat or estrus in the same primary enclosure with sexually mature males, except for breeding purposes.

(b) The licensee shall house any dog or cat exhibiting a vicious or overly aggressive disposition separately.

(c) The licensee shall not house puppies or kittens four months of age or less in the same primary enclosure with adult dogs or cats other than their dams or foster dams, except when permanently maintained in breeding colonies. Except when maintained in breeding colonies, queens or bitches with litters shall not be housed in the same primary enclosure with other adult cats or dogs.

(d) Dogs or cats shall not be housed in the same primary enclosure with any other species of animals, unless they are compatible.

(e) The licensee shall isolate dogs and cats that have or are suspected of having a contagious disease from healthy animals in the colony, as directed by the attending veterinarian. When an entire group or room of dogs and cats is known or believed to have been exposed to an infectious agent, the group may be kept intact during the process of diagnosis, treatment, and control. (Authorized by and implementing K.S.A. 1995 Supp. 47-1712, as amended by Sub. for 1996 HB 2607, § 15; effective, T-9-10-22-91; Oct. 22, 1991; effective Feb. 10, 1992; amended, T-9-7-1-96, July 1, 1996.)

9-19-7. Exercise for dogs. Each breeder licensee and each distributor licensee shall develop, document, and follow an appropriate plan to provide dogs with the opportunity for exercise. The attending veterinarian shall approve the plan. The licensee shall make the plan available to the livestock commissioner upon request. The plan shall include written standard procedures to be followed in providing the opportunity for exercise. At a minimum, the plan shall comply with each of the following requirements.

(a) *Dogs housed individually.* The licensee shall provide the opportunity for exercise regularly to each dog over 12 weeks of age, except bitches with litters, which are housed, held, or maintained by the licensee individually in cages, pens, or runs that provide less than two times the required floor space for that dog, as indicated in K.A.R. 9-19-5(c)(1).

(b) *Dogs housed in groups.* Any licensee housing, holding, or maintaining dogs over 12 weeks of age in groups shall not be required to provide additional opportunities for regular exercise if the dogs are maintained in cages, pens, or runs that provide, in total, at least 100 percent of the space required in K.A.R. 9-19-5(c)(1) for dogs which are maintained separately. Such animals may be maintained in compatible groups, unless:

(1) in the opinion of the attending veterinarian, such a housing arrangement would adversely affect the health or well-being of one or more dogs; or

(2) any dog exhibits aggressive or vicious behavior.

(c) *Methods and period of providing exercise opportunity.*

(1) The attending veterinarian shall determine the frequency, method, and duration of the opportunity for exercise.

(2) In developing the plan, each licensee shall consider providing positive physical contact with humans that encourages exercise through play or other similar activities. If a dog is housed, held, or maintained at a facility without sensory contact with another dog, the licensee shall provide the dog with positive physical contact with humans at least daily.

(3) The opportunity for exercise may include the following:

(A) providing group housing in cages, pens, or runs that provide at least 100 percent of the space that is required under the minimum floor space requirements of K.A.R. 9-19-5(c)(1) for dogs maintained separately;

(B) maintaining individually-housed dogs in cages, pens, or runs that provide at least twice the minimum floor space required by K.A.R. 9-19-5(c)(1);

(C) providing access to a run or open area at the frequency and duration prescribed by the attending veterinarian; or

(D) other similar activities.

(4) Forced exercise methods or devices, including swimming, treadmills, or carousel-type devices, shall not meet the exercise requirements of this regulation.

(d) *Exemptions.*

(1) If in the opinion of the attending veterinarian, it is inappropriate for certain dogs to exercise because of their health, condition, or well-being, the licensee may be exempted from meeting the requirements of this regulation for those dogs. The attending veterinarian shall document such an exemption, and unless the basis for exemption is a permanent condition, shall review the exemption at least every 30 days.

(2) The licensee shall maintain records of any exemptions. These records shall be made available to the livestock commissioner upon request. (Authorized by and implementing K.S.A. 1995 Supp. 47-1712, as amended by Sub. for 1996 HB 2607, § 15; effective, T-9-10-22-91; Oct. 22, 1991; effective Feb. 10, 1992; amended, T-9-7-1-96, July 1, 1996.)

9-19-8. Feeding. (a) Each breeder licensee and each distributor licensee shall feed all dogs and cats at least once each day, except as otherwise might be required to provide adequate veterinary care. The food shall be uncontaminated, wholesome, palatable, and of sufficient quantity and nutritive value to maintain the normal condition and weight of the animal. The diet shall be appropriate for the individual animal's age and condition.

(b)(1) Each licensee shall provide food receptacles for dogs and cats, which shall:

(A) be readily accessible to all dogs and cats;

(B) be located so as to minimize contamination by excreta and pests;

(C) be protected from rain and snow; and

(D) be disposable or made of a durable material that can be easily cleaned and sanitized. If the food receptacles are not disposable, the licensee shall keep the receptacles clean and sanitized using one of the methods described in K.A.R. 9-19-10(b). If the food receptacles are disposable, the licensee shall discard the receptacles after one use.

(2) Any licensee may use self-feeders for feeding dry food. If self-feeders are used, the licensee shall keep the self-feeders clean and sanitized in accordance with K.A.R. 9-19-10(b). Each licensee shall take measures to ensure that there is no molding, deterioration, or caking of feed. (Authorized by and implementing K.S.A. 1995 Supp. 47-1712, as amended by Sub. for 1996 HB 2607, § 15; effective, T-9-10-22-91; Oct. 22, 1991; effective Feb. 10, 1992; amended, T-9-7-1-96, July 1, 1996.)

9-19-9. Watering. If potable water is not continually available to the dogs and cats, the breeder licensee or distributor licensee shall offer potable water to the dogs and cats as often as necessary to ensure their health and well-being, but not less than twice daily for at least one hour each time, unless restricted by the attending veterinarian. In accordance with K.A.R. 9-19-10(b), each licensee shall keep the water receptacles cleaned and sanitized while in use and shall clean and sanitize water receptacles before they are used to water a different dog, cat, or social grouping of dogs or cats. (Authorized by and implementing K.S.A. 1995 Supp. 47-1712, as amended by Sub. for 1996 HB 2607, § 15; effective, T-9-10-22-91, Oct. 22, 1991; effective Feb. 10, 1992; amended, T-9-7-1-96, July 1, 1996.)

9-19-10. Cleaning, sanitization, housekeeping, and pest control. (a) *Cleaning of primary enclosures.*

(1) Each breeder licensee and each distributor licensee shall remove excreta and food waste from the inside of each primary enclosure daily and from under primary enclosures as often as necessary to prevent an excessive accumulation of feces and food waste, to prevent the soiling of the dogs or cats contained in the primary enclosures, and to reduce disease hazards, insects, pests, and odors.

(2) When steam or water is used to clean the primary enclosure, whether by hosing, flushing, or other methods, the licensee shall remove dogs and cats, unless the enclosure is large enough to ensure the animals would not be harmed, wetted, or distressed in the process. The licensee shall remove standing water from the primary enclosure, and shall protect animals in other primary enclosures

from contamination with water and other wastes during the cleaning.

(3) The licensee shall clean the pans under each primary enclosure with a grill-type floor and the ground area under each raised run with a wire or slatted floor as often as necessary to prevent accumulation of feces and food waste and to reduce disease hazards, pests, insects, and odors.

(b) *Sanitization of primary enclosures and food and water receptacles.*

(1) The licensee shall clean and sanitize each used primary enclosure and each used food and water receptacle using one of the methods prescribed in paragraph (b)(3) before the primary enclosure or food and water receptacle is used to house, feed, or water another dog, cat, or social grouping of dogs or cats.

(2) The licensee shall sanitize used primary enclosures and food and water receptacles for dogs and cats at least once every two weeks using one of the methods prescribed in paragraph (b)(3), and more often if necessary to prevent an accumulation of dirt, debris, food waste, excreta, and other disease hazards.

(3) Each licensee shall sanitize hard surfaces of primary enclosures and food and water receptacles using one of the following methods:

(A) spraying all surfaces with live steam under pressure;

(B) washing all surfaces with hot water which is at least 180° F. or 82.2° C. and soap or detergent, using a mechanical cage washer or similar device; or

(C)(i) washing all soiled surfaces with appropriate detergent solutions and disinfectants, or with a product that is a combination of a detergent and a disinfectant that accomplishes the same purpose;

(ii) thoroughly cleaning the surfaces to remove all organic material and mineral buildup and to provide sanitization; and

(iii) rinsing with clean water.

(4) Each licensee shall sanitize all pens, runs, and outdoor housing areas containing material that cannot be sanitized using the methods provided in paragraph (b)(3), including gravel, sand, grass, earth, or absorbent bedding, by removing the contaminated material as necessary to prevent odors, diseases, pests, insects, and vermin infestation.

(c) *Housekeeping for premises.* Each licensee shall keep the premises where housing facilities are located, including buildings and surrounding grounds, clean and in good repair to protect the animals from injury, to facilitate the husbandry practices required by subsection (b), and to reduce or eliminate breeding and living areas for rodents and other pests or vermin. The licensee shall keep the premises free of accumulations of trash, junk, waste products, and discarded matter. The licensee shall control weeds, grasses, and bushes so as to facilitate cleaning of the premises and pest control, and to protect the health and well-being of the animals.

(d) *Pest control.* Each licensee shall establish and maintain an effective program for the control of insects, external parasites affecting dogs and cats, and birds and mammals that are pests, so as to promote the health and

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well-being of the animals and reduce contamination by pests in animal areas. (Authorized by and implementing K.S.A. 1995 Supp. 47-1712, as amended by Sub. for 1996 HB 2607, § 15; effective, T-9-10-22-91, Oct. 22, 1991; effective Feb. 10, 1992; amended, T-9-7-1-96, July 1, 1996.)

9-19-11. Employees. Each breeder licensee and each distributor licensee shall employ enough individuals to carry out the level of husbandry practices and care required in article 19 of these regulations. Each employee who provides husbandry and care, or who handles animals, shall be supervised by an individual who has the knowledge, background, and experience in proper husbandry and care of dogs and cats to supervise others. The licensee shall ensure that the supervisor and other employees can perform to these standards. (Authorized by and implementing K.S.A. 1995 Supp. 47-1712, as amended by Sub. for 1996 HB 2607, § 15; effective, T-9-10-22-91, Oct. 22, 1991; effective Feb. 10, 1992; amended, T-9-7-1-96, July 1, 1996.)

Article 25.—RETAIL BREEDERS FACILITY STANDARDS; ANIMAL HEALTH, HUSBANDRY AND OPERATIONAL STANDARDS

9-25-1. Housing facilities, general. (a) *Definition.* "Housing facility" means any land, premises, shed, barn, building, trailer, or other structure or area housing or intended to house animals.

(b) *Structure; construction.* Each housing facility for dogs and cats shall be designed and constructed as follows:

- (1) in a manner which is structurally sound; and
- (2) in a manner that protects animals from injury, contains the animals securely, and restricts other animals from entering.

(c) *Condition and site.*

(1) *Housekeeping for premises.* Each retail breeder licensee shall keep the premises where housing facilities are located, including buildings and surrounding grounds, clean and in good repair to protect the animals from injury, to facilitate the husbandry practices required by K.A.R. 9-25-6(b), and to reduce or eliminate breeding and living areas for rodents and other pests or vermin. The licensee shall keep the premises free of accumulations of trash, junk, waste products, and discarded matter. The licensee shall control weeds, grasses, and bushes so as to facilitate cleaning of the premises and pest control and to protect the health and well-being of the animals.

(2) *Food and supply storage areas.* Each licensee shall ensure that the areas used for storing animal food or bedding are free of any accumulation of trash, waste material, junk, weeds, and other discarded materials. The licensee shall keep animal areas inside each housing facility neat and free of clutter, including equipment, furniture and stored material, but the animal areas may contain materials actually used and necessary for cleaning the area, and fixtures or equipment necessary for proper husbandry practices.

(3) *Location with other businesses.* Each housing facility shall be physically separated from any other business. If a housing facility is located on the same premises as another business, it shall be physically separated from the

other business so that animals the size of dogs, skunks, and raccoons are prevented from entering it.

(d) *Surfaces.*

(1) *General requirements.*

(A) The surfaces of each housing facility, including houses, dens, and fixtures and objects in the facility which are similar to furniture, shall be:

(i) constructed in a manner and made of materials that allow them to be readily cleaned and sanitized as required in paragraph (d)(3); or

(ii) removed or replaced when worn or soiled. Any such surface that cannot be readily cleaned and sanitized shall be replaced when worn or soiled.

(B) All interior surfaces and any surfaces that come into contact with dogs or cats shall:

(i) be free of excessive rust which prevents the required cleaning and sanitization, or which affects the structural strength of the surface; and

(ii) be free of jagged edges or sharp points that might injure the animals.

(2) *Maintenance and replacement of surfaces.* Each licensee shall maintain all surfaces on a regular basis.

(3) *Cleaning.* Each licensee shall spot clean daily all hard surfaces with which the dogs or cats come into contact and sanitize such surfaces in accordance with K.A.R. 9-25-6(b) to prevent accumulation of excreta and reduce disease hazards. Each licensee shall rake and spot clean floors made of dirt, absorbent bedding, sand, gravel, grass, or other similar material with sufficient frequency to ensure that all animals are free to avoid contact with excreta. The licensee shall replace contaminated material whenever raking and spot-cleaning is not sufficient to prevent or eliminate odors or insect, pest, or vermin infestation. Each licensee shall clean and sanitize all other surfaces of housing facilities when necessary to satisfy generally-accepted husbandry standards and practices. The licensee may use any of the sanitation methods provided in K.A.R. 9-25-6(b)(3) for primary enclosures.

(e) *Water and electric power.* Every housing facility shall have reliable electric power which is adequate for heating, cooling, ventilation, and lighting, and for carrying out other husbandry requirements in accordance with the regulations in this article. The housing facility shall provide adequate, running potable water for the dogs' and cats' drinking needs, for cleaning, and for carrying out other husbandry requirements.

(f) *Storage.* Each licensee shall store supplies of food and bedding in a manner that protects the supplies from spoilage, contamination, and vermin infestation. The licensee shall store supplies off the floor and away from walls to allow cleaning underneath and around the supplies. Foods requiring refrigeration shall be stored accordingly, and all food shall be stored in a manner that prevents contamination and deterioration of its nutritive value. Each licensee shall keep all open supplies of food and bedding in leak-proof containers with tightly fitting lids to prevent contamination and spoilage. Only food and bedding that is currently being used may be kept in the animal areas. The licensee shall not store any substance that is toxic to the dogs or cats but is required for normal husbandry practices in food storage and prepa-

ration areas, but may store such substances in cabinets in the animal areas.

(g) *Drainage and waste disposal.*

(1) Each licensee shall provide for regular and frequent collection, removal, and disposal of animal and food wastes, bedding, debris, garbage, water, other fluids, wastes, and dead animals in a manner that minimizes contamination and disease risks.

(2)(A) Each housing facility shall be equipped with disposal facilities and drainage systems that are constructed and operated so that animal waste and water are rapidly eliminated and animals stay dry. The disposal and drainage systems shall minimize vermin and pest infestation, insects, odors, and disease hazards. All drains shall be properly constructed, installed, and maintained.

(B) If a closed drainage system is used, it shall be equipped with traps and shall prevent the backflow of gases and the backup of sewage onto the floor. If the facility uses sump or settlement ponds or other similar systems for drainage and animal waste disposal, the system shall be located far enough from the animal area of the housing facility to prevent odors, diseases, pests, and vermin infestation.

(3) Each licensee shall ensure that standing puddles of water in animal enclosures are drained or mopped up so that animals stay dry.

(4) Each licensee shall use trash containers in housing facilities and in food storage and food preparation areas that are leak-proof and shall keep tightly-fitted lids on the containers at all times.

(5) Dead animals, animal parts, and animal waste shall not be kept in food storage or food preparation areas, food freezers, food refrigerators, or animal areas.

(g) *Washrooms and sinks.* Washing facilities shall be provided for animal caretakers and shall be readily accessible. Washing facilities may include washrooms, basins, sinks, or showers. (Authorized by and implementing K.S.A. 1995 Supp. 47-1712, as amended by Sub. for 1996 HB 2607, § 15; effective, T-9-7-1-96, July 1, 1996.)

9-25-2. Indoor housing facilities. (a) *Definition.* "Indoor housing facility" means any structure or building with environmental controls that houses or is intended to house animals and that is constructed in the following manner.

(1) The building or structure is constructed so that the temperature within the building or structure can be controlled within the limits set forth for that species of animal, humidity levels of 30 to 70 percent can be maintained, and odors can be eliminated rapidly from within the building.

(2) The building or structure is an enclosure created by the continuous connection of a roof, floor, and walls. A shed or barn set on top of the ground is not considered to have a continuous connection between the walls and the ground unless a foundation and floor are provided.

(3) The building or structure has at least one door for entry and exit that can be opened and closed. Any windows or openings which provide a natural light are covered with a transparent material, which may include glass or hard plastic.

(b) *Heating, cooling, and temperature.* Each retail breeder licensee operating an indoor housing facility for dogs and

cats shall ensure that the indoor housing facility is sufficiently heated and cooled when necessary to protect dogs and cats from temperature extremes and to provide for their health and well-being.

(1) Except as approved by the attending veterinarian, a licensee operating an indoor housing facility shall not permit the ambient temperature in the facility to fall below 50° F. or 10° C. when any of the following dogs or cats are present:

(A) any dog or cat not acclimated to lower temperatures;

(B) any dog or cat of a breed that cannot tolerate lower temperatures without stress or discomfort, including short-haired breeds; or

(C) any dog or cat that is sick, aged, young, or infirm.

(2) Each licensee shall provide dry bedding, solid resting boards, or other methods of conserving body heat when the ambient temperature inside the facility is below 50° F. or 10° C.

(3) Each licensee shall ensure that, when dogs or cats are present, the ambient temperature in the facility does not fall below 45° F. or 7.2° C. for more than four consecutive hours, and does not rise above 85° F. or 29.5° C. for more than four consecutive hours.

(c) *Ventilation.* The licensee shall ensure that, when dogs or cats are present, each indoor housing facility for dogs and cats is sufficiently ventilated at all times to provide for their health and well-being and to minimize odors, drafts, ammonia levels, and moisture condensation. Ventilation shall be provided by windows, vents, fans, or air conditioning units. The licensee shall provide auxiliary ventilation when the ambient temperature is 85° F. or 29.5° C. or higher. Auxiliary ventilation may include fans, blowers, or air conditioning units. The licensee shall maintain the relative humidity at a level that ensures the health and well-being of the dogs or cats housed in the facility, in accordance with the directions of the attending veterinarian and generally accepted professional and husbandry practices.

(d) *Lighting.* Each licensee shall provide enough lighting for each indoor housing facility for dogs and cats to permit routine inspection and cleaning of the facility and observation of the dogs and cats. Each animal area shall be provided a regular diurnal lighting cycle of either natural or artificial light. Lighting shall be uniformly diffused throughout the animal facility and shall provide sufficient illumination to aid in maintaining good housekeeping practices, adequate cleaning, adequate inspection of animals, and the well-being of the animals. Each primary enclosure shall be placed in a manner which protects the dogs and cats from excessive light.

(e) *Interior surfaces.* The floors and walls of each indoor housing facility, and any other surfaces in contact with the animals, shall be impervious to moisture. The ceilings of each indoor housing facility shall be impervious to moisture or shall be replaceable. (Authorized by and implementing K.S.A. 1995 Supp. 47-1712, as amended by Sub. for 1996 HB 2607, § 15; effective, T-9-7-1-96, July 1, 1996.)

9-25-3. Sheltered housing facilities. (a) *Definition.* "Sheltered housing facility" means a housing facility which provides the animals with the following:

(continued)

- (1) shelter;
- (2) protection from the elements; and
- (3) protection from temperature extremes at all times.

A sheltered housing facility may consist of runs or pens which are totally enclosed in a barn or building, or outside runs or pens connecting with the inside pens in a totally enclosed building.

(b) *Heating, cooling, and temperature.* Each retail breeder licensee operating a sheltered housing facility for dogs and cats shall ensure that the sheltered portion of the facility is sufficiently heated and cooled when necessary to protect the dogs and cats from temperature extremes and to provide for their health and well-being.

(1) Except as approved by the attending veterinarian, the licensee shall not permit the ambient temperature in the sheltered portion of the facility to fall below 50° F. or 10° C. when any of the following dogs or cats are present:

(A) any dog or cat not acclimated to lower temperatures;

(B) any dog or cat of a breed that cannot tolerate lower temperatures without stress and discomfort, including short-haired breeds; or

(C) any dog or cat which is sick, aged, young, or infirm.

(2) Each licensee shall provide dry bedding, solid resting boards, or other methods of conserving body heat when the ambient temperature inside the sheltered portion of the facility is below 50° F. or 10° C.

(3) The licensee shall ensure that, when dogs or cats are present, the ambient temperature in the sheltered portion of the facility does not fall below 45° F. or 7.2° C. for more than four consecutive hours, and does not rise above 85° F. or 29.5° C. for more than four consecutive hours.

(c) *Ventilation.* The licensee shall ensure that the enclosed or sheltered portion of the housing facility is sufficiently ventilated at all times dogs or cats are present to provide for their health and well-being and to minimize odors, drafts, ammonia levels, and moisture condensation. Ventilation shall be provided by windows, doors, vents, fans or air conditioning units. The licensee shall provide auxiliary ventilation when the ambient temperature is 85° F. or 29.5° C. or higher. Auxiliary ventilation may include fans, blowers, or air conditioning units.

(d) *Lighting.* Each licensee shall provide enough lighting for each sheltered housing facility for dogs and cats which is sufficient to permit routine inspection and cleaning of the facility and observation of the dogs and cats. Each animal area shall be provided with a regular diurnal lighting cycle of either natural or artificial light. Lighting shall be uniformly diffused throughout animal facilities and shall provide sufficient illumination to aid in maintaining good housekeeping practices, adequate cleaning, adequate inspection of animals, and the well-being of the animals. Each primary enclosure shall be placed in a manner which protects the dogs and cats from excessive light.

(e) *Shelter from the elements.* Each licensee shall provide one or more shelter structures which adequately shelter the dogs and cats from the elements at all times to protect their health and well-being. The shelter structure or structures shall be large enough to allow each animal to sit,

stand, and lie in a normal manner and to turn about freely.

(f) *Surfaces.*

(1) The following areas in sheltered housing facilities shall be impervious to moisture:

(A) Indoor floor areas in contact with animals;

(B) outdoor floor areas in contact with the animals, when the floor areas are not exposed to the direct sun, or are made of a hard material, including wire, wood, metal, or concrete; and

(C) all walls, boxes, houses, dens, and other surfaces in contact with the animals.

(2) Outside floor areas in contact with the animals and exposed to the direct sun may be compacted earth, absorbent bedding, sand, gravel, or grass. (Authorized by and implementing K.S.A. 1995 Supp. 47-1712, as amended by Sub. for 1996 HB 2607, § 15; effective, T-9-7-1-96, July 1, 1996.)

9-25-4. Outdoor housing facilities. (a) *Definition.* "Outdoor housing facility" means any structure, building, land, or premises:

(1) which houses or is intended to house animals;

(2) which does not meet the definition of any other type of housing facility provided in the regulations; and

(3) in which temperatures cannot be controlled with limits established by these regulations.

(b) *Restrictions.*

(1) A retail breeder licensee shall not keep any of the following categories of dogs or cats in outdoor facilities, unless that practice is specifically approved by the attending veterinarian:

(A) any dog or cat that is not acclimated to the temperatures prevalent in the area or region in which the animal is maintained;

(B) any dog or cat of a breed that cannot tolerate the prevalent temperatures of the area without stress or discomfort, including short-haired breeds in cold climates; and

(C) any dog or cat which is sick, infirm, aged, or young.

(2) If a licensee operating an outdoor housing facility does not know whether a dog or cat is acclimated, the licensee shall not keep such a dog or cat in the outdoor facility when the ambient temperature is less than 50° F. or 10° C.

(c) *Shelter from the elements.* Each outdoor facility for dogs or cats shall include one or more shelter structures that are accessible to each animal in the outdoor facility, and that are large enough to allow each animal in the shelter structure to sit, stand, and lie in a normal manner, and to turn about freely. In addition to the shelter structures, each licensee shall provide one or more separate, outside areas of shade which are large enough to contain all the animals at one time and protect them from the direct rays of the sun. Each shelter structure in an outdoor facility for dogs or cats shall contain a roof, four sides, and a floor, and shall:

(1) provide the dogs and cats with adequate protection and shelter from the cold and heat;

(2) provide the dogs and cats with protection from the direct rays of the sun and the direct effects of wind, rain, or snow;

(3) be provided with a wind break and rain break at the entrance; and

(4) contain clean, dry bedding material if the ambient temperature is below 50° F. or 10° C. The licensee shall provide additional clean, dry bedding material when the temperature is 35° F. or 1.7° C. or lower.

(d) *Construction.* All building surfaces in outdoor housing facilities which come into contact with animals shall be impervious to moisture. A licensee shall not use metal barrels, cans, refrigerators, freezers, or similar items as shelter structures. The floor of each outdoor housing facility may be compacted earth, absorbent bedding, sand, gravel, or grass.

(e) *Maintenance.* Each licensee shall replace floor materials if there are any prevalent odors, diseases, insects, pests, or vermin. The licensee shall maintain all surfaces on a regular basis. The licensee shall replace the surfaces of outdoor housing facilities that cannot be readily cleaned and sanitized, including houses, dens, and similar structures; when the surfaces are worn or soiled. (Authorized by and implementing K.S.A. 1995 Supp. 47-1712, as amended by Sub. for 1996 HB 2607, § 15; effective, T-9-7-1-96, July 1, 1996.)

9-25-5. Primary enclosures. Each primary enclosure for dogs and cats shall meet the following minimum requirements.

(a) *Definition.* "Primary enclosure" means any structure or device used to restrict an animal or animals to a limited amount of space, including a room, pen, run, cage, compartment, hutch, or tether. In the case of animals restrained by a tether, primary enclosure includes the shelter structure and the area within reach of the tether.

(b) *General requirements.*

(1) Each primary enclosure shall be designed and constructed of suitable materials so that it is structurally sound. Each retail breeder licensee shall keep the primary enclosure in good repair.

(2) Each primary enclosure shall be constructed and maintained in such a manner that the enclosure:

(A) has no sharp points or edges that could injure the dogs and cats;

(B) protects the dogs and cats from injury;

(C) contains the dogs and cats securely;

(D) keeps other animals from entering the enclosure;

(E) enables the dogs and cats to remain dry and clean;

(F) provides shelter and protection to all the dogs and cats from extreme temperatures and weather conditions that may be uncomfortable or hazardous;

(G) provides sufficient shade to shelter all the dogs and cats housed in the primary enclosure at one time;

(H) provides all the dogs and cats with easy and convenient access to clean food and water;

(I) enables all surfaces in contact with dogs and cats to be readily cleaned and sanitized in accordance with K.A.R. 9-25-6(b), or to be replaced when worn or soiled;

(J) has floors that are constructed in a manner which protects the dogs' and cats' feet and legs from injury, and if the floor is constructed of mesh or with slats, does not allow the dogs' and cats' feet to pass through any openings in the floor. If the floor of the primary enclosure is

constructed of wire, the licensee shall provide one or more solid resting surfaces that, in the aggregate, are large enough to hold all the occupants of the primary enclosure comfortably at the same time; and

(K) provides sufficient space to allow each dog and cat to turn about freely, to stand, sit, and lie in a comfortable, normal position, and to walk in a normal manner.

(c) *Additional requirements for cats.*

(1) *Space.* The licensee shall provide the following minimum vertical space and floor space for each cat, including weaned kittens, that is housed in any primary enclosure.

(A) Each primary enclosure housing cats shall be at least 24 inches or 60.96 cm. high.

(B) Each cat with a weight up to and including 8.8 lbs. or 4 kg. shall be provided with at least 3.0 sq. ft. or 0.28 m² of floor space.

(C) Each cat with a weight over 8.8 lbs. or 4 kg. shall be provided with at least 4.0 sq. ft. or 0.37 m² of floor space.

(D) Each queen with nursing kittens shall be provided with an additional amount of floor space, based on her breed and behavioral characteristics, and in accordance with generally accepted husbandry practices. If the additional amount of floor space available for each nursing kitten is less than five percent of the minimum requirement for the queen, the housing shall be approved by the livestock commissioner.

(E) The minimum floor space required by this regulation shall not include any space occupied by food or water pans. The litter pan may be considered part of the floor space if properly cleaned and sanitized.

(2) *Litter.* The licensee shall provide a receptacle in each primary enclosure which contains sufficient clean litter to contain excreta and other body wastes.

(3) *Resting surfaces.* Each primary enclosure housing cats shall contain one or more resting surfaces that, in the aggregate, are large enough to hold all the occupants of the primary enclosure comfortably at the same time. Each resting surface shall be elevated, impervious to moisture, and easily cleaned and sanitized or easily replaced when soiled or worn. Low resting surfaces that do not allow the space under them to be comfortably occupied by the animal shall be counted as part of the floor space.

(d) *Additional requirements for dogs.*

(1) *Space.*

(A) The licensee shall provide each dog with a minimum amount of floor space, calculated as follows:

(i) find the result of the following formula: (the length of the dog in inches + 6 inches) × (the length of the dog in inches + 6 inches) = required floor space in square inches; and

(ii) convert the result of the formula to square feet as follows: Required floor space in square inches/144 = required floor space in square feet.

The length of the dog shall be measured from the tip of the dog's nose to the base of the dog's tail.

(B) The licensee shall provide each bitch with nursing puppies with an additional amount of floor space, based upon the dog's breed and behavioral characteristics, and in accordance with generally accepted husbandry prac-

(continued)

tices, as determined by the attending veterinarian. The additional amount of floor space for each nursing puppy shall not be less than five percent of the minimum requirement for the bitch.

(C) The interior height of a primary enclosure shall be at least six inches higher than the head of the tallest dog in the enclosure in a normal standing position.

(2) *Dogs on tethers.*

(A) A licensee may keep dogs on tethers only in outside housing facilities that meet the requirements of K.A.R. 9-25-4 and only when the tether meets the requirements of this paragraph.

(i) The tether shall be attached either to the front of the dog's shelter structure or to a post in front of the shelter structure. The tether shall be at least three times the length of the dog as measured from the tip of its nose to the base of its tail.

(ii) The tether shall allow the dog convenient access to the shelter structure and to food and water containers.

(iii) The tether shall be of the type and strength commonly used for the size of dog involved and shall be attached to the dog by a well-fitted collar that will not cause trauma or injury to the dog. The licensee shall not use collars made of wire, flat chains, chains with sharp edges, chains with rusty or non-uniform links, or collars made of similar materials.

(iv) The tether shall be attached so the dog cannot become entangled with other objects or come into physical contact with other dogs in the outside housing facility, and so the dog can roam to the full range of the tether.

(B) Each outside housing area where dogs are kept on a tether shall be enclosed by a perimeter fence that is of sufficient height to keep unwanted animals out. Fences less than six feet high shall be approved by the livestock commissioner. The fence shall be constructed so that it protects the dogs by preventing animals the size of dogs, skunks, and raccoons from going through it or under it and having contact with the dogs inside.

(e) *Innovative primary enclosures.* With the approval of the livestock commissioner, any licensee may use an innovative primary enclosure not precisely meeting the floor area and height requirements provided in this regulation, if the primary enclosure provides the dogs or cats with a sufficient volume of space and the opportunity to express species-typical behavior. (Authorized by and implementing K.S.A. 1995 Supp. 47-1712, as amended by Sub. for 1996 HB 2607, § 15; effective, T-9-7-1-96, July 1, 1996.)

9-25-6. Cleaning, sanitization, housekeeping, and pest control. (a) *Cleaning of primary enclosures.*

(1) Each retail breeder licensee shall remove excreta and food waste from the inside of each primary enclosure daily and from under primary enclosures as often as necessary to prevent an excessive accumulation of feces and food waste, to prevent the soiling of the dogs or cats contained in the primary enclosures, and to reduce disease hazards, insects, pests, and odors.

(2) When steam or water is used to clean the primary enclosure, whether by hosing, flushing, or other methods, the licensee shall remove dogs and cats, unless the enclosure is large enough to ensure the animals would not be

harmed, wetted, or distressed in the process. The licensee shall remove standing water from the primary enclosure, and shall protect animals in other primary enclosures from contamination with water and other wastes during the cleaning.

(3) The licensee shall clean the pans under each primary enclosure with a grill-type floor and the ground area under each raised run with a wire or slatted floor as often as necessary to prevent accumulation of feces and food waste and to reduce disease hazards, pests, insects, and odors.

(b) *Sanitization of primary enclosures and food and water receptacles.*

(1) The licensee shall clean and sanitize each primary enclosure and each food and water receptacle using one of the methods prescribed in paragraph (b)(3) before the primary enclosure and food and water receptacle is used to house, feed, or water another dog, cat, or social grouping of dogs or cats.

(2) The licensee shall sanitize used primary enclosures and food and water receptacles for dogs and cats at least once every two weeks using one of the methods prescribed in paragraph (b)(3), and more often if necessary to prevent an accumulation of dirt, debris, food waste, excreta, and other disease hazards.

(3) Each licensee shall sanitize hard surfaces of primary enclosures and food and water receptacles using one of the following methods:

(A) spraying all surfaces with live steam under pressure;

(B) washing all surfaces with hot water which is at least 180° F. or 82.2° C., and soap or detergent, using a mechanical cage washer or similar device; or

(C)(i) washing all soiled surfaces with appropriate detergent solutions and disinfectants, or with a product that is a combination of a detergent and a disinfectant that accomplishes the same purpose;

(ii) thoroughly cleaning the surfaces to remove all organic material and mineral buildup and to provide sanitization; and

(iii) rinsing with clean water.

(4) Each licensee shall sanitize all pens, runs, and outdoor housing areas containing material that cannot be sanitized using the methods provided in paragraph (b)(3), including gravel, sand, grass, earth, or absorbent bedding, by removing the contaminated material as necessary to prevent odors, diseases, pests, insects, and vermin infestation.

(c) *Pest control.* Each licensee shall establish and maintain an effective program for the control of insects, external parasites affecting dogs and cats, and birds and mammals that are pests so as to promote the health and well-being of the animals and reduce contamination by pests in animal areas. (Authorized by and implementing K.S.A. 1995 Supp. 47-1712, as amended by Sub. for 1996 HB 2607, § 15; effective, T-9-7-1-96, July 1, 1996.)

9-25-7. Compatible grouping. With the following additional restrictions, each retail breeder licensee shall ensure that dogs and cats that are housed in the same primary enclosure are compatible, as determined from observation.

(a) The licensee shall not house females in heat or estrus in the same primary enclosure with sexually mature males, except for breeding purposes.

(b) The licensee shall house any dog or cat exhibiting a vicious or overly aggressive disposition separately.

(c) The licensee shall not house puppies or kittens four months of age or less in the same primary enclosure with adult dogs or cats other than their dams or foster dams, except when permanently maintained in breeding colonies. Except when maintained in breeding colonies, queens or bitches with litters shall not be housed in the same primary enclosure with other adult cats or dogs.

(d) Dogs or cats shall not be housed in the same primary enclosure with any other species of animals, unless they are compatible.

(e) The licensee shall isolate dogs and cats that have or are suspected of having a contagious disease from healthy animals in the colony, as directed by the attending veterinarian. When an entire group or room of dogs and cats is known or believed to have been exposed to an infectious agent, the group may be kept intact during the process of diagnosis, treatment, and control.

(f)(1) The licensee shall not house more than 12 adult non-conditioned cats in the same primary enclosure. The licensee shall not house more than 12 adult non-conditioned dogs in the same primary enclosure.

(2) "Non-conditioned" means that an animal has not been subjected to special care and treatment for a sufficient time for the animal to stabilize, and where necessary, to improve its health. (Authorized by and implementing K.S.A. 1995 Supp. 47-1712, as amended by Sub. for 1996 HB 2607, § 15; effective, T-9-7-1-96, July 1, 1996.)

9-25-8. Exercise for dogs. Each retail breeder licensee shall develop, document, and follow an appropriate plan to provide dogs with the opportunity for exercise. The attending veterinarian shall approve the plan. The licensee shall make the plan available to the livestock commissioner upon request. The plan shall include written standard procedures to be followed in providing the opportunity for exercise. At a minimum, the plan shall comply with each of the following requirements.

(a) *Dogs housed individually.* The licensee shall provide the opportunity for exercise regularly to each dog over 12 weeks of age, except bitches with litters, which are housed, held, or maintained by the licensee individually in cages, pens, or runs that provide less than two times the required floor space for that dog, as indicated in K.A.R. 9-25-5(d)(1).

(b) *Dogs housed in groups.* Any licensee housing, holding, or maintaining dogs over 12 weeks of age in groups shall not be required to provide additional opportunities for regular exercise if the dogs are maintained in cages, pens, or runs that provide, in total, at least 100 percent of the space required in K.A.R. 9-25-5(d)(1) for dogs which are maintained separately. Such animals may be maintained in compatible groups, unless:

(1) in the opinion of the attending veterinarian, such a housing arrangement would adversely affect the health or well-being of one or more dogs; or

(2) any dog exhibits aggressive or vicious behavior.

(c) *Methods and period of providing exercise opportunity.*

(1) The attending veterinarian shall determine the frequency, method, and duration of the opportunity for exercise.

(2) In developing the plan, each licensee shall consider providing positive physical contact with humans that encourages exercise through play or other similar activities. If a dog is housed, held, or maintained at a facility without sensory contact with another dog, the licensee shall provide the dog with positive physical contact with humans at least daily.

(3) The opportunity for exercise may include the following:

(A) providing group housing in cages, pens, or runs that provide at least 100 percent of the space that is required under the minimum floor space requirements of K.A.R. 9-25-5(d)(1) for dogs maintained separately;

(B) maintaining individually-housed dogs in cages, pens, or runs that provide at least twice the minimum floor space required by K.A.R. 9-25-5(d)(1);

(C) providing access to a run or open area at the frequency and duration prescribed by the attending veterinarian; or

(D) other similar activities.

(4) Forced exercise methods or devices, including swimming, treadmills, or carousel-type devices, shall not meet the exercise requirements of this regulation.

(d) *Exemptions.*

(1) If in the opinion of the attending veterinarian, it is inappropriate for certain dogs to exercise because of their health, condition, or well-being, the licensee may be exempted from meeting the requirements of this regulation for those dogs. The attending veterinarian shall document such an exemption, and unless the basis for exemption is a permanent condition, shall review the exemption at least every 30 days.

(2) The licensee shall maintain records of any exemptions. These records shall be made available to the livestock commissioner upon request. (Authorized by and implementing K.S.A. 1995 Supp. 47-1712, as amended by Sub for 1996 HB 2607, § 15; effective, T-9-7-1-96, July 1, 1996.)

9-25-9. Feeding. (a) Each retail breeder licensee shall feed all dogs and cats at least once each day, except as otherwise might be required to provide adequate veterinary care. The food shall be uncontaminated, wholesome, palatable, and of sufficient quantity and nutritive value to maintain the normal condition and weight of the animal. The diet shall be appropriate for the individual animal's age and condition.

(b)(1) Each licensee shall provide food receptacles for dogs and cats, which shall:

(A) be readily accessible to all dogs and cats;

(B) be located so as to minimize contamination by excreta and pests;

(C) be protected from rain and snow; and

(D) be disposable or made of a durable material that can be easily cleaned and sanitized. If the food receptacles are not disposable, the licensee shall keep the receptacles clean and sanitized using one of the methods described in K.A.R. 9-25-6(b). If the food receptacles are disposable, the licensee shall discard the receptacles after one use.

(continued)

(2) Any licensee may use self-feeders for feeding dry food. If self-feeders are used, the licensee shall keep the self-feeders clean and sanitized in accordance with K.A.R. 9-25-6(b). Each licensee shall take measures to ensure that there is no molding, deterioration, or caking of feed. (Authorized by and implementing K.S.A. 1995 Supp. 47-1712, as amended by Sub. for 1996 HB 2607, § 15; effective, T-9-7-1-96, July 1, 1996.)

9-25-10. Watering. If potable water is not continually available to the dogs and cats, the retail breeder licensee shall offer potable water to the dogs and cats as often as necessary to ensure their health and well-being, but not less than twice daily for at least one hour each time, unless restricted by the attending veterinarian. Each licensee shall make potable water continuously available if the ambient temperature is more than 85° F. In accordance with K.A.R. 9-25-6(b), each licensee shall keep the water receptacles clean and sanitized while in use and shall clean and sanitize water receptacles before they are used to water a different dog, cat, or social grouping of dogs or cats. (Authorized by and implementing K.S.A. 1995 Supp. 47-1712, as amended by Sub. for 1996 HB 2607, § 15; effective, T-9-7-1-96, July 1, 1996.)

9-25-11. Employees. Each retail breeder licensee shall employ enough individuals to carry out the level of husbandry practices and care required in article 25 of these regulations. Each employee who provides husbandry and care, or who handles animals, shall be supervised by an individual who has the knowledge, background, and experience in proper husbandry and care of dogs and cats to supervise others. The licensee shall ensure that the supervisor and other employees can perform to these standards. (Authorized by and implementing K.S.A. 1995 Supp. 47-1712, as amended by Sub. for 1996 HB 2607, § 15; effective, T-9-7-1-96, July 1, 1996.)

9-25-12. Age of animal. A retail breeder licensee shall not sell, offer, or exchange any dog or cat unless the dog or cat is at least six weeks of age and has been weaned. "Weaned" means that an animal has become accustomed to taking solid food and has done so, without nursing, for a period of at least five days. (Authorized by and implementing K.S.A. 1995 Supp. 47-1712, as amended by Sub. for 1996 HB 2607, § 15; effective, T-9-7-1-96, July 1, 1996.)

9-25-13. Access to and inspection of records of property. Each retail breeder licensee shall, during business hours, allow the livestock commissioner or the commissioner's representatives to take any of the following actions:

- (a) enter its place of business;
- (b) examine records required to be kept under K.A.R. 9-25-14;

(c) make copies of the records;

(d) inspect and photograph the facilities, property, and animals to the extent the livestock commissioner or the commissioner's representatives consider necessary to enforce the Kansas pet animal act, and article 25 of these regulations;

(e) document, by the taking of photographs and other means, conditions and areas of noncompliance; and

(f) use a room, table, or other facility necessary for the proper examination of the records and inspection of the property or animals. (Authorized by and implementing K.S.A. 1995 Supp. 47-1712, as amended by Sub. for 1996 HB 2607, § 15; effective, T-9-7-1-96, July 1, 1996.)

9-25-14. Records. (a) Each retail breeder licensee shall keep and maintain records for each animal purchased, acquired, held, transported, sold, or disposed of in some other manner. The records shall include the following:

(1) the name and address of the person from whom each animal was acquired;

(2) the date each animal was acquired;

(3) a description of each animal, including the following:

(A) the animal's age, size, color markings, sex, and breed;

(B) any available information regarding vaccinations; and

(C) any other significant identification for each animal, including any official tag number, microchip, or tattoo; and

(4) the name and address of the person to whom any animal is sold, given, bartered, or otherwise delivered and the date the transaction took place. The record shall show the method of disposition.

(b) Each licensee shall store records on the premises where the animals are located and shall make the records available for inspection.

(c) Each licensee shall keep records for the current fiscal year and the previous fiscal year. (Authorized by and implementing K.S.A. 1995 Supp. 47-1712, as amended by Sub. for 1996 HB 2607, § 15; effective, T-9-7-1-96, July 1, 1996.)

9-25-15. Adequate medical veterinary care. Each retail breeder licensee shall have an attending veterinarian who shall provide, to the licensee's animals, adequate veterinary care, as defined in K.S.A. 47-1701(dd). (Authorized by and implementing K.S.A. 1995 Supp. 47-1712, as amended by Sub. for 1996 HB 2607, § 15; effective, T-9-7-1-96, July 1, 1996.)

George Teagarden
Kansas Livestock Commissioner

Doc. No. 017887

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*.

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28-19-645	New	V. 15, p. 183	30-5-59	Amended	V. 14, p. 168	through		
28-19-646	New	V. 15, p. 183	30-5-64	Amended	V. 15, p. 923	30-64-34	New	V. 15, p. 938-942
28-19-647	New	V. 15, p. 183	30-5-70	Amended	V. 15, p. 1017	AGENCY 37: KANSAS HIGHWAY PATROL		
28-19-648	New	V. 15, p. 184	30-5-71	Amended	V. 14, p. 988, 1017	Reg. No.	Action	Register
28-19-800	New	V. 15, p. 257	30-5-80	Amended	V. 14, p. 1660	37-1-1		
28-19-801	New	V. 15, p. 258	30-5-81	Amended	V. 15, p. 925	through		
28-21-3	Revoked	V. 15, p. 552	30-5-81u	Amended	V. 14, p. 1661	37-1-5	Revoked	V. 14, p. 1633
28-21-90a	Revoked	V. 15, p. 552	30-5-82	Amended	V. 14, p. 1661	37-1-5a	Revoked	V. 14, p. 1633
28-21-91a	Revoked	V. 15, p. 552	30-5-86	Amended	V. 15, p. 925	37-1-6		
28-21-91b	Revoked	V. 15, p. 552	30-5-88	Amended	V. 14, p. 1662	through		
28-21-92a	Revoked	V. 15, p. 552	30-5-94	Amended	V. 14, p. 1663	37-1-12	Revoked	V. 14, p. 1633
28-21-93a	Revoked	V. 15, p. 552	30-5-95	Amended	V. 14, p. 169	AGENCY 40: KANSAS INSURANCE DEPARTMENT		
28-21-94a	Revoked	V. 15, p. 552	30-5-106	Amended	V. 14, p. 169	Reg. No.	Action	Register
28-21-96a	Revoked	V. 15, p. 552	30-5-107	Amended	V. 14, p. 169	40-4-17	Amended	V. 15, p. 77
28-21-98a	Revoked	V. 15, p. 552	30-5-110	Amended	V. 14, p. 1663	40-4-35	Amended	V. 15, p. 622
28-21-99a	Revoked	V. 15, p. 552	30-5-116	Amended	V. 14, p. 920			
28-21-102			30-5-153	New	V. 14, p. 1663			
through			30-5-153a	New	V. 14, p. 1663			
28-21-112	Revoked	V. 15, p. 552	30-5-174	New	V. 14, p. 920			
28-23-5	Revoked	V. 15, p. 552						

40-4-37 Amended V. 15, p. 77
 40-4-37d Amended V. 15, p. 78
 40-4-41 New V. 14, p. 583, 624
 40-4-41a through
 40-4-41g New V. 14, p. 584-587
 625-628
 40-5-109 Amended V. 15, p. 78

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

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
 69-3-8 Amended V. 15, p. 742
 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
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 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
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 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
 69-14-1 through
 69-14-5 New V. 15, p. 971, 972

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
 81-1-1 Amended V. 15, p. 697
 81-2-1 Amended V. 15, p. 698
 81-3-1 Amended V. 15, p. 698
 81-3-4 Revoked V. 15, p. 700
 81-4-1 Amended V. 15, p. 700
 81-5-1 Revoked V. 15, p. 701
 81-5-2 Revoked V. 15, p. 701
 81-5-3 Amended V. 15, p. 701
 81-5-4 Amended V. 15, p. 701
 81-5-7 Amended V. 15, p. 701
 81-5-9 Amended V. 15, p. 702
 81-5-12 New V. 14, p. 287
 81-6-1 Amended V. 15, p. 702
 81-7-2 Amended V. 15, p. 703
 81-8-1 Revoked V. 15, p. 703
 81-9-1 Revoked V. 15, p. 703
 81-13-1 Revoked V. 15, p. 703

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
 86-1-5 Amended V. 15, p. 598
 86-1-10 Amended V. 14, p. 1495
 86-1-11 Amended V. 14, p. 1660
 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

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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
100-69-1 through 100-69-9	New	V. 15, p. 1021, 1022

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. 15, p. 881
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. 15, p. 1054

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
111-2-46	New	V. 15, p. 624
111-2-47	New	V. 15, p. 882
111-2-48	New	V. 15, p. 1055
111-2-49	New	V. 15, p. 1055
111-2-50	New	V. 15, p. 1056
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 through 111-4-327	Revoked	V. 12, p. 1371
111-4-328 through 111-4-335	Revoked	V. 12, p. 114
111-4-336 through 111-4-345	New	V. 10, p. 1526-1528
111-4-346	Amended	V. 12, p. 1371, 1372
111-4-341	Revoked	V. 11, p. 1473
111-4-341a	Revoked	V. 12, p. 1372
111-4-341b	Amended	V. 12, p. 1372
111-4-341c	New	V. 12, p. 1664
111-4-344	Amended	V. 12, p. 1373
111-4-346 through 111-4-361	New	V. 10, p. 1586-1589
111-4-356 through 111-4-361	Revoked	V. 14, p. 7
111-4-346 through 111-4-349	Revoked	V. 12, p. 114
111-4-362 through 111-4-365	Revoked	V. 12, p. 114, 115
111-4-362	Amended	V. 11, p. 13

111-4-366 through 111-4-379	New	V. 11, p. 136-139	111-4-493 through 111-4-496	New	V. 12, p. 525	111-4-779 through 111-4-791	New	V. 14, p. 1504-1507
111-4-366 through 111-4-369	Revoked	V. 12, p. 1373	111-4-497 through 111-4-512	Revoked	V. 14, p. 975	111-4-792 through 111-4-803	New	V. 14, p. 1635-1638
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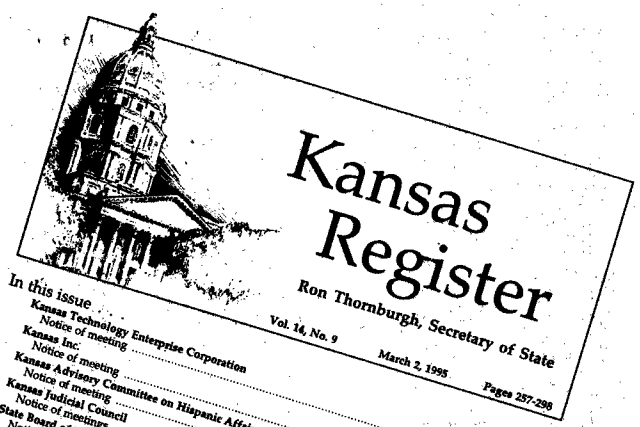
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