

Kansas Register

Ron Thornburgh, Secretary of State

Vol. 16, No. 19 May 8, 1997 Pages 727-774

In this issue . . .	Page
Secretary of State	
Executive appointments	728
Usury rate for May	734
Notice of corporations forfeited	734
Information Network of Kansas	
Notice of meeting.....	729
Clay County	
Notice to bidders	729
Social and Rehabilitation Services	
Notice of hearings on social service and low income energy assistance block grants	729
Department of Administration	
Public notice.....	729
Department of Health and Environment	
Notice of meeting.....	729
Request for comments on proposed air quality permits.....	732
Notices of hearing on proposed administrative regulations	737, 738
Notice concerning Kansas water pollution control permits	764
Department of Administration—Division of Accounts and Reports	
Notice of hearing on proposed administrative regulations	730
Kansas Real Estate Commission	
Notice of hearing on proposed administrative regulations	731
Kansas Commission on Veterans' Affairs	
Notice of meeting.....	732
Department of Administration—Division of Purchases	
Notice to bidders for state purchases	732
Kansas Commission on Governmental Standards and Conduct	
Advisory Opinion No. 97-16	736
Permanent Administrative Regulations	
Board of Healing Arts.....	737
Notice of Bond Sale	
City of Valley Center.....	739, 740
U.S.D. 290, Franklin County	741
Pooled Money Investment Board	
Notice of investment rates.....	742
Department of Transportation	
Request for comments on the Statewide Transportation Improvement Program	742
University of Kansas Medical Center	
Notice to bidders	742
New State Laws	
Senate Bill 165, concerning public health and safety; relating to the Board of Nursing	742
House Bill 2129, concerning mental health services; licensed masters level psychologists.....	747
House Bill 2218, concerning certain special benefit districts	751
Senate Bill 68, concerning the care and treatment act for mentally ill persons	753
Senate Bill 333, concerning the State Corporation Commission; powers and duties.....	758
Index to administrative regulations.....	766

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 recently filed with the Secretary of State:

Cheyenne County Treasurer

Bonnie Jones, 405 E. Whittier, St. Francis, 67756. Term expires when a successor is elected and qualifies according to law. Succeeds Gladys Cook, resigned.

Harper County Commissioner,
1st District

Sidney J. Burkholder, 492 N.W. 140th Road, Harper, 67058. Term expires when a successor is elected and qualifies according to law. Succeeds Floyd Dunning.

Criminal Justice Coordinating Council

Ronald J. Green, Office of the Governor, Second Floor, State Capitol, Topeka, 66612. Serves at the pleasure of the Governor. Succeeds Brent Anderson.

Kansas Dental Board

Paul "Nick" Rogers, D.D.S., 2302 Maple Crest, Arkansas City, 67005. Term expires May 1, 2001. Succeeds Ronald Wright.

Kansas Planning Council on
Developmental Disabilities Services

James L. Germer, 730 Willow, Concordia, 66901. Serves at the pleasure of the Governor. Succeeds Peter R. Williams.

State Board of Pharmacy

Daniel L. Katzer, 25440 W. 131st, Olathe, 66061. Term expires April 30, 2000. Reappointment.

Dan W. Upson, D.V.M., 201 Cedar Drive, Manhattan, 66502. Term expires April 30, 2000. Succeeds Margaret Young.

Kansas Turnpike Authority

Mary Turkington, 1433 S.W. Campbell Ave., Topeka, 66604. Term expires April 30, 2001. Succeeds Richard Rock.

Kansas Commission on Veterans' Affairs

Cordell D. Meeks, Jr., 7915 Walker Ave., Kansas City, KS 66112. Term expires June 30, 2001. Succeeds Ethel "Lee" Pinkelmann.

Major General Jack Strukel, Jr., 5125 S.E. 10th, Topeka, 66607. Term expires June 30, 1999. Succeeds Leon Shaw, Jr.

Ron Thornburgh
Secretary of State

Doc. No. 019088

The Kansas Register (ISSN No. 0662-190) is an official publication of the State of Kansas, published by authority of K.S.A. 75-430. The Kansas Register is published weekly by the Kansas Secretary of State, State Capitol, Topeka, KS 66612-1594. One-year subscriptions are \$70 (Kansas residents must include \$4.31 state and local sales tax). Single copies may be purchased, if available, for \$2 each. Periodicals postage paid at Topeka, KS.

Postmaster: Send change of address form to Kansas Register, Secretary of State, State Capitol, 300 S.W. 10th Ave., Topeka, KS 66612-1594.

© Kansas Secretary of State 1997. Reproduction of this publication in its entirety or for commercial purposes is prohibited without prior permission. Official enactments of the Kansas Legislature and proposed and adopted administrative regulations of state agencies may be reproduced in any form without permission.

PUBLISHED BY
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

Information Network of Kansas

Notice of Meeting

The Information Network of Kansas Board of Directors will meet from 3 to 5 p.m. Thursday, May 15, at the Top of the Tower, Bank IV Building, 534 S. Kansas Ave., Topeka. The meeting is open to the public.

Charles R. Warren
Chairman

Doc. No. 019089

(Published in the Kansas Register May 8, 1997.)

Clay County, Kansas

Notice to Bidders

Clay County will be accepting sealed bids for plumbing and electrical work at the Clay County Park in Wakefield. A specification list can be obtained at the Clay County Landfill Office, 1330 21st Road, Clay Center, 67432, (913) 632-2487. All bids must be received at the Landfill Office by noon May 12. Clay County reserves the right to reject any or all bids.

Gailen E. Tyrell, Supervisor
Clay County Landfill Office

Doc. No. 019100

State of Kansas

Social and Rehabilitation Services

Notice of Hearings

Public hearings on the 1998 Social Service Block Grant (SSBG) State Plan and the Low Income Energy Assistance Plan (LIEAP) Block Grant Plan have been scheduled for June 3 at Staff Development, Rooms B and C, State Complex West, 300 S.W. Oakley, Topeka, and by teleconference at the SRS area offices located in Chanute, Emporia, Garden City, Hays, Hutchinson, Kansas City, Lawrence, Manhattan, Olathe, Salina and Wichita. Following the hearings, there will be public testimony on the SRS budget for FY 1999.

Any organization or individual wishing to present views or obtain a copy of the block grant summaries may contact Jackie Aubert at (913) 296-6216 by May 23. When calling, please state who will be speaking and the content of the testimony. Testimony should be limited to five minutes, and two copies of the testimony are requested at the time of the presentation. The hearing will begin at 9 a.m. and end at noon or as soon as those present to testify have been given an opportunity.

Rochelle Chronister
Secretary of Social and
Rehabilitation Services

Doc. No. 019091

State of Kansas

Department of Administration

Public Notice

Under requirements of K.S.A. 1996 Supp. 65-34,117(c), records of the Division of Accounts and Reports show the unobligated balances are \$941,161.89 in the underground petroleum storage tank release trust fund and \$886,210.73 in the aboveground petroleum storage tank release trust fund at April 30, 1997.

Daniel R. Stanley
Secretary of Administration

Doc. No. 019098

State of Kansas

Department of Health
and Environment

Notice of Meeting

A public meeting will be conducted from 1:30 to 2:30 p.m. Thursday, May 29, by the Kansas Department of Health and Environment, as lead agency for Part H of the Individuals with Disabilities Education Act (IDEA), to receive comments from the public on the revision of the *Procedure Manual for Infant-Toddler Services in Kansas*. The manual has been updated and revised to conform to federal and state regulations regarding the administration of Part H of IDEA in Kansas.

Interactive television will be utilized for this public meeting at the following sites: Scott Building, Kansas State Department of Education, ITV Room/Board Room, 120 S.E. 10th Ave., Topeka; University of Kansas Medical Center, Orr Major Building, Room 2004, 3901 Rainbow Blvd., Kansas City; AHEC, Northwest Kansas Area Health Education Center, 217 E. 32nd, Hays; University of Kansas School of Medicine-Wichita, Women's Resource Center, Room 1310-The Wichita Room, 1010 N. Kansas, Wichita; and Garden City Community College, Academic Building, Room B142, 801 Campus Drive, Garden City.

Complete copies of the draft procedure manual are available for review in public libraries in the following cities: Colby (Pioneer Memorial); Concordia (Frank Carlson); Dodge City; Emporia; Garden City; Great Bend; Hays; Hiawatha; Hutchinson; Kansas City, Kansas (main library); Lawrence; Leavenworth; Manhattan; Parsons; Salina; Topeka; and Wichita (central library).

Comments are welcome at the public meeting or in writing by June 27 to Jayne Garcia, Kansas Infant-Toddler Services, Kansas Department of Health and Environment, Landon State Office Building, Room 1053, 900 S.W. Jackson, Topeka, 66612-1290.

Gary R. Mitchell
Secretary of Health
and Environment

Doc. No. 019094

State of Kansas

**Department of Administration
Division of Accounts and Reports**

**Notice of Hearing on Proposed
Administrative Regulations**

A public hearing will be conducted at 10:30 a.m. Monday, July 7, in Room 108, Landon State Office Building, 900 S.W. Jackson, Topeka, to consider the adoption of proposed permanent rules and regulations of the Department of Administration, Division of Accounts and Reports.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed rules and regulations. All interested parties may submit written comments prior to the hearing to the Secretary of Administration, Room 263-E, State Capitol, 300 S.W. 10th Ave., Topeka, 66612. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulations during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request each participant to limit any oral presentation to five minutes.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulations and economic impact statements in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Faith Loretto at (913) 296-6000 or (913) 296-4798 (TTY). Handicapped parking is located at the south end of the Landon State Office Building, and the north entrance to the building is accessible.

Summaries of the proposed regulations and their economic impact follow.

K.A.R. 1-16-2a, Relocation assistance; K.A.R. 1-16-2b, Moving expenses; and K.A.R. 1-16-2e, Bidding required, identify allowable and unallowable moving expenses that can be paid by agencies for new employees or for transferring employees, as well as the procedures that should be followed in obtaining bids from moving companies.

Effective July 1, 1997, 1997 SB 104, §1 will allow the payment of moving expenses for new employees recruited from within the state and will increase the types of allowable moving expenses to include the cost of meals while moving from the old to the new residence while more than 30 miles away from the official station, the expense of one pre-move trip to look for a new residence, and subsistence expenses while occupying temporary quarters in the new location. These regulations are amended as necessary to reflect the statutory changes and to allow state agencies to make direct payments to moving companies.

K.A.R. 1-16-2d, Agreement with transferred employee, is revoked, as its provisions are included in 1997 SB 104, §1.

The proposed amendments will affect state agencies, newly hired employees and employees who are trans-

ferred to a new official duty station over 25 miles from the previous official duty station. State agencies can offer a better moving expense package to prospective employees and new employees, and transferred employees will not have to pay out-of-pocket expenses to the extent required with existing regulations. Feedback from agencies indicated that the limited reimbursement for moving expenses has been a hardship for transferring employees, who were required to absorb a considerable amount of the moving cost, and recruitment of new employees also was hampered by the limited amount allowed for moving reimbursement.

No accurate estimate of the economic impact is possible for the provisions relating to reimbursement of moving expenses. Payment of moving expenses is discretionary; therefore, the number of instances in which state agencies will use the provisions of these regulations cannot be predicted. It is presumed that agencies would cover their expenses from existing budget authority. No economic impact on the public is anticipated.

K.A.R. 1-16-18, Subsistence allowance; rates, prescribes the amounts and methods for computing the reimbursement for meal and lodging expenses incurred by state employees while traveling on official state business. Proposed amendments to the regulation increase the reimbursement limitation for meal allowances and lodging expenses and create a meal allowance limit for in-state high cost geographic areas. These changes are estimated to increase state agency expenditures for subsistence by up to \$657,706 (\$242,833 from the state general fund and \$414,873 from all other funds). State employees traveling on official state business will benefit from establishment of rates that more closely reflect the actual cost of travel. No economic impact on the general public is anticipated.

Additional amendments to the regulation implement the provisions of 1997 SB 104, §2, which allow state agencies the option of paying lodging expenses directly to the lodging establishment rather than reimbursing the employee. These changes will benefit state employees traveling on state business by eliminating the largest out-of-pocket expenses. To the extent that state agencies make direct payments to lodging establishments, the expenses will be exempt from sales taxes, thereby decreasing state agency expenditures, with a corresponding decrease in state sales tax revenues and sales tax revenues for local units of government. State expenditures could decrease by up to \$315,200 (\$125,800 in state general fund), while state sales tax revenues could decrease by up to \$223,800. Additionally, local units of government could lose an estimated \$91,400 in sales tax revenues annually.

Copies of the proposed regulations and the associated economic impact statements may be obtained from the Division of Accounts and Reports, Room 351-S, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612, (913) 296-2311.

Daniel R. Stanley
Secretary of Administration

Doc. No. 019105

State of Kansas

Real Estate Commission

Notice of Hearing on Proposed
Administrative Regulations

A public hearing will be conducted at 9 a.m. Thursday, July 10, in the conference room in the office of the Kansas Real Estate Commission, Three Townsite Plaza, Suite 200, 120 S.E. 6th Ave., Topeka, to consider the adoption of proposed new and amended administrative regulations.

This 60-day notice of public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed regulations. All interested parties may submit written comments prior to the hearing to the Kansas Real Estate Commission, Three Townsite Plaza, Suite 200, 120 S.E. 6th Ave., Topeka, 66603-3511. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulations during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request each participant to limit any oral presentation to five minutes.

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

The regulations are proposed for adoption on both a temporary and a permanent basis. A summary of the proposed regulations and their economic impact follows.

86-3-26. Real estate brokerage relationships brochure. This new regulation prescribes language, which describes a seller's agent, a buyer's agent and a transaction broker, for inclusion in a brochure which licensees must furnish to prospective buyers and sellers. Brokerage firms may obtain a copy of the brochure from the commission for reproduction and use by their licensees or they may design their own brochure.

The cost to the commission to provide the brochure is estimated at \$500 for printing and \$1,000 for mailing. The commission is unable to estimate the cost to brokerage firms to copy the brochure or to design and print their own brochure. The quantity of brochures needed will depend on the number of sellers and buyers who have contact with the licensees. The commission does not anticipate economic impact on other governmental agencies or private businesses.

86-3-27. Transaction broker addendum. This new regulation adopts three commission-approved forms, which licensees will use to obtain informed consent of clients to change their status as an agent to that of transaction broker.

The cost to the commission to provide camera-ready forms is estimated at \$600 for printing and \$1,000 for mailing. The commission is unable to estimate the quantity of forms that firms will need to reproduce. Firms which do not represent both sellers and buyers will have no need to use the forms. Firms which represent both buyers and sellers, but who appoint designated agents,

will have limited need to use the forms. The commission does not anticipate economic impact on other governmental agencies or private businesses.

86-3-28. Buyer's or tenant's consent to direct negotiations. This new regulation adopts a commission-approved form, which a seller's or landlord's agent will use to obtain the consent of a buyer or tenant, who is represented by another agent, to negotiate directly with the seller's or landlord's agent.

The cost to the commission to provide camera-ready forms is estimated at \$100 for printing and \$1,000 for mailing. It is anticipated that the form will be primarily used by licensees who sell new homes. Use of the form is expected to be limited. The commission does not anticipate economic impact on other governmental agencies or private businesses.

86-1-3. Expiration of licenses. The regulation is amended to except a temporary salesperson's license from the schedule of expiration dates. The term of a temporary license is six months and is set by statute.

There is no anticipated economic impact on the commission, real estate licensees, other governmental agencies or private businesses.

86-1-5. Fees. The regulation is amended to provide a fee for a temporary license and to set fees based on a two-year amount instead of an annual amount. There is no increase in any fee.

The amendment does not result in higher licensure fees for salespersons entering the business. The temporary license fee of \$20 is based on the two-year \$80 fee. There is no anticipated economic impact on the commission, other governmental agencies or private businesses.

86-1-11. Minimum curricula and standards for course. The regulation is amended to provide that temporary salespersons take the salesperson's post-license course prior to expiration of the temporary license.

The amendment changes only the time for completion of the course; the course is not a new requirement. The cost of taking the course is determined by each school and is estimated at an average of \$150. There is no anticipated economic impact on the commission, other governmental agencies or private businesses.

86-2-8. Examination of records. The regulation is amended to add reference to the brokerage relationships in the real estate transactions act.

The economic impact on the broker is the amount of time that is required for the broker, or someone in the broker's office, to give the necessary records to the examiner. There is no anticipated economic impact on other governmental agencies or private businesses.

86-3-25. The regulation on the disclosure of alternative agency relationships form is revoked.

Copies of the regulations and the economic impact statements may be obtained from the Kansas Real Estate Commission at the address above, (913) 296-3411.

Jean Duncan
Director

Doc. No. 019080

State of Kansas

Department of Health
and Environment

Request for Comments

The Kansas Department of Health and Environment is soliciting comments regarding issuance of authorizations to operate under the general Class I air quality operating permit for natural gas compressor stations. Authorizations to operate under the general Class I operating permit have been issued in accordance with the provisions of K.A.R. 28-19-400 et seq.

A copy of each permit application, authorization, and all supporting nonconfidential documentation is available for public review during normal business hours at the KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka. Information also is available at the KDHE district office indicated for each facility. To obtain or review the permit, authorization and supporting documentation, contact Connie Carreno, (913) 296-6422, at the KDHE central office, or the indicated district representative. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding an authorization to Connie Carreno, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, 66620.

A list of all major sources within the state which are authorized to operate under the terms of the general Class I operating permit will be maintained at the KDHE Topeka offices.

Authorizations issued during the week of
March 10, 1997:

Compressor Station:

Location:

KDHE District Rep.:

Rep. Location:

Clifton Station

S7, T6S, R2E, Clay County

Beth Rowlands, (913) 827-9639

North Central District Office, Salina

Finney County #1 Station

S9, T23S, R34W, Finney County

Wayne Neese, (316) 225-3731

Southwest District Office, Dodge City

Finney County #3 Station

S1, T23S, R32W, Finney County

Wayne Neese, (316) 225-3731

Southwest District Office, Dodge City

Fowler Station

S10, T30S, R26W, Meade County

Wayne Neese, (316) 225-3731

Southwest District Office, Dodge City

Gary R. Mitchell
Secretary of Health
and Environment

Doc. No. 019095

State of Kansas

Commission on Veterans' Affairs

Notice of Meeting

The Kansas Commission on Veterans' Affairs will meet at 1 p.m. Friday, May 30, in the conference room of the State Banking Department, third floor, Jayhawk Tower, 700 S.W. Jackson, Topeka. The public is invited to attend.

Don A. Myer
Executive Director

Doc. No. 019104

State of Kansas

Department of Administration
Division of Purchases

Notice to Bidders

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

Monday, May 19, 1997

31681 Supp.

Emporia State University—Maintenance personnel uniforms

32192 - Rebid

University of Kansas Medical Center—Lumber/wood products

32352

Kansas Highway Patrol and other agencies—Leather accessories for officer uniforms

5843

Kansas State University—Research microscope

5844

University of Kansas—Zoom stereomicroscopes

5855

University of Kansas Medical Center—
Ultramicrotome

Tuesday, May 20, 1997

32383

Statewide—Family planning pharmaceuticals

32471

University of Kansas—Small animal feed

32484

Statewide—Water softener salt

5845

Department of Social and Rehabilitation Services—
Continuous forms

5871

University of Kansas—Paper, printing and binding:
Rethinking College Education

Wednesday, May 21, 1997

32451

Statewide—1998 calendars

32459

State Corporation Commission—Well plugging,
Burton East Project

5874
 University of Kansas—Parking hangtags and permits
Thursday, May 22, 1997
 A-8105
 El Dorado Correctional Facility—Locking system
 upgrade, Cellhouse A
 32470
 University of Kansas—Papanicolau screening and
 tissue biopsy services
 32478
 University of Kansas—Janitorial services, Regents
 Center, Overland Park
 5846
 Hutchinson Correctional Facility—Doors, frames and
 hardware
 5847
 Pittsburg State University—Work benches
 5867
 University of Kansas—Ice maker/dispensers
Friday, May 23, 1997
 32472
 Kansas State University—Furnish and install chiller
 and concrete base
 32473
 University of Kansas Medical Center—Fume hoods
 and accessories
 5856
 Fort Hays State University—Mac memory
 5857
 Pittsburg State University—Fiber optic transmitters
 and receivers
 5858
 Pittsburg State University—Firewall server
 5859
 Winfield Correctional Facility—Heating equipment
 5860
 Wichita State University—Furnish and install entry
 and exit doors
 5861
 Kansas State University—Furnish and install metal
 corral system
 5862
 Kansas State University—Toilet partitions
 5863
 University of Kansas—High performance graphics
 workstation
 5864
 Pittsburg State University—RS/6000 computer system
 5865
 University of Kansas Medical Center—Security
 server/firewall software
 5866
 Lansing Correctional Facility—Natural gas steam
 kettle and deep fryer
 5868
 Pittsburg State University—1" mini blinds
 5869
 Department of Transportation—Lawn mowers,
 various locations
 5870
 Department of Transportation—Rough terrain
 forklift, Chanute

5872
 Kansas Bureau of Investigation—Dialed number
 recorder smart slave unit
 5873
 Department of Transportation—Truck mounted
 hydraulic derrick
Thursday, May 29, 1997
 A-8174
 University of Kansas—Improvements, Summerfield
 Hall
Friday, May 30, 1997
 A-8095
 Kansas Neurological Institute—Raze support
 buildings
Tuesday, June 3, 1997
 32455
 Department of Human Resources—Workers
 compensation insurance
 32469
 Department of Social and Rehabilitation Services—
 Workers compensation insurance
Tuesday, June 10, 1997
 A-8084
 Wichita Work Release Facility—Elevator remodel
 A-8170
 University of Kansas—ADA accessibility
 A-8195
 University of Kansas—Remodel various rooms,
 Kansas Synthesis Lab, Malott Hall
 A-8211
 University of Kansas—Upgrade west elevators,
 Kansas Union

Wednesday, June 11, 1997
 Statewide—Copy machines

Request for Proposals
Friday, May 23, 1997
 32468
 Grants close-out for the Department of Social and
 Rehabilitation Services
Tuesday, May 27, 1997
 32491
 Management consulting services for the Department
 of Transportation
Wednesday, May 28, 1997
 32490
 Information technology services for the Department
 of Social and Rehabilitation Services
Monday, June 2, 1997
 32477
 Flexible spending account administration for the
 Department of Administration, Division of Personnel
 Services

John T. Houlihan
 Director of Purchases

Doc. No. 019101

State of Kansas

Secretary of State

Usury Rate for May

Pursuant to the provisions of K.S.A. 16-207, the maximum effective rate of interest per annum for notes secured by all real estate mortgages and contracts for deed for real estate (except where the note or contract for deed permits adjustment of the interest rate, the term of the loan or the amortization schedule) executed during the period of May 1, 1997 through May 31, 1997, is 9.79 percent.

Ron Thornburgh
Secretary of State

Doc. No. 019090

State of Kansas

Secretary of State

Notice of Corporations Forfeited

In accordance with K.S.A. 17-7510, the articles of incorporation of the following corporations organized under the laws of Kansas and the authority of the following foreign corporations authorized to do business in Kansas were forfeited during the month of April 1997 for failure to timely file an annual report and pay the annual franchise tax as required by the Kansas general corporation code:

Domestic Corporations

A & E Global Inc., Winfield, KS.
 AB & KB, Inc., Liberal, KS.
 Alpha Tau Omega Fraternity of Lawrence, Kansas, Fairway, KS.
 American International, Inc., Topeka, KS.
 Ames Enterprises, Inc., Kansas City, KS.
 Ashton's Affiliated, Inc., Salina, KS.
 Avtech, Inc., Topeka, KS.
 B.C. Boeger Inc., Lenexa, KS.
 Benchmark Construction, Inc., Overland Park, KS.
 Big Sky Marketing, Inc., Lenexa, KS.
 Bill Area & Sons, Inc., Overton, NE.
 Bradbury Sheet Metal, Inc., Andover, KS.
 Brian the Plumber, Inc., Olathe, KS.
 Brown Church Securities, Inc., Wichita, KS.
 Budget Rental Car Sales, Inc., Wichita, KS.
 Charbin Statuary, Inc., Kansas City, KS.
 Chrissie, Inc., Emporia, KS.
 Circle S S, Inc., Lawrence, KS.
 Classic Drilling, Inc., Wichita, KS.
 Contract Services, Inc., Junction City, KS.
 Copenhagen, Inc., Overland Park, KS.
 Corporate Data Solutions, Inc., Leawood, KS.
 Critchfield, Inc., Branson, MO.
 Dairy Queen Brazier No. 3 of Kansas City, Kansas, Inc., Kansas City, KS.
 David C. Parsons, D.D.S., P.A., Winfield, KS.
 Dearing Communications, Inc., Salina, KS.
 Desert Springs, Inc., Harper, KS.
 Dickerson Brothers Construction Company, Inc., Lawrence, KS.

Dynamic Drywall Systems, Inc., Wichita, KS.
 E. Randall, Inc., Olathe, KS.
 Foam Insulation Contractors, Inc., Kansas City, KS.
 Full Service Beverage Company, Wichita, KS.
 Full Service Beverage Company of Kansas, Wichita, KS.
 Fulton Plaza Autos, Inc., Garden City, KS.
 Fyne Wood Creations, Inc., Sedgwick, KS.
 G & R Miller Farms, Inc., Garden City, KS.
 G & S Implement Inc., Hugoton, KS.
 Gilmore Brothers, Inc., Pittsburg, KS.
 Golden Wholesale Hardware, Inc., Colby, KS.
 Great Midlands Corporation, Leawood, KS.
 Greg Hodges & Company, Leawood, KS.
 H & H Supply, Inc., Russell, KS.
 Harbour Wholesale, Inc., Shawnee, KS.
 Hermanson Enterprises Inc., d/b/a Scotch Fabric Care Services, Topeka, KS.
 Hivk, Inc., Pittsburg, KS.
 Homestead Woods Homeowners Association, Inc., Shawnee Mission, KS.
 Horizon Mortgage Services, Inc., Overland Park, KS.
 Hovey Homes, Inc., Olathe, KS.
 HPBS, Inc., Overland Park, KS.
 Idaho Falls Braves Baseball Club, Inc., Oak Brook, IL.
 Info Access Inc., New York, NY.
 Informed Technology, Inc., Overland Park, KS.
 International Disposal Corporation of Kansas, Houston, TX.
 International Marketing Associates, Inc., Lenexa, KS.
 J A S Oil Company, Inc., Winfield, KS.
 J.B. Rentals, Inc., Topeka, KS.
 Jarrett Standard Service, Inc., Pratt, KS.
 John A. Marsh, D.D.S., P.A., Overland Park, KS.
 Jones & Dickinson, P.A., Newton, KS.
 Kanorado Beverages, Inc., Wichita, KS.
 Kansas Baseball Cards and Supplies, Inc., Salina, KS.
 Kansas Chapter of Triangle, Roeland Park, KS.
 Keller Motor and Implement Company, Inc., Grainfield, KS.
 Koster Funeral Home, Inc., Oakley, KS.
 Laresa Construction, Inc., Wichita, KS.
 Last Rose L.T.D., Manhattan, KS.
 Logan and Company, Inc., Coffeyville, KS.
 Louisburg Ready Mix, Inc., Louisburg, KS.
 Messick Well Service, Inc., St. John, KS.
 Metcalf South Merchants Assn., Overland Park, KS.
 Midwestern Oil Co., Inc., Fredonia, KS.
 MRF Construction, Inc., Topeka, KS.
 Nall Park Medical Group, Inc., Overland Park, KS.
 Nan/Terra Construction, Inc., Spring Hill, KS.
 National Equipment & Furniture, Inc., Wichita, KS.
 Nelson Harvesting Inc., Goodland, KS.
 New Frontier Inc., Wichita, KS.
 Northwestern Supply Co., Inc., Wichita, KS.
 Ottawa Herald, Inc., Ottawa, KS.
 Overland Resources Limited Partnership, Shawnee Mission, KS.
 Parham's Bakery, Inc., Independence, KS.
 Pawnee Composites, Inc., Wichita, KS.
 Penner Home Building, Inc., Hutchinson, KS.
 Perry Petroleum, Inc., Hutchinson, KS.
 Petroleum Building, Inc., Wichita, KS.

Powell Body Works, Inc., Wichita, KS.
 Power Team, Inc., Olathe, KS.
 Primecorp Financial Services, Inc., Hays, KS.
 Producers Agricultural Marketing Association, Inc.,
 Kensington, KS.
 Professional Hair Development, Inc., Topeka, KS.
 Prufrock Restaurants of Kansas, Inc., Dallas, TX.
 QLT, Inc., Kennesaw, GA.
 R & C Cattle, Inc., Scott City, KS.
 R & R Automotive, Inc., Wichita, KS.
 R. M. Fisher Plumbing & Heating Inc., Lenexa, KS.
 Real Estate Center, Inc., Hillsboro, KS.
 Rivco Distributors, Inc., Wichita, KS.
 Rugan Farms & Feeding, Inc., Great Bend, KS.
 Rush Center Oil, Inc., La Crosse, KS.
 Ryan Cleaners, Inc., Wichita, KS.
 Ryukyu Martial Imports and Services Inc., Olathe, KS.
 Safe Streets Coalition, Washington, DC.
 Spinal-Neurological Diagnostics of K.C., Inc.,
 Overland Park, KS.
 The Centrex Group, Inc., Topeka, KS.
 The Inland Corporation, Wichita, KS.
 The Sunny Corporation, Olathe, KS.
 The Walter Jacobs Company, Overland Park, KS.
 Triacq Corp., Overland Park, KS.
 Ventures Investment Corporation, Wichita, KS.
 Vim Trailer Mfg., Inc., Wichita, KS.
 W.M., Inc., Davenport, IA.
 Whitton Construction Company, Inc., Wichita, KS.
 Wichita Hardware Aero-Space Technology, Inc.,
 Wichita, KS.
 Wichita Mall Restaurants, Inc., Tarzana, CA.
 Wood Construction Company, Inc., Wichita, KS.

Foreign Corporations

A & B Bograd, Inc., Kansas City, KS.
 Affiliated Foods, Inc., Amarillo, TX.
 AIH Services, Inc., Kansas City, MO.
 Airnet Systems, Inc., Columbus, OH.
 American Tank & Vessel, Inc., Mobile, AL.
 APTUS, Inc., Wilmington, DE.
 Associated Hosts of California, Inc., Tarzana, CA.
 Automotive & Industrial Products Co., Inc., Odessa, TX.
 AV Auctioneers, Inc., Northridge, CA.
 Black-Eyed Pea U.S.A., Inc., Dallas, TX.
 Bridge-Contrarian Lodge, L.P., Topeka, KS.
 C. Rallo Contracting Co., Inc., St. Louis, MO.
 C. W. Smith & Associates, Inc., Oklahoma City, OK.
 Central Arkansas Payroll Company, Little Rock, AR.
 Central Office Products, Inc., Joplin, MO.
 Cherokee Communications, Inc., Jacksonville, TX.
 Chipmunk's Oil & Gas Lease Operations, Inc.,
 Copan, OK.
 Coatings Unlimited, Inc., Bridgeton, MO.
 Colt Electronics Co., Lenexa, KS.
 Coulter Leasing Corporation, Miami, FL.
 Crescent Oil & Gas Corporation, Decatur, TX.
 Daniel W. Forgy, P.C., Olathe, KS.
 Davis Advertising Agency, Inc., Kansas City, MO.
 Defender Services, Inc., Columbia, SC.
 DMX Inc., Los Angeles, CA.

Edward B. Thomson Enterprises, Inc., Belton, MO.
 Equity Hotel Corporation, Little Rock, AR.
 Fagadau Energy Corporation, Dallas, TX.
 Farmers Hybrid Companies, Inc., West Des Moines, IA.
 FGI Financing I Corporation, Indianapolis, IN.
 First Albany Corporation, Albany, NY.
 Food Holdings, Inc., New Richmond, WI.
 Geldermann, Inc., Omaha, NE.
 Haggar Clothing Co., Dallas, TX.
 Healthcare Interchange, Inc., St. Louis, MO.
 Heublein, Inc., Hartford, CT.
 Hydro-Flo Systems, Inc., Independence, MO.
 International Buddhist Progress Society,
 Hacienda Heights, CA.
 J & K Showtime Video, Inc., Miami, OK.
 J. W. Garrett & Company, Phoenix, AZ.
 Jones & Company, Real Estate and Mortgages,
 Kansas City, MO.
 Keystone Pipeline Services, Inc., South Windsor, CT.
 Koll Management Services, Inc., Newport Beach, CA.
 Lazer Construction Company, Inc., Greenwood, MO.
 Liberty Maintenance, Inc., Campbell, OH.
 Marquo, Inc., Castle Rock, CO.
 McCreery Enterprises, Inc., Galena, MO.
 Morcap, Inc., Atlanta, GA.
 Murray Guard, Inc., Jackson, TN.
 National Cinema Supply Corporation, Tampa, FL.
 Natmin Development Corporation, Carrollton, TX.
 New Jersey Natural Resources Company, Tulsa, OK.
 NJRE Operating Company, Tulsa, OK.
 Parametric Technology Corporation, Waltham, MA.
 Paramount Steel, Inc., Houston, TX.
 Pasco Petroleum, Cheyenne, WY.
 R. D. Mann Carpet Company, Kansas City, MO.
 Richard M. Milburn High School for Adults, Inc.,
 Woodbridge, VA.
 SFB Construction Corporation, Duluth, GA.
 SFB, Incorporated, Duluth, GA.
 Siemens Energy & Automation, Inc., Alpharetta, GA.
 Siemens Power Corporation, Wilmington, DE.
 Sipi Metals Corp., Chicago, IL.
 Smart Professional Photocopy Corporation,
 Torrance, CA.
 Sterling-Graham, Inc., Oklahoma City, OK.
 Sunstate Courier, Inc., Tampa, FL.
 The Orvis Company, Inc., Manchester, VT.
 Topeka Development Company, L.P., St. Louis, MO.
 Toyota Motor Sales, U.S.A., Inc., Torrance, CA.
 Triple Check Financial Services, Inc., Burbank, CA.
 Ungermann-Bass Networks, Inc., Santa Clara, CA.
 Voith Hydro, Inc., York, PA.
 World Telecom Group, Inc., Mountain View, CA.

Ron Thornburgh
 Secretary of State

Doc. No. 019103

State of Kansas

Kansas Commission on Governmental Standards and Conduct

Advisory Opinion No. 97-16

Written April 24, 1997, to Patricia A. Rahija, Wyandotte County Election Commissioner, Kansas City, Kansas.

This opinion is in response to your letter of April 14, 1997, in which you request an opinion from the Kansas Commission on Governmental Standards and Conduct concerning the Kansas Campaign Finance Act (K.S.A. 25-4142 *et seq.*). We note at the outset that the commission's jurisdiction is limited to the application of K.S.A. 25-4142 *et seq.*, and whether some other statutory system, common law theory or agency rule and regulation applies to your inquiry is not covered by this opinion.

Factual Statement

We understand you request this opinion in your capacity as the Wyandotte County Election Commissioner. You advise us that a consolidation plan was drafted by the Wyandotte County/Kansas City Consolidation Study Commission and approved by the voters in that county on April 1, 1997. This plan would consolidate several of the Kansas City, Kansas, and Wyandotte County governmental offices. The new system would be called the Unified Government, and would include one chief executive/mayor and 10 members of the board of commissioners.

Individuals interested in running for these 11 positions must file for candidacy by May 13, 1997. The candidates will then run for office and be elected during a special primary election on July 8, 1997, and a special general election on September 9, 1997.

You also have provided us with your proposed plan for holding these special elections, the Consolidation Study Commission's recommendations to the Governor and Legislature, and a letter from the Consolidation Study Commission to the Governor.

Question

Based on this factual statement, you ask us the following questions:

1. What contribution limitations, if any, are there for the Unified Government races?
2. Will individuals who had previous candidate bank accounts be required to close those accounts and open new ones for the Unified Government races?

Opinion

We first note that for the Kansas Campaign Finance Act (K.S.A. 25-4142 *et seq.*) to apply to the Unified Government races, those positions must either be for a "state office" or "local office" as those terms are defined in K.S.A. 25-4143. K.S.A. 25-4143(k) defines "state office" as "any state office defined by K.S.A. 25-2505 and amendments thereto." While that statute is beyond the jurisdiction of this commission, clearly it does not apply to Unified Government races. (K.S.A. 25-2505(b) provides: "'State office' or 'state officer' means the state officers elected on a statewide basis, members of the house of representatives and state senators, members of the state

board of education, district judges, district magistrate judges and district attorneys.)

K.S.A. 1996 Supp. 25-4143(n) defines "local office" in pertinent part as the following:

... a member of the governing body of a city of the first class, any elected office of a unified school district having 35,000 or more pupils regularly enrolled in the preceding school year, a county or of the board of public utilities.

In reviewing the materials you have provided us, it appears that the Unified Government is to oversee the governmental operation of Wyandotte County. In addition, the Consolidation Study Commission used the general election laws applicable to county elections as a basis for the Unified Government special elections. Therefore, this commission believes that the chief executive/mayor and board of commissioners are "members of the governing body of a county," and are thereby seeking a "local office." Thus, the Kansas Campaign Finance Act applies to individuals who become candidates for those positions.

With this initial determination in mind, we turn to your first question. K.S.A. 25-4153(a) in pertinent part states:

The aggregate amount contributed to a candidate and such candidate's candidate committee and to all party committees and political committees and dedicated to such candidate's campaign, by any political committee or any person except a party committee, the candidate or the candidate's spouse, shall not exceed the following:

... (2) for the office of ... candidate for local office, \$500 for each primary election ... and an equal amount for each general election ...

In applying this subsection to your question, because this is a new election, separate and apart from the recent city election, each candidate running for a Unified Government position would be permitted to receive a maximum of \$500 from each contributor in the special primary election period, and another \$500 from each contributor in the special general election period. (For purposes of this special election only, the primary election period for contributions to Unified Government candidates will be from April 2, 1997 through July 8, 1997. The general election period will run from July 9, 1997 through December 31, 1997.)

Turning to your second question, candidates seeking these positions must file the appointment of treasurer or candidate committee form (K.S.A. 25-4144) and pay the \$30 candidate report fee (K.S.A. 1996 Supp. 25-4119f(3)). If the candidates have previous campaign accounts open, they may terminate those accounts and transfer the balance to the new campaign accounts as provided in K.S.A. 25-4157. (The candidates will file a receipts and expenditures report that shows the excess campaign funds being transferred to the new campaign. This will be a "paper transaction," and it will not be necessary for the candidates to physically close their previous campaign bank accounts and open new campaign accounts.)

In closing, we do note that each candidate will be required to file either an affidavit of intent to expend and receive less than \$500 (K.S.A. 25-4173) or file the appropriate receipts and expenditures reports (K.S.A. 25-4148) on the dates specified by those particular statutes.

Diane Gaede
Chairwoman

Doc. No. 019087

State of Kansas

Department of Health
and EnvironmentNotice of Hearing on Proposed
Administrative Regulations

A public hearing will be conducted at 9 a.m. Wednesday, July 9, in Conference Room 108, Landon State Office Building, 900 S.W. Jackson, Topeka, to consider the adoption of proposed amendments to and revocation of existing regulations. These amendments and revocations are proposed for adoption on a permanent basis.

The proposed revoked regulations contain content that does not require regulatory language or that is a repetition of federal regulation. The following regulations are proposed for revocation: K.A.R. 28-4-551, 28-4-553 to 28-4-555, 28-4-557 to 28-4-563, 28-4-566, 28-4-567, and 28-4-570 to 28-4-572.

The proposed amended regulations delete content that is nonregulatory or that repeats federal regulation, or change wording to meet federal regulation. A summary of the proposed regulatory changes and their economic impact follows.

K.A.R. 28-4-550. Definitions. Terms presently defined in federal regulation are deleted. Amendments include modified wording or punctuation to clarify intent.

K.A.R. 28-4-552. Screening activities. Content presently found in federal regulation is deleted. Amendments include modified wording or punctuation to clarify intent.

K.A.R. 28-4-556. Family service coordination. Content presently found in federal regulation is deleted.

K.A.R. 28-4-565. Community responsibilities. Content presently found in federal regulation is deleted. Amendments include modified wording or punctuation to clarify intent and the addition of content from K.A.R. 28-4-566(b), which is proposed for revocation.

K.A.R. 28-4-569. Resolution of complaints. Content presently found in federal regulation is deleted. Amendments include modified wording to clarify intent.

These regulation changes should impose no measurable increased economic impact on the agency proposing the regulation, other governmental agencies, private citizens, and consumers of services that are the subject of the regulations.

Copies of the regulations may be obtained from Lori Michel, Department of Health and Environment, Bureau for Children, Youth and Families, Landon State Office Building, 10th Floor, 900 S.W. Jackson, Topeka, 66612-1290.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of considering adoption of proposed changes in existing rules and regulations. All interested parties may submit written comments to Lori Michel.

All parties will be given a reasonable opportunity to present their views orally on the adoption of the revised regulations during the hearing. It may be necessary to

request each participant limit oral presentation to five minutes.

Any individual with a disability may request accommodation in order to participate in the hearing and may request the proposed regulations and fiscal impact statements in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Lori Michel at (913) 296-6135.

Gary R. Mitchell
Secretary of Health
and Environment

Doc. No. 019093

State of Kansas

Board of Healing Arts

Permanent Administrative
Regulations

Article 6.—LICENSES

100-6-2. General qualifications. (a) Each applicant for licensure in medicine and surgery who is a graduate of an accredited school of medicine shall present to the board proof of completion of a postgraduate training or residency training program that is at least one year in length. This program shall have been approved by the council of education of the American medical association or its equivalent in the year in which the training took place.

(b) Each applicant for licensure in medicine and surgery who is a graduate of an unaccredited school of medicine shall present to the board proof of completion of a postgraduate training or residency training program that is at least two years in length. This program shall have been approved by the council of education of the American medical association or its equivalent in the year in which the training took place.

(c) Each applicant for licensure in osteopathic medicine and surgery who is a graduate of an accredited school of osteopathic medicine shall present to the board proof of completion of a postgraduate training program that is at least one year in length. This program shall have been approved by the American osteopathic association or its equivalent in the year in which the training took place.

(d) Each applicant for licensure in chiropractic who matriculates in chiropractic college on or after January 1, 1999 shall present proof of having received a baccalaureate degree prior to entering the chiropractic college. (Authorized by K.S.A. 65-2865; implementing K.S.A. 65-2873; effective Jan. 1, 1966; amended Feb. 15, 1977; amended May 1, 1979; amended, T-86-44, Dec. 18, 1985; amended May 1, 1986; amended May 23, 1997.)

Lawrence T. Buening, Jr.
Executive Director

Doc. No. 019102

State of Kansas

Department of Health
and EnvironmentNotice of Hearing on Proposed
Administrative Regulations

A public hearing will be conducted at 1:30 p.m. Tuesday, July 8, in the MTAA conference room in the Air Terminal at Forbes Field, 6700 S. Topeka Blvd., Topeka, to consider the adoption of new regulations, proposed amendments to existing regulations, and revocation of regulations of the Division of Environment.

The new and amended regulations are proposed for adoption on a permanent basis. A summary of the proposed regulations and their environmental and economic impact follow.

K.A.R. 28-29-28 through 28-29-33 regulate the disposal of waste tires; establish a system of permits for businesses which transport, dispose of or process waste tires; and establish standards for those businesses. The proposed amendments bring these regulations into accordance with the July 1, 1996, changes to the waste tire statutes (K.S.A. 65-3424 et seq.), and improve the organization of the regulations. Specific changes to each regulation are outlined below.

28-29-28. Definitions. The amendments to this regulation update definitions included in the changes proposed for these regulations.

28-29-28a. Establishing value of used tires. This proposed new regulation would require used tires at waste tire collection centers to be inventoried by the owner of the used tires either once every year or once every month, depending on the inventory method chosen by the owner of the used tires.

28-29-29. Waste tire processing and disposal standards. Bringing the regulation into accord with K.S.A. 65-3424a, baled tires may be disposed of in tire monofills; "contaminated" tires may be placed whole in municipal solid waste landfills (MSWLFs); no processed or unprocessed tires may be disposed of in MSWLFs after July 1, 1999, unless the tires are contaminated; and waste tires may be taken to unpermitted facilities. Disposal of baled tires in monofills will facilitate future "mining" of the tire monofills. Not allowing uncontaminated tires in landfills after July 1, 1999, will conserve landfill space and may encourage recycling of tires and use of waste tires as an energy source.

Minimum requirements are proposed for the processing of waste tires by burning, incineration or other combustion process. Any facility which will incinerate tires must have a waste tire processor permit, which costs \$250 with an annual renewal fee of \$100.

K.A.R. 28-29-29a. Beneficial use of waste tires. This is a new regulation describing which uses of waste tires are considered beneficial uses by the department.

The description of beneficial use in K.A.R. 28-29-30 has been combined with previous amendments to K.S.A. 65-3424(j); the net result eliminates fences, erosion control, containment walls, composting and commercial operations as beneficial uses, and adds playground equipment, feed bunks and water tanks. The cost of managing tires

put to beneficial use may be minimally increased for fire, mosquito and rodent control.

This regulation requires that the beneficially used tires be managed according to the standards set for accumulations of waste tires, which will reduce the risk to public health and the environment from tire fires, rodents and mosquitos.

K.A.R. 28-29-30. Waste tire processing facility, waste tire collection center, and mobile waste tire processor permit required. This regulation was modified to include mobile waste tire processors.

Collection center permit applications must include a topographic map and financial assurance. Collection center and processing facility applications must include an estimate of the maximum number of waste passenger tire equivalents stored on any day, rather than the number of tires stored in any year. For each collection center which does apply for a permit, the application will increase by approximately \$10 for the topographic map and by the amount of financial assurance required.

The operating costs for mobile tire processors will increase. The initial application cost will be \$250. The required financial assurance will be \$1,000 per permit. The annual renewal fee is \$100 per year.

Financial assurance for the facilities will be based on the cost of removing, processing and disposing of this amount of tires and tire-derived product, rather than the number of tires and the cost of fire suppression. Collection centers are no longer exempt from the financial assurance requirement.

Permit renewal applications are to be submitted 30 days, rather than 90 days, before the permit expires. The department must be notified 60, rather than 30, days before ownership of the facility or business is transferred.

K.A.R. 28-29-31. Standards for waste tire processing facilities, waste tire collection centers, and mobile waste tire processors. The regulation was modified to include mobile waste tire processors, reducing the risk to human health and environment from mosquitos, rodents and fires, and exclude tire accumulations in trailers or covered containers.

Some standards in the proposed amended regulation will apply to outdoor accumulations (excluding tires in trailers or covered containers) of more than 500 used and/or waste tires which are stored for 30 or more days. Additional standards will apply to outdoor accumulations of 1,500 or more tires. Permitted facilities will have additional standards beyond those for unpermitted facilities. The standards in the present regulation apply to tires at processing facilities or accumulations of more than 1,000 waste tires. The regulation was rewritten to apply standards dependent on the amount of tires or tire-derived product accumulated to reflect the risks to human health or the environment associated with the size of the accumulation. Mosquito and rodent control standards will apply to smaller accumulations than in the existing regulations.

Storage of tires in racks or on tread have been added as acceptable methods of storage. The allowable height of a pile of ricked tire has been changed from six to ten feet.

The fire lane standards apply to accumulations of 1,500 or more tires. Facilities also are given some flexibility on

this requirement. Fire prevention standards will apply to larger tire accumulations than in the existing regulations. Eliminating the berm requirement will eliminate the habitat of the mosquitos that breed in the water accumulated within berms. The risk from fire should not significantly increase; since a berm can be quickly constructed in the event of a fire.

The controlled access standard pertains only to permitted facilities and more flexibility has been given in maintaining vegetation. The time before the tires must be processed or treated is extended from 15 to 30 days.

The regulation references the most recent version of the "Standard for Storage of Rubber Tires." The newest version applies to all tires stored indoors, rather than accumulations of 10,000 or more tires. Some indoor accumulations are only subject to sprinkler and pile size requirements.

Standards are set for accumulations of tire-derived product. The standards for maintenance of accumulations of tire-derived product (TDP) are based on the amount of product and correspond to the requirements for whole tires. The option of providing financial assurance for TDP has been added.

Collection centers are subject to the same requirements as waste tire sites and processing facilities, extending the requirements to reduce the numbers of mosquitos, rodents and fires.

Failure to renew a permit is added as a reason a site must close.

Reports will be due annually rather than semi-annually, and the due date has been changed to September 1. The reports will now include information about tire-derived product. Reporting requirements for mobile waste tire processors are set.

K.A.R. 28-29-32. Waste tire transporter permit required. This regulation addresses procedures related to permitting waste tire transporters. Transporters must include in the application an estimate of the number of tires to be transported. The requirement for information on individual vehicles has been deleted. The lead time on renewal application submittal was shortened from 90 to 30 days.

The amounts of financial assurance required are given. Transporters will not need to maintain their financial assurance for two years after ceasing operation so they will be able to obtain bonds for financial assurance rather than letters of credit. This will increase their available credit. The department must be notified if the financial assurance instrument is going to be canceled.

K.A.R. 28-29-33. Waste tire transporter standards. Annual reports are now due by September 1 rather than being submitted with the permit renewal application.

K.A.R. 28-29-34 through 28-29-36. These regulations govern grants related to waste tires. Since most of the tire grants will be available for a relatively short period of time, revocation of these regulations is proposed. Some of the information contained in these regulations will be incorporated into proposed new regulations on grants in general.

The time period between publication of this notice and the scheduled hearing serves as the required public com-

ment period of at least 60 days for the purpose of receiving written public comments on the proposed regulation. All interested parties may submit written comments prior to the hearing to Christine Mennicke, Department of Health and Environment, Bureau of Waste Management, Forbes Field, Building 740, Topeka, 66620. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulations during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request that each participant limit any oral presentation 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 regulatory impact statements in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Christine Mennicke at (913) 296-0724, fax (913) 296-8909.

Complete copies of the regulations and the corresponding economic impact statement may be obtained by contacting the Bureau of Waste Management, Forbes Field, Building 740, Topeka, 66620-0001, (913) 296-0724.

Gary R. Mitchell
Secretary of Health
and Environment

Doc. No. 019092

(Published in the Kansas Register May 8, 1997.)

Summary Notice of Bond Sale

\$643,000

**City of Valley Center, Kansas
General Obligation Bonds, Series 1997-1
(General obligation bonds payable from
unlimited ad valorem taxes)**

Sealed Bids

Subject to the notice of bond sale dated May 6, 1997, sealed bids will be received by the clerk of the City of Valley Center, Kansas (the issuer), on behalf of the governing body at City Hall, 116 S. Park, Valley Center, KS 67147, until 5 p.m. May 20, 1997, for the purchase of \$643,000 principal amount of General Obligation Bonds, Series 1997-1. 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, except one bond in the denomination of \$8,000. The bonds will be dated June 1, 1997, and will become due on December 1 in the years as follows:

Year	Principal Amount
1998	\$ 8,000
1999	30,000
2000	30,000
2001	35,000

(continued)

(Published in the Kansas Register May 8, 1997.)

2002	35,000
2003	40,000
2004	40,000
2005	45,000
2006	45,000
2007	50,000
2008	50,000
2009	55,000
2010	55,000
2011	60,000
2012	65,000

Summary Notice of Bond Sale
\$530,000
City of Valley Center, Kansas
Sewer Utility System Revenue Bonds
Series 1997

Sealed Bids

Subject to the notice of bond sale dated May 6, 1997, sealed bids will be received by the clerk of the City of Valley Center, Kansas (the issuer), on behalf of the governing body at City Hall, 116 S. Park, Valley Center, KS 67147, until 5 p.m. May 20, 1997, for the purchase of \$530,000 principal amount of Sewer Utility System Revenue Bonds, Series 1997. No bid of less than 98.5 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 June 1, 1997, and will become due on December 1 in the years as follows:

Year	Principal Amount
1998	\$ 40,000
1999	40,000
2000	45,000
2001	50,000
2002	50,000
2003	55,000
2004	55,000
2005	60,000
2006	65,000
2007	70,000

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 December 1 and June 1 in each year, beginning December 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 \$10,600 (2 percent of the principal amount of the bonds).

Delivery

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or before June 3, 1997, at such bank or trust company in the contiguous United States of America as may be specified by the successful bidder.

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on June 1 and December 1 in each year, beginning June 1, 1998.

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 \$12,860 (2 percent of the principal amount of the bonds).

Delivery

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or before June 3, 1997, at DTC or 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 1996 is \$18,986,948. 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 \$4,658,000.

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 the clerk, (316) 755-7310.

Dated May 6, 1997.

City of Valley Center, Kansas

Doc. No. 019106

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 the clerk, (316) 755-7310.

Dated May 6, 1997.

City of Valley Center, Kansas

Doc. No. 019107

(Published in the Kansas Register May 8, 1997.)

**Summary Notice of Bond Sale
Unified School District No. 290
Franklin County, Kansas (Ottawa)
\$2,000,000
General Obligation School Building Bonds
Series 1997
(General obligation bonds payable from
unlimited ad valorem taxes)**

Sealed Bids

Subject to the notice of bond sale dated May 7, 1997, sealed bids will be received by the clerk of Unified School District No. 290, Franklin County, Kansas (Ottawa), on behalf of the Board of Education of the school district until noon Thursday, May 15, 1997, for the purchase of \$2,000,000 principal amount of General Obligation School Building Bonds, Series 1997. No bid of less than the entire par value of the bonds and accrued interest to the date of delivery will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated May 15, 1997, and will become due on September 1 in the years as follows:

Maturity September 1	Principal Amount
1999	\$ 35,000
2000	55,000
2001	60,000
2002	65,000
2003	70,000
2004	75,000
2005	80,000
2006	90,000
2007	95,000
2008	100,000
2009	105,000
2010	115,000
2011	120,000
2012	130,000
2013	140,000
2014	150,000
2015	160,000
2016	170,000
2017	185,000

The bonds will bear interest from that date at rates to be determined when the bonds are sold as provided, which interest will be payable semiannually on March 1 and September 1 in each year, beginning March 1, 1998. A bidder may elect to have all or a portion of the bonds scheduled to mature in consecutive years issued as term bonds subject to the requirements set forth in the notice of sale.

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States of America or a financial surety bond in a form that complies with the provisions set forth in the notice of sale in the amount of \$40,000 (2 percent of the principal amount of the bonds).

Delivery

The school district will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about June 10, 1997, 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 1996 is \$69,812,978. The total general obligation indebtedness of the school district as of the date of the bonds, including the bonds being sold, is \$14,410,000.

Approval of Bonds

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

Additional Information

Additional information regarding the bonds may be obtained from the clerk, (913) 229-8010; from the financial advisor, Ranson & Associates, Inc., 250 N. Rock Road, Suite 150, Wichita, KS 67206, Attention: Steve Shogren, (316) 681-3123; or from bond counsel, Logan, Riley, Carson & Kaup, L.C., 9200 Indian Creek Parkway, Suite 230, Overland Park, KS 66210, (913) 661-0399.

Dated May 1, 1997.

Unified School District No. 290
Franklin County, Kansas (Ottawa)
By LaDean Sypher, Clerk
123 W. 4th
Ottawa, KS 66067
(913) 229-8010

Doc. No. 019099

State of Kansas

Pooled Money Investment Board

Notice of Investment Rates

The following rates are published in accordance with K.S.A. 1996 Supp. 75-4210. These rates and their uses are defined in K.S.A. 1996 Supp. 12-1675(b)(c)(d), and K.S.A. 1996 Supp. 75-4201(l) and 75-4209(a)(1)(B).

Effective 5-12-97 through 5-18-97

Term	Rate
0-90 days	5.60%
3 months	5.64%
6 months	5.82%
9 months	5.91%
12 months	6.03%
18 months	6.17%
24 months	6.28%
36 months	6.42%
48 months	6.52%

William E. Lewis
Chairman

Doc. No. 019086

State of Kansas

Department of Transportation

Request for Comments

The Kansas Department of Transportation requests comments on the amendment of the Statewide Transportation Improvement Program (STIP) FY 97-99 by adding the following projects:

Project TE-0118-01, Landscaping for salvage yard screening, along I-35 in front of the truck wholesale and salvage center in Miami County

Project X-1983-01, Signal improvement, Union Pacific Railroad Crossing with Southern Street and two locations on Crawford Street in the City of Parsons, Labette County

The STIP amendment requires a 30-day public comment period. To receive more information on these projects or to make comments on the STIP amendment, contact the Kansas Department of Transportation, Office of Engineering Support, 7th Floor, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612-1568, (913) 296-7916, fax (913) 296-0723.

This information is available in alternative accessible formats. To obtain an alternative format, contact the KDOT Office of Public Information, (913) 296-3585 (Voice/TTY).

The comment period regarding the STIP amendment will conclude June 9.

E. Dean Carlson
Secretary of Transportation

Doc. No. 019069

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.

Wednesday, May 21, 1997

727138

Lab equipment

Barbara Lockhart
Purchasing Director

Doc. No. 019097

State of Kansas

Secretary of State

I, Ron Thornburgh, Secretary of State of the State of Kansas, do hereby certify that each of the following bills is a correct copy of the original enrolled bill now on file in my office.

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

Ron Thornburgh
Secretary of State

(Published in the Kansas Register May 8, 1997.)

SENATE BILL No. 165

AN ACT concerning public health and safety; relating to the board of nursing; licensees thereof; continuing education; membership on the board; concerning the state board of cosmetology continuing education requirements; amending K.S.A. 65-1119 and 65-4206 and K.S.A. 1996 Supp. 65-1117, 65-1904, 65-4205 and 74-1106 and repealing the existing sections.

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

Section 1. K.S.A. 1996 Supp. 65-1117 is hereby amended to read as follows: 65-1117. (a) All licenses issued under the provisions of this act, whether initial or renewal, shall expire every two years. The expiration date shall be established by the rules and regulations of the board. The board shall mail an application for renewal of license to every registered professional nurse and licensed practical nurse at least 60 days prior to the expiration date of such person's license. Every person so licensed who desires to renew such license shall file with the board, on or before the date of expiration of such license, a renewal application together with the prescribed biennial renewal fee. Every licensee who is no longer engaged in the active practice of nursing may so state by affidavit and submit such affidavit with the renewal application. An inactive license may be requested along with payment of a fee which shall be fixed by rules and regulations of the board. Except for the first renewal period following licensure by examination or for the first nine months following licensure by reinstatement or endorsement, the board shall require every licensee with an active nursing license to submit with the renewal application evidence of satisfactory completion of a program of continuing nursing education required by the board. The board by duly adopted rules and regulations shall establish the requirements for such program of continuing nursing education. Continuing nurse nursing education means organized learning experiences which are designed to enhance knowledge, improve skills and develop attitudes that enhance nursing and improve health care to the public intended to build upon the educational and experiential bases of the registered professional and licensed practical nurse for the enhancement of practice, education, administration, research or theory development to the end of improving the health of the public. Upon receipt of such application, payment of fee, upon receipt of

the evidence of satisfactory completion of the required program of continuing nursing education and upon being satisfied that the applicant meets the requirements set forth in K.S.A. 65-1115 or 65-1116 and amendments thereto in effect at the time of initial licensure of the applicant, the board shall verify the accuracy of the application and grant a renewal license.

(b) Any person who fails to secure a renewal license within the time specified herein may secure a reinstatement of such lapsed license by making verified application therefor on a form provided by the board, by rules and regulations, and upon furnishing proof that the applicant is competent and qualified to act as a registered professional nurse or licensed practical nurse and by satisfying all of the requirements for reinstatement including payment to the board of a reinstatement fee as established by the board. *A reinstatement application for licensure will be held awaiting completion of such documentation as may be required, but such application shall not be held for a period of time in excess of that specified in rules and regulations.*

(c) Each licensee shall notify the board in writing of a change in name or address within 30 days of the change. Failure to so notify the board shall not constitute a defense in an action relating to failure to renew a license, nor shall it constitute a defense in any other proceeding.

Sec. 2. K.S.A. 65-1119 is hereby amended to read as follows: 65-1119. (a) *Application for accreditation.* An accredited school of nursing is one which has been approved as such by the board as meeting the standards of this act, and the rules and regulations of the board. An institution desiring to conduct an accredited school of professional or practical nursing shall apply to the board for accreditation and submit satisfactory proof that it is prepared to and will maintain the standards and basic professional nursing curriculum or the required curriculum for practical nursing, as the case may be, as prescribed by this act and by the rules and regulations of the board. Applications shall be made in writing on forms supplied by the board and shall be submitted to the board together with the application fee fixed by the board. The accreditation of a school of nursing shall expire ~~two~~ five years after the granting of such accreditation by the board. An institution desiring to continue to conduct an accredited school of professional or practical nursing shall apply to the board for the renewal of accreditation and submit satisfactory proof that it will maintain the standards and basic professional nursing curriculum or the required curriculum for practical nursing, as the case may be, as prescribed by this act and by the rules and regulations of the board. Applications for renewal of accreditation shall be made in writing on forms supplied by the board and shall be submitted to the board together with the application fee fixed by the board. *Each school of nursing shall submit annually to the board an annual fee fixed by the board by rules and regulations to maintain the accreditation status.*

(b) *Schools for professional nurses.* To qualify as an accredited school for professional nurses, the school must be conducted in the state of Kansas, and shall apply to the board and submit evidence that: (1) It is prepared to carry out the professional curriculum as prescribed in the rules and regulations of the board; and (2) it is prepared to meet such other standards as shall be established by this law and the rules and regulations of the board.

(c) *Schools for practical nurses.* To qualify as an accredited school for practical nurses, the school must be conducted in the state of Kansas, and shall apply to the board and submit evidence that: (1) It is prepared to carry out the curriculum as prescribed in the rules and regulations of the board; and (2) it is prepared to meet such other standards as shall be established by this law and the rules and regulations of the board.

(d) *Survey.* The board shall prepare and maintain a list of accredited schools for both professional and practical nurses whose graduates, if they have the other necessary qualifications provided in this act, shall be eligible to apply for a license as a registered professional nurse or as a licensed practical nurse. A survey of the institution or institutions and of the schools applying for accreditation shall be made by an authorized employee of the board or members of the board, who shall submit a written report of the survey to the board. If, in the opinion of the board, the requirements as prescribed by the board in its rules and regulations for an accredited school for professional nurses or for practical nurses are met, it shall so approve and accredit the school as either a school for professional nurses or practical nurses, as the case may be. From time to time, as deemed necessary by the board, it shall cause to be made a resurvey of accredited schools and written reports of such resurveys submitted to the board. If the board determines that any accredited school

of nursing is not maintaining the standards required by this act and by rules and regulations prescribed by the board, notice thereof in writing, specifying the failures of such school, shall be given immediately to the school. A school which fails to correct such conditions to the satisfaction of the board within a reasonable time shall be removed from the list of accredited schools of nursing until such time as the school shall comply with the standards. All accredited schools shall maintain accurate and current records showing in full the theoretical and practical courses given to each student.

(e) *Providers of continuing nursing education offerings.* (1) To qualify as an approved provider of continuing nursing education offerings, persons, organizations or institutions proposing to provide such continuing nursing education offerings shall apply to the board for approval and submit evidence that the applicant is prepared to meet the standards and requirements established by the rules and regulations of the board for such continuing nursing education offerings. Initial applications shall be made in writing on forms supplied by the board and shall be submitted to the board together with the application fee fixed by the board.

(2) *A long-term provider means a person, organization or institution that is responsible for the development, administration and evaluation of continuing nursing education programs and offerings.* Qualification as an approved provider of continuing nursing education offerings shall expire five years after the granting of such approval by the board. An approved long-term provider of continuing nursing education offerings shall submit annually to the board the annual fee established by rules and regulations, along with an annual report for the previous fiscal year. Applications for renewal as an approved long-term provider of continuing nursing education offerings and annual reports shall be made in writing on forms supplied by the board and shall be submitted to the board together with the application fee fixed by the board.

(3) *Qualification as an approved provider of a single continuing nursing education offering, which may be offered once or multiple times, shall expire two years after the granting of such approval by the board. Approved single continuing nursing education providers shall not be subject to an annual fee or annual report.*

(4) *In accordance with rules and regulations adopted by the board, the board may approve individual educational offerings for continuing nursing education which shall not be subject to approval under other subsections of this section.*

(5) *The board shall accept offerings as approved continuing nursing education presented by: Colleges that are approved by a state or the national department of education and providers approved by other state boards of nursing, the national league for nursing, the national federation of licensed practical nurses, the American nurses credentialing center or other such national organizations as listed in rules and regulations adopted by the board.*

(6) *An individual designated by a provider of continuing nursing education offerings as an individual responsible for CNE who has held this position for the provider at least five years immediately prior to January 1, 1997, shall not be required to have a baccalaureate or higher academic degree in order to be designated by such provider as the individual responsible for CNE.*

(f) *Criteria for evaluating out-of-state schools.* For the purpose of determining whether an applicant for licensure who is a graduate of a school of professional or practical nursing located outside this state meets the requirements of item (2) of subsection (a) of K.S.A. 65-1115 and amendments thereto or the requirements of item (2) of subsection (a) of K.S.A. 65-1116 and amendments thereto, as appropriate, the board by rules and regulations shall establish criteria for determining whether a particular school of professional nursing located outside this state maintains standards which are at least equal to schools of professional nursing which are accredited by the board and whether a particular school of practical nursing located outside this state maintains standards which are at least equal to schools of practical nursing which are accredited by the board. The board may send a questionnaire developed by the board to any school of professional or practical nursing located outside this state for which the board does not have sufficient information to determine whether the school meets the standards established under this subsection (f). The questionnaire providing the necessary information shall be completed and returned to the board in order for the school to be considered for approval. The board may contract with investigative agencies, commissions or consultants to assist the board in obtaining information about

(continued)

schools. In entering such contracts the authority to approve schools shall remain solely with the board.

Sec. 3. K.S.A. 1996 Supp. 65-4205 is hereby amended to read as follows: 65-4205. (a) The board shall mail an application for renewal of license to all licensed mental health technicians at least 60 days prior to the expiration date of December 31. Every mental health technician who desires to renew a license shall file with the board, on or before December 31 of even-numbered years, a renewal application together with the prescribed renewal fee. Every licensee who is no longer engaged in the active practice of mental health technology may so state by affidavit and submit such affidavit with the renewal application. An inactive license may be requested along with payment of a fee as determined by rules and regulations of the board.

Except for the first renewal period following licensure by examination or for the first nine months following licensure by reinstatement or endorsement, the board shall require every licensee with an active mental health technology license to submit with the renewal application evidence of satisfactory completion of a program of continuing education required by the board. The board by duly adopted rules and regulations shall establish the requirements for such program of continuing education. *Continuing education means learning experiences intended to build upon the educational and experiential bases of the licensed mental health technician for the enhancement of practice, education, administration, research or theory development to the end of improving the health of the public.*

Upon receipt of such application and evidence of satisfactory completion of the required program of continuing education and upon being satisfied that the applicant meets the requirements set forth in K.S.A. 65-4203 and amendments thereto in effect at the time of initial licensure of the applicant, the board shall verify the accuracy of the application and grant a renewal license.

(b) Any licensee who fails to secure a renewal license within the time specified may secure a reinstatement of such lapsed license by making verified application therefor on a form prescribed by the board together with the prescribed reinstatement fee and, satisfactory evidence as required by the board that the applicant is presently competent and qualified to perform the responsibilities of a mental health technician and of satisfying all the requirements for reinstatement. *A reinstatement application for licensure will be held awaiting completion of such documentation as may be required, but such application shall not be held for a period of time in excess of that specified in rules and regulations.*

(c) Each licensee shall notify the board in writing of a change in name or address within 30 days of the change. Failure to so notify the board shall not constitute a defense in an action relating to failure to renew a license, nor shall it constitute a defense in any other proceeding.

Sec. 4. K.S.A. 65-4206 is hereby amended to read as follows: 65-4206. (a) An approved course of mental health technology is one which has been approved by the board as meeting the standards of this act and the rules and regulations of the board. The course, at a minimum, shall be of six months duration in which the institution shall provide for 18 weeks of schooling, one-half devoted to classroom instruction and one-half to clinical experience and shall include the study of:

- (1) Basic nursing concepts;
- (2) psychiatric therapeutic treatment; and
- (3) human growth, development and behavioral sciences.

(b) An institution which intends to offer a course on mental health technology shall apply to the board for approval and submit evidence that the institution is prepared to and will maintain the standards and curriculum as prescribed by this act and the rules and regulations of the board. The application shall be made in writing upon a form prescribed by the board with the application fee fixed by the board by rules and regulations.

(c) *To obtain approval for The approval of a school of mental health technology shall expire five years after the granting of such approval by the board. An institution desiring to continue to conduct a course of mental health technology, the institution shall satisfy apply to the board that it is prepared to carry out the for the renewal of approval and submit satisfactory proof that the institution will maintain the standards and the basic mental health technology curriculum as prescribed by this act and the rules and regulations of the board and that it is prepared to and will establish standards for the course as prescribed by the board. Applications for renewal of approval shall be made in writing on forms supplied by the board. Each institution offering a course of mental health technology shall submit annually to the board an annual fee fixed by the board by rules and regulations to maintain approval status.*

(d) *Providers of continuing education. (1) To qualify as an approved provider of continuing education offerings, persons, organizations or institutions proposing to provide such continuing education offerings shall apply to the board for approval and submit evidence that the applicant is prepared to meet the standards and requirements established by the rules and regulations of the board for such continuing education offerings. Initial applications shall be made in writing on forms supplied by the board and shall be submitted to the board together with the application fee fixed by the board.*

(2) *A long-term provider means a person, organization or institution that is responsible for the development, administration and evaluation of continuing education programs and offerings. Qualification as a long-term approved provider of continuing education offerings shall expire five years after the granting of such approval by the board. An approved long-term provider of continuing education offerings shall submit annually to the board the annual fee established by rules and regulations, along with an annual report for the previous fiscal year. Applications for renewal as an approved long-term provider of continuing education offerings shall be made in writing on forms supplied by the board.*

(3) *Qualification as an approved provider of a single continuing education offering, which may be offered once or multiple times, shall expire two years after the granting of such approval by the board. Approved single continuing education providers shall not be subject to an annual fee or annual report.*

(4) *In accordance with rules and regulations adopted by the board, the board may approve individual educational offerings for continuing education which shall not be subject to approval under other subsections of this section.*

(5) *The board shall accept offerings as approved continuing education presented by: Colleges that are approved by a state or the national department of education and providers approved by other state boards of nursing, the national league for nursing, the national federation of licensed practical nurses, the American nurses credentialing center or other such national organizations as listed in rules and regulations adopted by the board.*

Sec. 5. K.S.A. 1996 Supp. 74-1106 is hereby amended to read as follows: 74-1106. (a) *Appointment, term of office. (1) The governor shall appoint a board consisting of 11 members of which five six shall be registered professional nurses, two shall be licensed practical nurses, two one shall be a licensed mental health technicians technician and two shall be members of the general public, which shall constitute a board of nursing, with the duties, power and authority set forth in this act. The members of the board of nursing holding office on the effective date of this amendment shall continue as members until the expiration of their respective terms.*

(2) *Upon the expiration of the term of any registered professional nurse, the Kansas state nurses association shall submit to the governor a list of registered professional nurses containing names of not less than three times the number of persons to be appointed, and appointments shall be made after consideration of such list for terms of four years and until a successor is appointed and qualified.*

(3) *On the effective date of this act, the Kansas federation of licensed practical nurses shall submit to the governor a list of licensed practical nurses containing names of not less than three times the number of persons to be appointed, and appointments shall be made after consideration of such list, with the first appointment being for a term of four years and the second appointment being for a term of two years. Upon the expiration of the term of any licensed practical nurse, a successor of like qualifications shall be appointed in the same manner as the original appointment for a term of four years and until a successor is appointed and qualified.*

(4) *Upon the expiration of the term of any mental health technician, the Kansas association of human services technologies shall submit to the governor a list of persons licensed as mental health technicians containing names of not less than three times the number of persons to be appointed, and appointments shall be made after consideration of such list for terms of four years and until a successor is appointed and qualified.*

(5) *Each member of the general public shall be appointed for a term of four years and successors shall be appointed for a like term.*

(6) *Whenever a vacancy occurs on the board of nursing, it shall be filled by appointment for the remainder of the unexpired term in the same manner as the preceding appointment. No person shall serve more than two consecutive terms as a member of the board of nursing and*

appointment for the remainder of an unexpired term shall constitute a full term of service on such board.

(b) *Qualifications of members.* Each member of the board shall be a citizen of the United States and a resident of the state of Kansas. Registered professional nurse members shall possess a license to practice as a professional nurse in this state with at least five years' experience in nursing as such and shall be actively engaged in professional nursing in Kansas at the time of appointment and reappointment. The licensed practical nurse members shall be graduated from an accredited practical nurse program, hold a diploma from an accredited high school or have otherwise obtained the equivalent of a high school education and be licensed to practice practical nursing in the state with at least five years' experience in practical nursing and shall be actively engaged in practical nursing in Kansas at the time of appointment and reappointment. Upon the expiration of the terms of the registered professional nurse members holding office on July 1, 1993, The governor shall appoint successors so that the registered professional nurse membership of the board shall consist of at least two members who are engaged in nursing service, at least two members who are engaged in nursing education and at least one member who is engaged in practice as an advanced registered nurse practitioner or a registered nurse anesthetist. The registered professional nurse members of the board holding office on the effective date of this act shall continue as members until the expiration of their respective terms. The licensed mental health technician member shall be high school graduates or shall have obtained the equivalent of a high school education and shall be licensed to practice as licensed mental health technicians technician in the state with at least five years' experience and shall be actively engaged in the field of mental health technology in Kansas at the time of appointment and reappointment. The consumer members shall represent the interests of the general public. Each member of the board shall take and subscribe the oath prescribed by law for state officers, which oath shall be filed with the secretary of state.

(c) *Duties and powers.* (1) The board shall meet annually at Topeka during the month of July September and shall elect from its members a president, vice-president and secretary, each of whom shall hold their respective offices for one year. The board shall employ an executive administrator, who shall be a registered professional nurse, who shall not be a member of the board and who shall be in the unclassified service under the Kansas civil service act, and shall employ such other employees, who shall be in the classified service under the Kansas civil service act as necessary to carry on the work of the board. As necessary, the board shall be represented by an attorney appointed by the attorney general as provided by law, whose compensation shall be determined and paid by the board with the approval of the governor. The board may hold such other meetings during the year as may be deemed necessary to transact its business.

(2) The board may adopt rules and regulations not inconsistent with this act necessary to carry into effect the provisions thereof, and such rules and regulations may be published and copies thereof furnished to any person upon application.

(3) The board shall prescribe curricula and standards for professional and practical nursing programs and mental health technician programs, and provide for surveys of such schools and courses at such times as it may deem necessary. It shall accredit such schools and approve courses as meet the requirements of the appropriate act and rules and regulations of the board.

(4) The board shall examine, license and renew licenses of duly qualified applicants and conduct hearings upon charges for limitation, suspension or revocation of a license or accreditation of professional and practical nursing and mental health technician programs and may limit, deny, suspend or revoke for proper legal cause, licenses or accreditation of professional and practical nursing and mental health technician programs, as hereinafter provided. Examination for applicants for registration shall be given at least twice each year and as many other times as deemed necessary by the board. The board shall promote improved means of nursing education and standards of nursing care through institutes, conferences and other means.

(5) The board shall have a seal of which the executive administrator shall be the custodian. The president and the secretary shall have the power and authority to administer oaths in transacting business of the board, and the secretary shall keep a record of all proceedings of the board and a register of professional and practical nurses and mental health technicians licensed and showing the certificates of registration or licenses granted or revoked, which register shall be open at all times to public inspection.

(6) The board may enter into contracts as may be necessary to carry out its duties.

(7) The board is hereby authorized to apply for and to accept grants and may accept donations, bequests or gifts. The board shall remit all moneys received by it under this paragraph (7) to the state treasurer at least monthly. Upon receipt of any such remittance, the state treasurer shall deposit the entire amount thereof in the state treasury, and such deposit shall be credited to the grants and gifts fund which is hereby created. All expenditures from such fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the president of the board or a person designated by the president.

(8) A majority of the board of nursing including two professional nurse members shall constitute a quorum for the transaction of business.

(d) *Subpoenas.* In all investigations and proceedings, the board shall have the power to issue subpoenas and compel the attendance of witnesses and the production of all relevant and necessary papers, books, records, documentary evidence and materials. Any person failing or refusing to appear or testify regarding any matter about which such person may be lawfully questioned or to produce any books, papers, records, documentary evidence or relevant materials in the matter, after having been required by order of the board or by a subpoena of the board to do so, upon application by the board to any district judge in the state, may be ordered by such judge to comply therewith. Upon failure to comply with the order of the district judge, the court may compel obedience by attachment for contempt as in the case of disobedience of a similar order or subpoena issued by the court. A subpoena may be served upon any person named therein anywhere within the state with the same fees and mileage by an officer authorized to serve subpoenas in civil actions in the same procedure as is prescribed by the code of civil procedure for subpoenas issued out of the district courts of this state.

(e) *Compensation and expenses.* Members of the board of nursing attending meetings of such board, or attending a subcommittee meeting thereof authorized by such board, shall be paid compensation, subsistence allowances, mileage and other expenses as provided in K.S.A. 75-3223, and amendments thereto.

Sec. 6. On July 1, 1997, K.S.A. 1996 Supp. 65-1904 is hereby amended to read as follows: 65-1904. (a) Unless revoked for cause, all licenses of cosmetologists, cosmetology technicians, electrologists and manicurists issued or renewed by the board shall expire on the expiration dates established by rules and regulations adopted by the board under this section. Subject to the other provisions of this subsection, each such license, other than the three-year senior cosmetologist license, shall be renewable on a biennial basis upon the filing of a renewal application prior to the expiration of the license, payment of the renewal fee established under this section and, except for an apprentice license, the electrologist license and the senior cosmetologist license, for licenses renewed on and after July 1, 1996 1997, furnishing evidence satisfactory to the board of the completion of a minimum of 20 five clock hours biennially annually of continuing education on health and safety related issues in the practice of cosmetology approved by the board in the license category in which the licensee holds a license or if the licensee holds a license in more than one category, in the category specified by rules and regulations of the board for licensees holding more than one license. Applicants for renewal of an electrologist license shall furnish with the biennial renewal application evidence satisfactory to the board of the completion of 10 clock hours annually of continuing education on health and safety related issues in electrologist practice approved by the board. In order to provide for the establishment of a system of biennial renewal of licenses issued by the board, the board may provide by rules and regulations that licenses issued or renewed may expire less than two years from the date of issuance or renewal. In each case in which a license is issued or renewed for a period of time of less than two years, the board shall prorate to the nearest whole month the license or renewal fee established under this section.

(b) Any cosmetologist's, cosmetology technician's, esthetician's, electrologist's or manicurist's license may be renewed by the applicant within 90 days after the date of expiration of the applicant's last license upon submission of proof, satisfactory to the board, of the applicant's qualifications to renew practice as a cosmetologist, cosmetology technician, electrologist or manicurist, including the completion of any applicable continuing education requirements and payment of the applicable renewal

(continued)

fee and delinquent fee prescribed pursuant to this section. Any applicant whose license as a cosmetologist, cosmetology technician, electrologist or manicurist has expired for more than one year prior to application for renewal may obtain a license in the same manner and on payment of the same fees as provided for an applicant for an original license on and after July 1, 1996, and upon proof that such applicant has satisfactorily completed a program of continuing education required by the board for applicants whose licenses have expired.

(c) At the time of application for license renewal, a cosmetologist licensed in this state may apply to the board and qualify for a three-year senior cosmetologist license by:

(1) Paying the fee required by this section;

(2) showing evidence satisfactory to the board of having been actually employed in a licensed salon or licensed school for not less than 120 days during the preceding three years;

(3) on and after July 1, 1996, furnishing evidence satisfactory to the board of the completion of a minimum of 30 15 clock hours triennially of continuing education on health and safety related issues in the practice of cosmetology approved by the board; and

(4) furnishing evidence satisfactory to the board of attendance of 40 clock hours of courses of instruction in cosmetology approved by the board.

(d) Any applicant for a license other than a renewal license shall make a verified application to the board on such forms as the board may require and, upon payment of the examination fee shall be examined by the board or their appointees and shall be issued a license, if found to be duly qualified to practice the profession of cosmetologist, esthetician, electrologist or manicurist.

(e) (1) Except as otherwise provided in this section, the board shall require every licensee in the active practice of cosmetology within the state to submit evidence of satisfactory completion of a program of continuing education required under this section. Such evidence shall be made in writing in a form required by the board. The board shall require every licensee in the active practice of cosmetology within the state to remit a continuing education fee to the board or its designee in an amount fixed by the board. The board shall adopt rules and regulations establishing the program of continuing education in accordance with this section as soon as possible after the effective date of this act. In establishing such requirements the board shall consider any existing programs of continuing education currently being offered to licensees of the board.

(2) To qualify as an approved provider of continuing education offerings, persons, organizations or institutions proposing to provide such continuing education offerings shall apply to the board for approval and submit evidence that the applicant is prepared to meet the standards and requirements established by the rules and regulations of the board for such continuing education offerings. Initial applications shall be made in writing on forms supplied by the board and shall be submitted to the board together with the application fee fixed by the board. Qualification as an approved provider of continuing education offerings shall expire five years after the granting of such approval by the board. An approved provider of continuing education offerings shall submit annually to the board the continuing education program approval fee established by rules and regulations, along with an annual report of its educational programs for the previous fiscal year. Applications for renewal as an approved provider of continuing education offerings and annual reports shall be made in writing on forms supplied by the board and shall be submitted to the board together with the application fee fixed by the board.

(3) The board shall establish an inactive license category and may waive the continuing education requirements for the renewal of a license and place a licensee on inactive status if a licensee is not engaged in or has retired from practice or has become temporarily or permanently disabled and the licensee files with the board a certificate stating either of the following:

(A) A retiring licensee certifies to the board that the licensee:

(i) Has retired from the active practice of cosmetology service; or

(ii) is not engaged in the provision of any cosmetology service as defined by the statutes of the state of Kansas; or

(B) a disabled licensee certifies to the board that such licensee is no longer engaged in the provision of any cosmetology service as defined by the statutes of the state of Kansas by reason of any physical disability, whether permanent or temporary, and shall describe the nature of such disability. The waiver of continuing education under this subsection shall continue so long as the retirement or physical disability exists. Prior to

returning to active practice for which a person holds an inactive license, such person shall complete 20 clock hours of continuing education approved by the board in the license category in which the licensee holds a license or if the licensee holds a license in more than one category, in the category specified by rules and regulations of the board for licensees holding more than one license. The board shall establish by rules and regulations a procedure to activate an inactive license.

(f) The board is hereby authorized to adopt rules and regulations fixing the amount of fees for the following items and to charge and collect the amounts so fixed, subject to the following limitations:

Active cosmetologist license or renewal, for two years—not more than	\$60
Inactive cosmetologist license or renewal, for two years—not more than	
than	30
Delinquent cosmetologist license	4
Cosmetology technician renewal, for two years—not more than	30
Electrologist license or renewal, for two years—not more than	30
Delinquent electrologist license	4
Senior cosmetologist license or renewal, for three years—not more than	45
Manicurist license renewal or renewal, for two years—not more than	24
Delinquent manicurist license	4
Esthetician license or renewal, for two years—not more than	30
Delinquent esthetician license	4
Any apprentice license—not more than	12
Additional training license—not more than	12
New school license	100
School license renewal—not more than	50
Delinquent school license—not more than	10
New salon or electrology clinic license—not more than	30
Salon or electrology clinic license renewal—not more than	20
Delinquent salon or electrology clinic license	6
Transfer of salon or electrology clinic license—not more than	15
Cosmetologist's examination—not more than	25
Cosmetology technician's examination—not more than	25
Electrologist's examination—not more than	25
Manicurist's examination—not more than	25
Esthetician examination—not more than	25
Instructor's examination—not more than	50
Out-of-state examinations—not more than	35
Out-of-state affidavits	2
Any duplicate license	2
Instructor's license or renewal, for two years—not more than	50
Delinquent instructor's license—not more than	50
Cosmetologist continuing education registration fee	40
Continuing education program application fee	100
Continuing education program approval fee	100

(g) Whenever the board determines that the total amount of revenue derived from the fees collected pursuant to this section is insufficient to carry out the purposes for which the fees are collected, the board may amend its rules and regulations to increase the amount of the fee, except that the amount of the fee for any item shall not exceed the maximum amount authorized by this subsection. Whenever the amount of fees collected pursuant to this section provides revenue in excess of the amount necessary to carry out the purposes for which such fees are collected, it shall be the duty of the board to decrease the amount of the fee for one or more of the items listed in this subsection by amending the rules and regulations which fix the fees.

(h) Any person who failed to obtain a renewal license while in the armed forces of the United States shall be entitled to a renewal license upon filing application and paying the renewal fee for the current year during which the person has been discharged on and after July 1, 1996, and upon proof that such applicant has satisfactorily completed a program of continuing education required by the board for applicants under this subsection.

Sec. 7. K.S.A. 65-1119 and 65-4206 and K.S.A. 1996 Supp. 65-1117, 65-4205 and 74-1106 are hereby repealed.

Sec. 8. On July 1, 1997, K.S.A. 1996 Supp. 65-1904 is hereby repealed.

Sec. 9. This act shall take effect and be in force from and after its publication in the Kansas register.

(Published in the Kansas Register May 8, 1997.)

HOUSE BILL No. 2129

AN ACT concerning mental health services; licensed masters level psychologists; practice requirements; institutional licensees of state board of healing arts; amending K.S.A. 74-5344, 74-5344, as amended by section 8 of this act, and 65-2895 and K.S.A. 1996 Supp. 59-2946, 65-5912, 65-6319, 74-5361, 74-5362, 74-5363 and 74-5366 and repealing the existing sections; also repealing K.S.A. 74-5344, as amended by section 123 of chapter 229 of the 1996 Session Laws of Kansas, and K.S.A. 74-5363, as amended by section 124 of chapter 229 of the 1996 Session Laws of Kansas.

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

Section 1. K.S.A. 1996 Supp. 74-5362 is hereby amended to read as follows: 74-5362. Any person who is licensed under the provisions of this act as a licensed masters level psychologist shall have the right to practice only in a licensed community mental health center or one of its contracted affiliates, in any federal, state, county or municipal agency, or other political subdivision, in a duly chartered educational institution, in a medical care facility licensed under K.S.A. 65-425 *et seq.* and amendments thereto or in a psychiatric hospital licensed under K.S.A. 75-3307b and amendments thereto insofar as such practice is part of the duties of such person's paid position and is performed solely on behalf of the employer, so long as such practice is under the direction of a person licensed to practice medicine and surgery or a person licensed to provide mental health services as an independent practitioner and whose licensure allows for the diagnosis and treatment of psychological disorders. ~~Such licensed person~~ A licensed masters level psychologist may use the title licensed masters level psychologist and the abbreviation LMLP but may not use the title licensed psychologist or psychologist.

Sec. 2. K.S.A. 1996 Supp. 74-5363 is hereby amended to read as follows: 74-5363. (a) Any person who desires to be licensed under this act shall apply to the board in writing, on forms prepared and furnished by the board. Each application shall contain appropriate documentation of the particular qualifications required by the board and shall be accompanied by the required fee.

(b) The board shall license as a licensed masters level psychologist any applicant for licensure who pays the fee prescribed by the board under K.S.A. 74-5365 and amendments thereto, which shall not be refunded, who has satisfied the board as to such applicant's training and who complies with the provisions of this subsection (b). An applicant for licensure also shall submit evidence verified under oath and satisfactory to the board that such applicant:

- (1) Is at least 21 years of age;
- (2) has satisfied the board that the applicant is a person who merits public trust;
- (3) has received at least a master's degree in clinical psychology based on a program of studies in psychology from an educational institution having a graduate program in psychology consistent with state universities of Kansas; or has received at least a master's degree in psychology and during such master's or post-master's coursework completed a minimum of 12 semester hours or its equivalent in psychological foundation courses such as, but not limited to, philosophy of psychology, psychology of perception, learning theory, history of psychology, motivation, and statistics and 24 semester hours or its equivalent in professional core courses such as, but not limited to, two courses in psychological testing, psychopathology, two courses in psychotherapy, personality theories, developmental psychology, research methods, social psychology; or has passed comprehensive examinations or equivalent final examinations in a doctoral program in psychology and during such graduate program completed a minimum of 12 semester hours or its equivalent in psychological foundation courses such as, but not limited to, philosophy of psychology, psychology of perception, learning theory, history of psychology, motivation, and statistics and 24 semester hours or its equivalent in professional core courses such as, but not limited to, two courses in psychological testing, psychopathology, two courses in psychotherapy, personality theories, developmental psychology, research methods, social psychology;

(4) has completed 750 clock hours of academically supervised practicum in the master's degree program or 1,500 clock hours of postgraduate supervised work experience;

(5) has completed 2,000 clock hours of postgraduate work experience under the supervision of a licensed psychologist or a currently licensed master's level psychologist with three years' experience;

(6) for applicants on and after January 1, 1997, has passed an examination approved by the board with a minimum score set by the board by rules and regulations at 10 percentage points below the score set by the board for licensed psychologists; and

(7) is in the employ of a Kansas licensed community mental health center, or one of its contracted affiliates, or a federal, state, county or municipal agency, or other political subdivision, a duly chartered educational institution, a medical care facility licensed under K.S.A. 65-425 *et seq.* and amendments thereto or a psychiatric hospital licensed under K.S.A. 75-3307b and amendments thereto and whose practice is a part of the duties of such applicant's paid position and is performed solely on behalf of the employer.

(c) The board shall adopt rules and regulations establishing the criteria which an educational institution shall satisfy in meeting the requirements established under item (3) of subsection (b). The board may send a questionnaire developed by the board to any educational institution for which the board does not have sufficient information to determine whether the educational institution meets the requirements of item (3) of subsection (b) and rules and regulations adopted under this section. The questionnaire providing the necessary information shall be completed and returned to the board in order for the educational institution to be considered for approval. The board may contract with investigative agencies, commissions or consultants to assist the board in obtaining information about educational institutions. In entering such contracts the authority to approve educational institutions shall remain solely with the board.

Sec. 3. K.S.A. 1996 Supp. 74-5361 is hereby amended to read as follows: 74-5361. As used in this act:

(a) "Practice of psychology" shall have the meaning ascribed thereto in K.S.A. 74-5302 and amendments thereto.

(b) "Board" means the behavioral sciences regulatory board created by K.S.A. 74-7501 and amendments thereto.

(c) "Licensed masters level psychologist" means a person licensed by the board under the provisions of this act.

(d) "Masters level psychology" means the practice of psychology pursuant to the restrictions set out in K.S.A. 74-5362 and 74-5363 and amendments thereto.

Sec. 4. K.S.A. 1996 Supp. 74-5366 is hereby amended to read as follows: 74-5366. (a) All licenses shall be effective upon the date issued and shall expire at the end of 24 months from the date of issuance.

(b) A license may be renewed by the payment of the renewal fee and the execution and submission of a signed statement, on a form provided by the board, attesting that the applicant's license has been neither revoked nor currently suspended; that the applicant currently meets the employment requirements of part (7) of subsection (b) of K.S.A. 74-5363 and amendments thereto and that the applicant has met the requirements for continuing education set forth in this act.

(c) The application for renewal shall be made at least 30 days before the date of the expiration of the license.

(d) If the application for renewal, including payment of the required renewal fee, is not made on or before the date of the expiration of the license, the license is void, and no license shall be reinstated except upon payment of the required renewal fee, plus a penalty equal to the renewal fee, and proof satisfactory to the board of compliance with the continuing education requirements. Upon receipt of such payment and proof, the board shall reinstate the license, except that no license shall be reinstated if such payment and proof is received more than one year after the date of expiration of the license.

(e) A duplicate license shall be issued by the board upon receipt of a \$20 fee.

(f) A person registered as a masters level psychologist on December 30, 1996, shall be deemed to be a licensed masters level psychologist under this act. Such person shall not be required to file an original application for licensure under this act, but shall apply to the board for a license in lieu of registration upon payment of the fee set by the board for renewal of license. Any application for registration filed but which has not been granted prior to January 1, 1997, shall be processed as an application for licensure pursuant to this act. For exchange of a license in lieu of registration pursuant to this subsection, a fee not to exceed \$100.

(g) The board shall collect a fee not to exceed \$100 for exchange of a license in lieu of a registration pursuant to subsection (f).

Sec. 5. K.S.A. 1996 Supp. 59-2946 is hereby amended to read as follows: 59-2946. When used in the care and treatment act for mentally ill persons:

(a) "Discharge" means the final and complete release from treatment, by either the head of a treatment facility acting pursuant to K.S.A.

(continued)

1996 Supp. 59-2950 and amendments thereto or by an order of a court issued pursuant to K.S.A. 1996 Supp. 59-2973 and amendments thereto.

(b) "Head of a treatment facility" means the administrative director of a treatment facility or such person's designee.

(c) "Law enforcement officer" shall have the meaning ascribed to it in K.S.A. 22-2202, and amendments thereto.

(d) (1) "Mental health center" means any community mental health center organized pursuant to the provisions of K.S.A. 19-4001 through 19-4015 and amendments thereto, or mental health clinic organized pursuant to the provisions of K.S.A. 65-211 through 65-215 and amendments thereto, or a mental health clinic organized as a not-for-profit or a for-profit corporation pursuant to K.S.A. 17-1701 through 17-1775 and amendments thereto or K.S.A. 17-6001 through 17-6010 and amendments thereto, and licensed in accordance with the provisions of K.S.A. 75-3307b and amendments thereto.

(2) "Participating mental health center" means a mental health center which has entered into a contract with the secretary of social and rehabilitation services pursuant to the provisions of K.S.A. 39-1601 through 39-1612 and amendments thereto.

(e) "Mentally ill person" means any person who is suffering from a mental disorder which is manifested by a clinically significant behavioral or psychological syndrome or pattern and associated with either a painful symptom or an impairment in one or more important areas of functioning, and involving substantial behavioral, psychological or biological dysfunction, to the extent that the person is in need of treatment.

(f) (1) "Mentally ill person subject to involuntary commitment for care and treatment" means a mentally ill person, as defined in subsection (e), who also lacks capacity to make an informed decision concerning treatment, is likely to cause harm to self or others, and whose diagnosis is not solely one of the following mental disorders: Alcohol or chemical substance abuse; antisocial personality disorder; mental retardation; organic personality syndrome; or an organic mental disorder.

(2) "Lacks capacity to make an informed decision concerning treatment" means that the person, by reason of the person's mental disorder, is unable, despite conscientious efforts at explanation, to understand basically the nature and effects of hospitalization or treatment or is unable to engage in a rational decision-making process regarding hospitalization or treatment, as evidenced by an inability to weigh the possible risks and benefits.

(3) "Likely to cause harm to self or others" means that the person, by reason of the person's mental disorder: (a) Is likely, in the reasonably foreseeable future, to cause substantial physical injury or physical abuse to self or others or substantial damage to another's property, as evidenced by behavior threatening, attempting or causing such injury, abuse or damage; except that if the harm threatened, attempted or caused is only harm to the property of another, the harm must be of such a value and extent that the state's interest in protecting the property from such harm outweighs the person's interest in personal liberty; or (b) is substantially unable, except for reason of indigency, to provide for any of the person's basic needs, such as food, clothing, shelter, health or safety, causing a substantial deterioration of the person's ability to function on the person's own.

No person who is being treated by prayer in the practice of the religion of any church which teaches reliance on spiritual means alone through prayer for healing shall be determined to be a mentally ill person subject to involuntary commitment for care and treatment under this act unless substantial evidence is produced upon which the district court finds that the proposed patient is likely in the reasonably foreseeable future to cause substantial physical injury or physical abuse to self or others or substantial damage to another's property, as evidenced by behavior threatening, attempting or causing such injury, abuse or damage; except that if the harm threatened, attempted or caused is only harm to the property of another, the harm must be of such a value and extent that the state's interest in protecting the property from such harm outweighs the person's interest in personal liberty.

(g) "Patient" means a person who is a voluntary patient, a proposed patient or an involuntary patient.

(1) "Voluntary patient" means a person who is receiving treatment at a treatment facility pursuant to K.S.A. 1996 Supp. 59-2949 and amendments thereto.

(2) "Proposed patient" means a person for whom a petition pursuant to K.S.A. 1996 Supp. 59-2952 or K.S.A. 1996 Supp. 59-2957 and amendments thereto has been filed.

(3) "Involuntary patient" means a person who is receiving treatment under order of a court or a person admitted and detained by a treatment facility pursuant to an application filed pursuant to subsection (b) or (c) of K.S.A. 1996 Supp. 59-2954 and amendments thereto.

(h) "Physician" means a person licensed to practice medicine and surgery as provided for in the Kansas healing arts act or a person who is employed by a state psychiatric hospital or by an agency of the United States and who is authorized by law to practice medicine and surgery within that hospital or agency.

(i) "Psychologist" means a licensed psychologist, as defined by K.S.A. 74-5302 and amendments thereto.

(j) "Qualified mental health professional" means a physician or psychologist who is employed by a participating mental health center or who is providing services as a physician or psychologist under a contract with a participating mental health center, or a registered licensed masters level psychologist or a licensed specialist social worker or a licensed master social worker or a registered nurse who has a specialty in psychiatric nursing, who is employed by a participating mental health center and who is acting under the direction of a physician or psychologist who is employed by, or under contract with, a participating mental health center.

(1) "Direction" means monitoring and oversight including regular, periodic evaluation of services.

(2) "Licensed master social worker" means a person licensed as a master social worker by the behavioral sciences regulatory board under K.S.A. 65-6301 through 65-6318 and amendments thereto.

(3) "Licensed specialist social worker" means a person licensed in a social work practice specialty by the behavioral sciences regulatory board under K.S.A. 65-6301 through 65-6318 and amendments thereto.

(4) "Registered Licensed masters level psychologist" means a person registered licensed as a registered licensed masters level psychologist by the behavioral sciences regulatory board under K.S.A. 74-5361 through 74-5373 and amendments thereto.

(5) "Registered nurse" means a person licensed as a registered professional nurse by the board of nursing under K.S.A. 65-1113 through 65-1164 and amendments thereto.

(k) "Secretary" means the secretary of social and rehabilitation services.

(l) "State psychiatric hospital" means Larned state hospital, Osawatimie state hospital, Rainbow mental health facility or Topeka state hospital.

(m) "Treatment" means any service intended to promote the mental health of the patient and rendered by a qualified professional, licensed or certified by the state to provide such service as an independent practitioner or under the supervision of such practitioner.

(n) "Treatment facility" means any mental health center or clinic, psychiatric unit of a medical care facility, state psychiatric hospital, psychologist, physician or other institution or person authorized or licensed by law to provide either inpatient or outpatient treatment to any patient.

(o) The terms defined in K.S.A. 59-3002 and amendments thereto shall have the meanings provided by that section.

Sec. 6. K.S.A. 1996 Supp. 65-5912 is hereby amended to read as follows: 65-5912. (a) Nothing in this act shall be construed to require any insurer or other entity regulated under chapter 40 of the Kansas Statutes Annotated or any other law of this state to provide coverage for or indemnify for the services provided by a person licensed under this act.

(b) So long as the following persons do not hold themselves out to the public to be dietitians or licensed dietitians or use these titles in combination with other titles or use the abbreviation L.D., or any combination thereof, nothing in this act shall be construed to apply:

(1) To any person licensed to practice the healing arts, a licensed dentist, a licensed dental hygienist, a licensed professional nurse, a licensed practical nurse, a licensed psychologist, a registered licensed masters level psychologist, a licensed pharmacist or an employee thereof, a physician's assistant, a registered licensed professional counselor;

(2) to any unlicensed employee of a licensed adult care home or a licensed medical care facility as long as such person is working under the general direction of a licensee in the healing arts, nursing or a dietetic services supervisor as defined in regulations adopted by the secretary of health and environment or a consultant licensed under this act;

(3) to any dietetic technician or dietetic assistant;

(4) to any student enrolled in an approved academic program in dietetics, home economics, nutrition, education or other like curriculum, while engaged in such academic program;

(5) to prevent any person, including persons employed in health food stores, from furnishing nutrition information as to the use of food, food materials or dietary supplements, nor to prevent in any way the free dissemination of information or of literature as long as no individual engaged in such practices holds oneself out as being licensed under this act;

(6) to prohibit any individual from marketing or distributing food products, including dietary supplements, or to prevent any such person from providing information to customers regarding the use of such products;

(7) to prevent any employee of the state or a political subdivision who is employed in nutrition-related programs from engaging in activities included within the definition of dietetics practice as a part of such person's employment;

(8) to any person who performs the activities and services of a licensed dietitian or nutrition educator as an employee of the state or a political subdivision, an elementary or secondary school, an educational institution, a licensed institution, or a not-for-profit organization;

(9) to any person serving in the armed forces, the public health service, the veterans administration or as an employee of the federal government;

(10) to any person who has a degree in home economics insofar as the activities of such person are within the scope of such person's education and training;

(11) to any person who counsels or provides weight-control services as a part of a franchised or recognized weight-control program or a weight-control program that operates under the general direction of a person licensed to practice the healing arts, nursing or a person licensed under this act;

(12) to any person who is acting as a representative of a trade association and who engages in one or more activities included within the practice of dietetics as a representative of such association;

(13) to a registered physical therapist who makes a dietetic or nutritional assessment or gives dietetic or nutritional advice in the normal practice of such person's profession or as otherwise authorized by law;

(14) to a dietitian licensed, registered or otherwise authorized to practice dietetics in another state who is providing consultation in this state;

(15) to any person conducting a teaching clinical demonstration which is carried out in an educational institution or an affiliated clinical facility or health care agency;

(16) to any person conducting classes or disseminating information relating to nonmedical nutrition; or

(17) to any person permitted to practice under K.S.A. 65-2872a and amendments thereto.

(c) Nothing in this act shall be construed to interfere with the religious practices or observances of a bona fide religious organization, nor to prevent any person from caring for the sick in accordance with tenets and practices of any church or religious denomination which teaches reliance upon spiritual means through prayer for healing.

Sec. 7. K.S.A. 1996 Supp. 65-6319 is hereby amended to read as follows: 65-6319. (a) The following licensed social workers may diagnose mental disorders classified in the diagnostic manuals commonly used as a part of accepted social work practice: (1) A licensed specialist clinical social worker, and (2) a licensed master social worker who performs diagnoses of mental disorders within the course of employment by a licensed community mental health center, a state facility authorized to provide psychotherapeutic services or a not-for-profit entity approved under subsection (c) of section 501 of the internal revenue code when such licensed master social worker is under the direction of (i) a person licensed to practice medicine and surgery, (ii) a licensed psychologist, or (iii) a licensed specialist clinical social worker.

(b) Nothing in this section shall be construed to authorize a licensed social worker who under subsection (a) may diagnose mental disorders classified in the diagnostic manuals commonly used as a part of accepted social work practice to provide direction for registered licensed masters level psychologists under K.S.A. 74-5362 and amendments thereto.

(c) This section shall be part of and supplemental to the provisions of article 63 of chapter 65 of the Kansas Statutes Annotated and acts amendatory of the provisions thereof and supplemental thereto.

Sec. 8. K.S.A. 74-5344 is hereby amended to read as follows: 74-5344. Nothing contained in this act shall be construed: (a) To prevent qualified members of other professional groups such as, but not limited to, ministers, Christian Science practitioners, social workers and social-

ogists from doing work of a psychological nature consistent with their training and consistent with any code of ethics of their respective professions so long as they do not hold themselves out to the public by any title or description of services incorporating the words "psychologic," "psychological," "psychologist" or "psychology";

(b) in any way to restrict any person from carrying on any of the aforesaid activities in the free expression or exchange of ideas concerning the practice of psychology, the application of its principles, the teaching of such subject matter and the conducting of research on problems relating to human behavior if such person does not represent such person or such person's services in any manner prohibited by this act;

(c) to limit the practice of psychology of a registered licensed masters level psychologist or a person who holds a temporary permit to practice as a registered licensed masters level psychologist insofar as such practice is a part of the duties of any such person's salaried position, and insofar as such practice is performed solely on behalf of such person's employer or insofar as such person is engaged in public speaking with or without remuneration;

(d) to limit the practice of psychology or services of a student, intern or resident in psychology pursuing a degree in psychology in a school, college, university or other institution, with educational standards consistent with those of the state universities of Kansas if such practice or services are supervised as a part of such person's degree program. Nothing contained in this section shall be construed as permitting such persons to offer their services as psychologists to any other person and to accept remuneration for such psychological services other than as specifically excepted herein, unless they have been licensed under the provisions of the licensure of psychologists act of the state of Kansas, registered under the provisions of K.S.A. 74-5361 to 74-5371, inclusive, and amendments thereto or granted a temporary permit under the provisions of K.S.A. 74-5367 and amendments thereto;

(e) to prevent the employment, by a person, association, partnership or a corporation furnishing psychological services for remuneration, of persons not licensed as psychologists under the provisions of this act to practice psychology if such persons work under the supervision of a psychologist or psychologists licensed under the provisions of this act and if such persons are not in any manner held out to the public as psychologists licensed under the provisions of the licensure of psychologists act of the state of Kansas, as registered under the provisions of K.S.A. 74-5361 to 74-5371, inclusive, and amendments thereto or as holding a temporary permit under the provisions of K.S.A. 74-5367 and amendments thereto;

(f) to restrict the use of tools, tests, instruments or techniques usually denominated "psychological" so long as the user does not represent oneself to be a licensed psychologist or a registered licensed masters level psychologist;

(g) to permit persons licensed as psychologists to engage in the practice of medicine as defined in the laws of this state, nor to require such licensed psychologists to comply with the Kansas healing arts act;

(h) to restrict the use of the term "social psychologist" by any person who has received a doctoral degree in sociology or social psychology from an institution whose credits in sociology or social psychology are acceptable by a school or college as defined in this act, and who has passed comprehensive examination in the field of social psychology as a part of the requirements for the doctoral degree or has had equivalent specialized training in social psychology;

(i) to restrict the practice of psychology by a person who is certified as a school psychologist by the state department of education so long as such practice is conducted as a part of the duties of employment by a unified school district or as part of an independent evaluation conducted in accordance with K.S.A. 72-963 and amendments thereto, including the use of the term "school psychologist" by such person in conjunction with such practice; or

(j) to restrict the use of the term psychologist or the practice of psychology by psychologists not licensed under this act in institutions for the mentally retarded, in the youth centers at Atchison, Beloit, Larned and Topeka or in institutions within the department of corrections insofar as such term is used or such practice of psychology is performed solely in conjunction with such person's employment by any such institution or youth center; or

(k) to limit the practice of psychology or use of official title on the part of a person in the employ of a licensed community mental health center or one of its contracted affiliates, or any federal, state, county or municipal agency, or other political subdivision, or a duly chartered ed-

(continued)

educational institution, or a medical care facility licensed under K.S.A. 65-425 et seq. and amendments thereto or a psychiatric hospital licensed under K.S.A. 75-3307b and amendments thereto insofar as such practice is a part of the duties of such person's paid position and is performed solely on behalf of the employer and insofar as such practice is under the direction of a person licensed to practice medicine and surgery or a person licensed to provide mental health services as an independent practitioner and whose licensure allows for the diagnosis and treatment of psychological disorders. The provisions of this subsection (k) shall expire on May 1, 1990.

Sec. 9. On July 1, 1997, K.S.A. 74-5344, as amended by section 8 of this act, is hereby amended to read as follows: 74-5344. Nothing contained in this act shall be construed: (a) To prevent qualified members of other professional groups such as, but not limited to, ministers, Christian Science practitioners, social workers and sociologists from doing work of a psychological nature consistent with their training and consistent with any code of ethics of their respective professions so long as they do not hold themselves out to the public by any title or description of services incorporating the words "psychologic," "psychological," "psychologist" or "psychology";

(b) in any way to restrict any person from carrying on any of the aforesaid activities in the free expression or exchange of ideas concerning the practice of psychology, the application of its principles, the teaching of such subject matter and the conducting of research on problems relating to human behavior if such person does not represent such person or such person's services in any manner prohibited by this act;

(c) to limit the practice of psychology of a licensed masters level psychologist or a person who holds a temporary permit to practice as a licensed masters level psychologist insofar as such practice is a part of the duties of any such person's salaried position, and insofar as such practice is performed solely on behalf of such person's employer or insofar as such person is engaged in public speaking with or without remuneration;

(d) to limit the practice of psychology or services of a student, intern or resident in psychology pursuing a degree in psychology in a school, college, university or other institution, with educational standards consistent with those of the state universities of Kansas if such practice or services are supervised as a part of such person's degree program. Nothing contained in this section shall be construed as permitting such persons to offer their services as psychologists to any other person and to accept remuneration for such psychological services other than as specifically excepted herein, unless they have been licensed under the provisions of the licensure of psychologists act of the state of Kansas, registered under the provisions of K.S.A. 74-5361 to 74-5371, inclusive, and amendments thereto or granted a temporary permit under the provisions of K.S.A. 74-5367 and amendments thereto;

(e) to prevent the employment, by a person, association, partnership or a corporation furnishing psychological services for remuneration, of persons not licensed as psychologists under the provisions of this act to practice psychology if such persons work under the supervision of a psychologist or psychologists licensed under the provisions of this act and if such persons are not in any manner held out to the public as psychologists licensed under the provisions of the licensure of psychologists act of the state of Kansas, as registered under the provisions of K.S.A. 74-5361 to 74-5371, inclusive, and amendments thereto or as holding a temporary permit under the provisions of K.S.A. 74-5367 and amendments thereto;

(f) to restrict the use of tools, tests, instruments or techniques usually denominated "psychological" so long as the user does not represent oneself to be a licensed psychologist or a licensed masters level psychologist;

(g) to permit persons licensed as psychologists to engage in the practice of medicine as defined in the laws of this state, nor to require such licensed psychologists to comply with the Kansas healing arts act;

(h) to restrict the use of the term "social psychologist" by any person who has received a doctoral degree in sociology or social psychology from an institution whose credits in sociology or social psychology are acceptable by a school or college as defined in this act, and who has passed comprehensive examination in the field of social psychology as a part of the requirements for the doctoral degree or has had equivalent specialized training in social psychology;

(i) to restrict the practice of psychology by a person who is certified as a school psychologist by the state department of education so long as such practice is conducted as a part of the duties of employment by a unified school district or as part of an independent evaluation conducted in accordance with K.S.A. 72-963 and amendments thereto, including the

use of the term "school psychologist" by such person in conjunction with such practice; or

(j) to restrict the use of the term psychologist or the practice of psychology by psychologists not licensed under this act in institutions for the mentally retarded, in the youth centers *juvenile correctional facilities* at Atchison, Beloit, Larned and Topeka or in institutions within the department of corrections insofar as such term is used or such practice of psychology is performed solely in conjunction with such person's employment by any such institution or youth center *juvenile correctional facility*.

Sec. 10. K.S.A. 65-2895 is hereby amended to read as follows: 65-2895. (a) There is hereby created a designation of institutional license which may be issued by the board to a person who is a graduate of an accredited school of the healing arts or a school which has been in operation for not less than 15 years and the graduates of which have been licensed in another state or states which have standards similar to Kansas, and who is employed by the department of social and rehabilitation services, employed by any institution within the department of corrections or employed pursuant to a contract entered into by the department of social and rehabilitation services or the department of corrections with a third party. An applicant for an institutional license shall pass an examination in the basic sciences approved by the board as provided in this section. Subject to the restrictions of this section, the institutional license shall confer upon the holder the right and privilege to practice that branch of the healing arts in which the holder of the institutional license is proficient and shall obligate the holder to comply with all requirements of such license. The practice privileges of institutional license holders are restricted as follows: The institutional license shall be valid only during the period in which the holder is: (1) Employed by the department of social and rehabilitation services, employed by any institution within the department of corrections or employed pursuant to a contract entered into by the department of social and rehabilitation services or the department of corrections with a third party, and only within the institution to which the holder is assigned; or (2) issued an institutional license prior to the effective date of this act and is employed to provide mental health services in the employ of a Kansas licensed community mental health center, or one of its contracted affiliates, or a federal, state, county or municipal agency, or other political subdivision, or a contractor of a federal, state, county or municipal agency, or other political subdivision, or a duly chartered educational institution, or a medical care facility licensed under K.S.A. 65-425 et seq. and amendments thereto, in a psychiatric hospital licensed under K.S.A. 75-3307b and amendments thereto, or a contractor of such educational institution, medical care facility or psychiatric hospital, and whose practice, in any such employment, is limited to providing mental health services, is a part of the duties of such licensee's paid position and is performed solely on behalf of the employer.

(b) An institutional license shall be valid for a period of two years after the date of issuance and may be renewed if the applicant for renewal is eligible to obtain an institutional license under this section, has successfully completed the examination required under subsection (a)(3) of K.S.A. 65-2873 and amendments thereto and has submitted evidence of satisfactory completion of a program of continuing education required by the board. The board shall require each applicant for renewal of an institutional license under this section to submit evidence of satisfactory completion of a program of continuing education required by the board of licensees of the branch of the healing arts in which the applicant is proficient.

(c) This section shall be a part of and supplemental to the Kansas healing arts act.

Sec. 11. K.S.A. 65-2895 and 74-5344 and K.S.A. 1996 Supp. 59-2946, 65-5912, 65-6319, 74-5361, 74-5362, 74-5363 and 74-5366 are hereby repealed.

Sec. 12. On July 1, 1997, K.S.A. 74-5344, as amended by section 8 of this act, 74-5344, as amended by section 123 of chapter 229 of the 1996 Session Laws of Kansas, and K.S.A. 74-5363, as amended by section 124 of chapter 229 of the 1996 Session Laws of Kansas, are hereby repealed.

Sec. 13. This act shall take effect and be in force from and after its publication in the Kansas register.

(Published in the Kansas Register May 8, 1997.)

HOUSE BILL No. 2218

AN ACT concerning certain special benefit districts; relating to the creation or enlargement thereof; amending K.S.A. 19-270, 24-409 and 82a-623 and repealing the existing sections.

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

Section 1. K.S.A. 19-270 is hereby amended to read as follows: 19-270. (a) (1) A special benefit district shall include any:

- (A) Sewer district;
- (B) water district, rural water district and water supply district;
- (C) fire district;
- (D) improvement district;
- (E) industrial district; and
- (F) drainage district.

(2) The fringe area of a city means the area of unincorporated territory lying outside of but within three miles of the nearest point on the city limits of a city which has adopted subdivision regulations under K.S.A. 12-749, and amendments thereto.

(b) No special benefit district shall be created, established or otherwise formed within the fringe area of any city unless approved by at least a $\frac{3}{4}$ majority vote of the board of county commissioners of the county in which the city is located. The boundaries of any such district shall not be extended within the fringe area of the city unless approved by at least a $\frac{3}{4}$ majority vote of the board of county commissioners of the county in which the city is located. If the boundaries of the district cross county lines and if the district to be created or the boundaries to be extended would be located within the fringe area of a city, the board of county commissioners of each county in which the district such a city is located shall be required to approve the creation or of the district within the fringe area of the city or the extension of the boundaries of the district within the fringe area of the city by at least a $\frac{3}{4}$ majority vote of the board of county commissioners of each county. If a hearing is not already required to be held prior to the creation or expansion within the fringe area of a city of a special benefit district, the board of county commissioners shall call and hold a hearing on the proposed action. Notice of the hearing shall be published once in the official county newspaper. The notice shall be published at least seven days prior to the date of the hearing.

At the hearing, the board shall receive testimony from the city, township, county or regional planning commission having jurisdiction over any of the affected land area. Such testimony shall address any incompatibilities between the creation or expansion of the district within such fringe area and any adopted land use or comprehensive plans. The governing body of the city may present testimony of any proposed annexation of the affected land area. Any interested person may present testimony before the board. As a guide in determining the advisability of authorizing the creation or change in boundaries of a special benefit district located within the fringe area of a city, the board's considerations shall include, but not be limited to, any testimony offered at the public hearing concerning: (1) The size and population of such city; (2) the city's growth in population, business and industry during the past 10 years; (3) the extension of its boundaries during the past 10 years; (4) the probability of its growth toward the territory during the ensuing 10 years, taking into consideration natural barriers and other reasons which might influence growth toward the territory; (5) the willingness of the city to annex the territory and its ability to provide city services in case of annexation; and (6) the general effect upon the entire community, all of these and other considerations having to do with the overall orderly and economic development of the area and to prevent an unreasonable multiplicity of independent municipal and special district governments. The board shall approve or disapprove the creation or change in boundaries of the special benefit district within 30 days of the hearing. Any person or city aggrieved by the decision of the board of county commissioners may appeal from the decision of the board within 30 days following the rendering of the decision to the district court of the county in which the affected area is located. The appeal shall be taken in the manner provided by K.S.A. 19-223, and amendments thereto. Any city so appealing shall not be required to execute the bond prescribed therein.

Sec. 2. K.S.A. 82a-623 is hereby amended to read as follows: 82a-623. Subject to the provisions of K.S.A. 1986 Supp. 19-270, notice of the filing of a petition for attachment fixing the time and place of hearing and giving notice thereof shall be in the same manner as prescribed in K.S.A. 82a-615, and amendments thereto, except notice shall not refer to any

meetings to elect a board of directors or adopt bylaws, and in addition thereto the county clerk shall mail to each director of the board of the district named in the petition, a copy of such petition and notice of time and place same shall be considered and amendments thereto, the county clerk shall give notice to the county commissioners of the filing of the petition for attachment. The board of county commissioners shall fix a time and place, within 30 days from the date of the filing of the petition, for a hearing on the same. The county clerk, at least seven days before the date fixed for the hearing, shall send by first class mail to each owner of land within the area sought to be attached a copy of the petition for attachment, and a copy of the notice fixing the time and place of hearing on the petition. The owners of land within the area sought to be attached shall be determined by an enumeration of landowners taken from the tax rolls of the county in which the land is located. If the petition for attachment is accompanied by a verified statement by one of the owners of land within the area sought to be attached, or the attorney for the petitioner, that the owners of all of the land within the area sought to be attached have signed the petition for attachment, a copy of the petition for attachment shall not be sent to the owners of land sought to be attached. The clerk shall send by first class mail a copy of the petition for attachment and a copy of the notice fixing the time and place of hearing on the petition to the office of the water district to which attachment is sought. The clerk also shall transmit to the chief engineer a copy of the petition for attachment and a copy of the notice fixing the time and place of hearing thereon.

Sec. 3. K.S.A. 24-409 is hereby amended to read as follows: 24-409. All powers granted to drainage districts incorporated under the provisions of this act shall be exercised by a board of directors consisting of three persons who shall be freeholders and actual residents of the district. In districts organized in counties having a population of less than 85,000, the directors provided for in this act shall be freeholders of such drainage districts residing owners of land located in the district. Directors also shall reside in the county in which such district is located, or if such district is located in more than one county, then such the directors may shall reside in either county thereof in a county in which a portion of the drainage district is located. Except as provided in K.S.A. 24-412, as amended and amendments thereto, the directors shall hold their offices for four years and until their successors are elected or appointed, as the case may be, and qualified, and shall be chosen at the time and in the manner provided by law.

New Sec. 4. Whenever a petition signed by the owners of at least 25% of the land in a defined area located within an improvement district created pursuant to K.S.A. 19-2753, and amendments thereto, is filed with the county clerk of the county in which such improvement district is located requesting the board of county commissioners to hold a public hearing for the purpose of determining the advisability of detaching from such district the area of land described in such petition, the board of county commissioners shall call and hold a public hearing within 30 days after the filing of such petition. The board shall publish a notice of such hearing at least once each week for two consecutive weeks in a newspaper of general circulation in the county. The last publication shall be not more than six days prior to the date fixed for the holding of the hearing. Following such public hearing, the board shall enter an order approving or rejecting the petition for detachment. The board of county commissioners shall enter an order detaching such land, if the improvement district has not provided any services to such land within one year preceding the date of the filing of such petition. Such order shall be effective on January 1 of the succeeding year. Thereupon, the board, by resolution, shall declare the new boundaries of the improvement district and shall certify a copy of such resolution to the county clerk.

Any land detached from the improvement district shall be liable for its proportionate share of all outstanding indebtedness of the improvement district on the date the resolution is passed by the board detaching the territory.

New Sec. 5. Any land located within an improvement district created pursuant to K.S.A. 19-2753 et seq., and amendments thereto, or any land located within an industrial district created pursuant to K.S.A. 19-3801 et seq., and amendments thereto, shall not be included within the boundaries of any sewer district created pursuant to K.S.A. 19-27a01 et seq., and amendments thereto, unless the governing body of such improvement district or industrial district approves the inclusion thereof.

Nothing in this section shall be construed as providing a procedure for the detachment or deannexation of land located within the boundaries of a sewer district.

(continued)

and amendments thereto, unless the governing body of such improvement district or industrial district approves the inclusion thereof.

Nothing in this section shall be construed as providing a procedure for the detachment or deannexation of land located within the boundaries of a fire district.

New Sec. 21. Any land located within an improvement district created pursuant to K.S.A. 19-2753 et seq., and amendments thereto, or any land located within an industrial district created pursuant to K.S.A. 19-3801 et seq., and amendments thereto, shall not be included within the boundaries of any fire district created pursuant to K.S.A. 80-1524 et seq., and amendments thereto, unless the governing body of such improvement district or industrial district approves the inclusion thereof.

Nothing in this section shall be construed as providing a procedure for the detachment or deannexation of land located within the boundaries of a fire district.

New Sec. 22. Any land located within an improvement district created pursuant to K.S.A. 19-2753 et seq., and amendments thereto, or any land located within an industrial district created pursuant to K.S.A. 19-3801 et seq., and amendments thereto, shall not be included within the boundaries of any fire district created pursuant to K.S.A. 80-1540 et seq., and amendments thereto, unless the governing body of such improvement district or industrial district approves the inclusion thereof.

Nothing in this section shall be construed as providing a procedure for the detachment or deannexation of land located within the boundaries of a fire district.

New Sec. 23. Any land located within an improvement district created pursuant to K.S.A. 19-2753 et seq., and amendments thereto, or any land located within an industrial district created pursuant to K.S.A. 19-3801 et seq., and amendments thereto, shall not be included within the boundaries of any fire district created pursuant to K.S.A. 80-1547 et seq., and amendments thereto, unless the governing body of such improvement district or industrial district approves the inclusion thereof.

Nothing in this section shall be construed as providing a procedure for the detachment or deannexation of land located within the boundaries of a fire district.

Sec. 24. K.S.A. 19-270, 24-409 and 82a-623 are hereby repealed.

Sec. 25. This act shall take effect and be in force from and after its publication in the Kansas register.

(Published in the Kansas Register May 8, 1997.)

SENATE BILL No. 68

AN ACT concerning the care and treatment act for mentally ill persons; amending K.S.A. 1996 Supp. 59-2946, 59-2957, 59-2958, 59-2966, 59-2967, 59-2969, 59-2971 and 59-2972 and repealing the existing sections; also repealing section 1 of chapter 172 of the 1996 Session Laws of Kansas, section 2 of chapter 172 of the 1996 Session Laws of Kansas, section 3 of chapter 172 of the 1996 Session Laws of Kansas, section 4 of chapter 172 of the 1996 Session Laws of Kansas, section 5 of chapter 172 of the 1996 Session Laws of Kansas, section 6 of chapter 172 of the 1996 Session Laws of Kansas and section 7 of chapter 172 of the 1996 Session Laws of Kansas.

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

New Section 1. The attorney general shall have concurrent authority with any county or district attorney to file a petition pursuant to K.S.A. 1996 Supp. 59-2957, and amendments thereto and to prepare all necessary papers, to appear at any hearing and to present such evidence as the attorney general determines to be of aid to the court in determining the issues before the court in any case wherein it is alleged that a person is or continues to be a mentally ill person subject to involuntary commitment for care and treatment, as defined in subsection (f)(1)(B) of K.S.A. 1996 Supp. 59-2946, and amendments thereto. The provisions of this section shall be part of and supplemental to the care and treatment act for mentally ill persons. The provisions of this section shall be effective on the date of the issuance by the United States supreme court of an opinion in the case of *State of Kansas vs. LeRoy Hendricks*, case no. 95-1649, which holds the sexually violent predator act, K.S.A. 59-29a01 et seq., unconstitutional and shall expire on June 30, 1998.

New Sec. 2. In each proceeding in which it is alleged that a person is or continues to be a mentally ill person subject to involuntary commitment for care and treatment, as defined in subsection (f)(1)(B) of K.S.A. 1996 Supp. 59-2946, and amendments thereto, the court shall allow and order paid a reasonable fee and expenses for an attorney appointed by the court to represent the person against whom the petition was filed, which fee and expenses shall be taxed to the estate of the patient, to those

bound by law to support such patient or to the state of Kansas, except if a proposed patient is found not to be a mentally ill person subject to involuntary commitment under this act, the costs shall not be assessed against such patient's estate. Any fee or expenses taxes to the state of Kansas shall be considered a special claim against the state and considered in like manner by the legislature at its next session. The provisions of this section shall be part of and supplemental to the care and treatment act for mentally ill persons. The provisions of this section shall be effective on the date of the issuance by the United States supreme court of an opinion in the case of *State of Kansas vs. LeRoy Hendricks*, case no. 95-1649, which holds the sexually violent predator act, K.S.A. 59-29a01 et seq., unconstitutional and shall expire on June 30, 1998.

New Sec. 3. Upon the provisions of subsections (e)(2), (f)(1)(B) and (p) of K.S.A. 59-2946 and 59-2972 and sections 1 and 2 of this act taking effect, the attorney general shall give notice of such fact by publishing such notice in the Kansas register, but such notice requirement shall not be necessary for this act to take effect and be in force.

Sec. 4. K.S.A. 1996 Supp. 59-2946 is hereby amended to read as follows: 59-2946. When used in the care and treatment act for mentally ill persons:

(a) "Discharge" means the final and complete release from treatment, by either the head of a treatment facility acting pursuant to K.S.A. 1996 Supp. 59-2950 and amendments thereto or by an order of a court issued pursuant to K.S.A. 1996 Supp. 59-2973 and amendments thereto.

(b) "Head of a treatment facility" means the administrative director of a treatment facility or such person's designee.

(c) "Law enforcement officer" shall have the meaning ascribed to it in K.S.A. 22-2202, and amendments thereto.

(d) (1) "Mental health center" means any community mental health center organized pursuant to the provisions of K.S.A. 19-4001 through 19-4015 and amendments thereto, or mental health clinic organized pursuant to the provisions of K.S.A. 65-211 through 65-215 and amendments thereto, or a mental health clinic organized as a not-for-profit or a for-profit corporation pursuant to K.S.A. 17-1701 through 17-1775 and amendments thereto or K.S.A. 17-6001 through 17-6010 and amendments thereto, and licensed in accordance with the provisions of K.S.A. 75-3307b and amendments thereto.

(2) "Participating mental health center" means a mental health center which has entered into a contract with the secretary of social and rehabilitation services pursuant to the provisions of K.S.A. 39-1601 through 39-1612 and amendments thereto.

(e) "Mentally ill person" means any person who is suffering from a:

(1) Mental disorder which is manifested by a clinically significant behavioral or psychological syndrome or pattern and associated with either a painful symptom or an impairment in one or more important areas of functioning, and involving substantial behavioral, psychological or biological dysfunction, to the extent that the person is in need of treatment; or

(2) mental condition, whether congenital or acquired, which affects the person's emotional or volitional capacity predisposing that person to commit sexually violent offenses. The provisions of this subsection (e)(2) shall be effective on the date of the issuance by the United States supreme court of an opinion in the case of *State of Kansas vs. LeRoy Hendricks*, case no. 95-1649, which holds the sexually violent predator act, K.S.A. 59-29a01 et seq., unconstitutional and shall expire on June 30, 1998.

(f) (1) "Mentally ill person subject to involuntary commitment for care and treatment" means:

(A) A mentally ill person, as defined in subsection (e)(1), who also lacks capacity to make an informed decision concerning treatment, is likely to cause harm to self or others, and whose diagnosis is not solely one of the following mental disorders: Alcohol or chemical substance abuse; antisocial personality disorder; mental retardation; organic personality syndrome; or an organic mental disorder; or

(B) a mentally ill person, as defined in subsection (e)(2) who also has committed an act that would constitute a sexually violent offense and presents a continuing threat of harm to self or others. The provisions of this subsection (f)(1)(B) shall be effective on the date of the issuance by the United States supreme court of an opinion in the case of *State of Kansas vs. LeRoy Hendricks*, case no. 95-1649, which holds the sexually violent predator act, K.S.A. 59-29a01 et seq., unconstitutional and shall expire on June 30, 1998.

(2) "Lacks capacity to make an informed decision concerning treatment" means that the person, by reason of the person's mental disorder, is unable, despite conscientious efforts at explanation, to understand ba-

(continued)

sically the nature and effects of hospitalization or treatment or is unable to engage in a rational decision-making process regarding hospitalization or treatment, as evidenced by an inability to weigh the possible risks and benefits.

(3) "Likely to cause harm to self or others" means that the person, by reason of the person's mental disorder: (a) Is likely, in the reasonably foreseeable future, to cause substantial physical injury or physical abuse to self or others or substantial damage to another's property, as evidenced by behavior threatening, attempting or causing such injury, abuse or damage; except that if the harm threatened, attempted or caused is only harm to the property of another, the harm must be of such a value and extent that the state's interest in protecting the property from such harm outweighs the person's interest in personal liberty; or (b) is substantially unable, except for reason of indigency, to provide for any of the person's basic needs, such as food, clothing, shelter, health or safety, causing a substantial deterioration of the person's ability to function on the person's own.

No person who is being treated by prayer in the practice of the religion of any church which teaches reliance on spiritual means alone through prayer for healing shall be determined to be a mentally ill person subject to involuntary commitment for care and treatment under this act unless substantial evidence is produced upon which the district court finds that the proposed patient is likely in the reasonably foreseeable future to cause substantial physical injury or physical abuse to self or others or substantial damage to another's property, as evidenced by behavior threatening, attempting or causing such injury, abuse or damage; except that if the harm threatened, attempted or caused is only harm to the property of another, the harm must be of such a value and extent that the state's interest in protecting the property from such harm outweighs the person's interest in personal liberty.

(g) "Patient" means a person who is a voluntary patient, a proposed patient or an involuntary patient.

(1) "Voluntary patient" means a person who is receiving treatment at a treatment facility pursuant to K.S.A. 1996 Supp. 59-2949 and amendments thereto.

(2) "Proposed patient" means a person for whom a petition pursuant to K.S.A. 1996 Supp. 59-2952 or K.S.A. 1996 Supp. 59-2957 and amendments thereto has been filed.

(3) "Involuntary patient" means a person who is receiving treatment under order of a court or a person admitted and detained by a treatment facility pursuant to an application filed pursuant to subsection (b) or (c) of K.S.A. 1996 Supp. 59-2954 and amendments thereto.

(h) "Physician" means a person licensed to practice medicine and surgery as provided for in the Kansas healing arts act or a person who is employed by a state psychiatric hospital or by an agency of the United States and who is authorized by law to practice medicine and surgery within that hospital or agency.

(i) "Psychologist" means a licensed psychologist, as defined by K.S.A. 74-5302 and amendments thereto.

(j) "Qualified mental health professional" means a physician or psychologist who is employed by a participating mental health center or who is providing services as a physician or psychologist under a contract with a participating mental health center, or a registered masters level psychologist or a licensed specialist social worker or a licensed master social worker or a registered nurse who has a specialty in psychiatric nursing, who is employed by a participating mental health center and who is acting under the direction of a physician or psychologist who is employed by, or under contract with, a participating mental health center.

(1) "Direction" means monitoring and oversight including regular, periodic evaluation of services.

(2) "Licensed master social worker" means a person licensed as a master social worker by the behavioral sciences regulatory board under K.S.A. 65-6301 through 65-6318 and amendments thereto.

(3) "Licensed specialist social worker" means a person licensed in a social work practice specialty by the behavioral sciences regulatory board under K.S.A. 65-6301 through 65-6318 and amendments thereto.

(4) "Registered masters level psychologist" means a person registered as a registered masters level psychologist by the behavioral sciences regulatory board under K.S.A. 74-5361 through 74-5373 and amendments thereto.

(5) "Registered nurse" means a person licensed as a registered professional nurse by the board of nursing under K.S.A. 65-1113 through 65-1164 and amendments thereto.

(k) "Secretary" means the secretary of social and rehabilitation services.

(l) "State psychiatric hospital" means Larned state hospital, Osawatomie state hospital, Rainbow mental health facility or Topeka state hospital.

(m) "Treatment" means any service intended to promote the mental health of the patient and rendered by a qualified professional, licensed or certified by the state to provide such service as an independent practitioner or under the supervision of such practitioner.

(n) "Treatment facility" means any mental health center or clinic, psychiatric unit of a medical care facility, state psychiatric hospital, psychologist, physician or other institution or person authorized or licensed by law to provide either inpatient or outpatient treatment to any patient.

(o) The terms defined in K.S.A. 59-3002 and amendments thereto shall have the meanings provided by that section.

(p) "Sexually violent offense" means:

(1) Rape, K.S.A. 21-3502 and amendments thereto;

(2) *indecent liberties with a child*, K.S.A. 21-3503 and amendments thereto;

(3) *aggravated indecent liberties with a child*, K.S.A. 21-3504 and amendments thereto;

(4) *criminal sodomy*, subsection (a)(2) and (a)(3) of K.S.A. 21-3505 and amendments thereto;

(5) *aggravated criminal sodomy*, K.S.A. 21-3506 and amendments thereto;

(6) *indecent solicitation of a child*, K.S.A. 21-3510 and amendments thereto;

(7) *aggravated indecent solicitation of a child*, K.S.A. 21-3511 and amendments thereto;

(8) *sexual exploitation of a child*, K.S.A. 21-3516 and amendments thereto;

(9) *aggravated sexual battery*, K.S.A. 3518 and amendments thereto;

(10) *any conviction for a felony offense in effect at any time prior to the effective date of this act, that is comparable to a sexually violent offense as defined in subparagraphs (1) through (9), or any federal or other state conviction for a felony offense that under the laws of this state would be a sexually violent offense as defined in this section.*

(11) *an attempt, conspiracy or criminal solicitation, as defined in K.S.A. 21-3301, 21-3302, 21-3303 and amendments thereto, of a sexually violent offense as defined in this section; or*

(12) *any act which at the time of sentencing for the offense has been determined beyond a reasonable doubt to have been sexually motivated. As used in this subparagraph, "sexually motivated" means that one of the purposes for which the defendant committed the crime was for the purpose of the defendant's sexual gratification.*

The provisions of this subsection (p) shall be effective on the date of the issuance by the United States supreme court of an opinion in the case of *State of Kansas vs. LeRoy Hendricks*, case no. 95-1649, which holds the *sexually violent predator act*, K.S.A. 59-29a01 et seq., unconstitutional and shall expire on June 30, 1998.

Sec. 5. K.S.A. 1996 Supp. 59-2957 is hereby amended to read as follows: 59-2957. (a) A verified petition to determine whether or not a person is a mentally ill person subject to involuntary commitment for care and treatment under this act may be filed in the district court of the county wherein that person resides or wherein such person may be found.

(b) The petition shall state:

(1) The petitioner's belief that the named person is a mentally ill person subject to involuntary commitment and the facts upon which this belief is based;

(2) to the extent known, the name, age, present whereabouts and permanent address of the person named as possibly a mentally ill person subject to involuntary commitment; and if not known, any information the petitioner might have about this person and where the person resides;

(3) to the extent known, the name and address of the person's spouse or nearest relative or relatives, or legal guardian, or if not known, any information the petitioner might have about a spouse, relative or relatives or legal guardian and where they might be found;

(4) to the extent known, the name and address of the person's legal counsel, or if not known, any information the petitioner might have about this person's legal counsel;

(5) to the extent known, whether or not this person is able to pay for medical services, or if not known, any information the petitioner might have about the person's financial circumstances or indigency;

(6) to the extent known, the name and address of any person who has custody of the person, and any known pending criminal charge or

charges or of any arrest warrant or warrants outstanding or, if there are none, that fact or if not known, any information the petitioner might have about any current criminal justice system involvement with the person; and

(7) the name or names and address or addresses of any witness or witnesses the petitioner believes has knowledge of facts relevant to the issue being brought before the court.

(c) The petition shall be accompanied by:

(1) A signed certificate from a physician, licensed psychologist, or qualified mental health professional designated by the head of the treatment facility *a participating mental health center*, stating that such professional has personally examined the person and any available records and has found that the person, in such professional's opinion, is likely to be a mentally ill person subject to involuntary commitment for care and treatment under this act, unless the court allows the petition to be accompanied by a verified statement by the petitioner that the petitioner had attempted to have the person seen by a physician, licensed psychologist or such qualified mental health professional, but that the person failed to cooperate to such an extent that the examination was impossible to conduct;

(2) if applicable because immediate admission to a state psychiatric hospital is sought, the necessary statement from a qualified mental health professional authorizing such admission; and

(3) if applicable, a copy of any notice given pursuant to K.S.A. 1996 Supp. 59-2951 and amendments thereto in which the named person has sought discharge from a treatment facility into which they had previously entered voluntarily, or a statement from the treating physician or licensed psychologist that the person is a voluntary patient but is refusing reasonable treatment efforts, and including a description of the treatment efforts being refused.

(b)(d) The petition may include a request that an ex parte emergency custody order be issued pursuant to K.S.A. 1996 Supp. 59-2958 and amendments thereto. If such request is made the petition shall also include:

(1) A brief statement explaining why the person should be immediately detained or continue to be detained;

(2) the place where the petitioner requests that the person be detained or continue to be detained;

(3) if applicable, because detention is requested in a treatment facility other than a state psychiatric hospital, a statement that the facility is willing to accept and detain such person; and

(4) if applicable, because admission to a state psychiatric hospital is sought, the necessary statement from a qualified mental health professional authorizing admission and emergency care and treatment.

(e)(e) The petition may include a request that a temporary custody order be issued pursuant to K.S.A. 1996 Supp. 59-2959 and amendments thereto.

Sec. 6. K.S.A. 1996 Supp. 59-2958 is hereby amended to read as follows: 59-2958. (a) At the time that the petition for the determination of mental illness of a person subject to involuntary commitment for care and treatment is filed, or any time thereafter prior to the trial upon the petition as provided for in K.S.A. 1996 Supp. 59-2965 and amendments thereto, the petitioner may request in writing that the district court issue an *ex parte emergency order* including either or both of the following:

(1) An order directing any law enforcement officer to take the person named in the order into custody and transport the person to a designated treatment facility or other suitable place willing to receive and detain the person; (2) an order authorizing any named treatment facility or other place to detain or continue to detain the person until the further order of the court or until the ex parte emergency custody order shall expire.

(b) No ex parte emergency custody order shall provide for the detention of any person at a state psychiatric hospital unless a written statement from a qualified mental health professional authorizing such admission and detention at a state psychiatric hospital has been filed with the court.

(c) No ex parte emergency custody order shall provide for the detention of any person in a nonmedical facility used for the detention of persons charged with or convicted of a crime.

(d) If no other suitable facility at which such person may be detained is willing to accept the person, then the participating mental health center for that area shall provide a suitable place to detain the person until the further order of the court or until the ex parte emergency custody order shall expire.

(e) An ex parte emergency custody order issued under this section shall expire at 5:00 p.m. of the second day the district court is open for the transaction of business after the date of its issuance, which expiration date shall be stated in the order.

(f) The district court shall not issue successive ex parte emergency custody orders.

(g) In lieu of issuing an ex parte emergency custody order, the court may allow the person with respect to whom the request was made to remain at liberty, subject to such conditions as the court may impose.

Sec. 7. K.S.A. 1996 Supp. 59-2966 is hereby amended to read as follows: 59-2966. (a) Upon the completion of the trial, if the court or jury finds by clear and convincing evidence that the proposed patient is a mentally ill person subject to involuntary commitment for care and treatment under this act, the court shall order treatment for such person at a treatment facility, except that the court shall not order treatment at a state psychiatric hospital, unless a written statement from a qualified mental health professional authorizing such treatment at a state psychiatric hospital has been filed with the court. An order for treatment in a treatment facility other than a state psychiatric hospital shall be conditioned upon the consent of the head of that treatment facility to accepting the patient. In the event no other appropriate treatment facility has agreed to provide treatment for the patient, and no qualified mental health professional has authorized treatment at a state psychiatric hospital, the participating mental health center for the county in which the patient resides shall be given responsibility for providing or securing treatment for the patient or if no county of residence can be determined for the patient, then the participating mental health center for the county in which the patient was taken into custody or in which the petition was filed shall be given responsibility for providing or securing treatment for the patient.

(b) Within any order for treatment the court shall specify the period of treatment as provided for in K.S.A. 1996 Supp. 59-2969 and amendments thereto. *A copy of the order for treatment shall be provided to the head of the treatment facility.*

(c) When the court orders treatment, it shall retain jurisdiction to modify, change or terminate such order, unless venue has been changed pursuant to K.S.A. 1996 Supp. 59-2971 and amendments thereto and then the receiving court shall have continuing jurisdiction.

(d) If the court finds from the evidence that the proposed patient has not been shown to be a mentally ill person subject to involuntary commitment for care and treatment under this act the court shall release the person and terminate the proceedings.

Sec. 8. K.S.A. 1996 Supp. 59-2967 is hereby amended to read as follows: 59-2967. (a) An order for outpatient treatment may be entered by the court at any time in lieu of any type of order which would have required inpatient care and treatment if the court finds that the patient is likely to comply with an outpatient treatment order and that the patient will not likely be a danger to the community or be likely to cause harm to self or others while subject to an outpatient treatment order.

(b) No order for outpatient treatment shall be entered unless the head of the outpatient treatment facility has consented to treat the patient on an outpatient basis under the terms and conditions set forth by the court, except that no order for outpatient treatment shall be refused by a participating mental health center.

(c) If outpatient treatment is ordered, the order may state specific conditions to be followed by the patient, but shall include the general condition that the patient is required to comply with all directives and treatment as required by the head of the outpatient treatment facility or the head's designee. The court may also make such orders as are appropriate to provide for monitoring the patient's progress and compliance with outpatient treatment. Within any outpatient order for treatment the court shall specify the period of treatment as provided for in K.S.A. 1996 Supp. 59-2969 and amendments thereto.

(d) The court shall retain jurisdiction to modify or revoke the order for outpatient treatment at any time on its own motion, on the motion of any counsel of record or upon notice from the treatment facility of any need for new conditions in the order for outpatient treatment or of material noncompliance by the patient with the order for outpatient treatment. However, if the venue of the matter has been transferred to another court, then the court having venue of the matter shall have such jurisdiction to modify or revoke the outpatient treatment order. Revocation or modification of an order for outpatient treatment may be made ex parte by order of the court in accordance with the provisions of subsections (e) or (f).

(continued)

(e) The treatment facility shall immediately report to the court any material noncompliance by the patient with the outpatient treatment order. Such notice may be verbal or by telephone but shall be followed by a verified written or facsimile notice delivered *sent* to the court, to counsel for all parties and, as appropriate, to the head of the inpatient treatment facility designated to receive the patient, by not later than 5:00 p.m. of the first day the district court is open for the transaction of business after the verbal or telephonic communication was made to the court. Upon receipt of verbal, telephone, or verified written or facsimile notice of material noncompliance, the court may enter an ex parte emergency custody order providing for the immediate detention of the patient in a designated inpatient treatment facility except that the court shall not order the detention of the patient at a state psychiatric hospital, unless a written statement from a qualified mental health professional authorizing such detention at a state psychiatric hospital has been filed with the court. Any ex parte emergency custody order issued by the court under this subsection shall expire at 5:00 p.m. of the second day the district court is open for the transaction of business after the patient is taken into custody. The court shall not enter successive ex parte emergency custody orders.

(f) (1) Upon the entry of taking of a patient into custody pursuant to an ex parte emergency custody order revoking a previously issued order for outpatient treatment and ordering the patient to involuntary inpatient care the court shall set the matter for hearing not later than the close of business on the second day the court is open for business after the filing of the order the patient is taken into custody. Notice of the hearing shall be given to the patient, the patient's attorney, the patient's legal guardian, the petitioner or the county or district attorney as appropriate, the head of the outpatient treatment facility and the head of the inpatient treatment facility, similarly as provided for in K.S.A. 1996 Supp. 59-2963 and amendments thereto.

(2) Upon the entry of an ex parte order modifying a previously issued order for outpatient treatment, but allowing the patient to remain at liberty, a copy of the order shall be served upon the patient, the patient's attorney, the county or district attorney and the head of the outpatient treatment facility similarly as provided for in K.S.A. 1996 Supp. 59-2963 and amendments thereto. Thereafter, any party to the matter, including the petitioner, the county or district attorney or the patient, may request a hearing on the matter if the request is filed within 5 days from the date of service of the ex parte order upon the patient. The court may also order such a hearing on its own motion within 5 days from the date of service of the notice. If no request or order for hearing is filed within the 5-day period, the ex parte order and the terms and conditions set out in the ex parte order shall become the final order of the court substituting for any previously entered order for outpatient treatment. If a hearing is requested, a formal written request for revocation or modification of the outpatient treatment order shall be filed by the county or district attorney or the petitioner and a hearing shall be held thereon within 5 days after the filing of the request.

(g) The hearing held pursuant to subsection (f) shall be conducted in the same manner as hearings provided for in K.S.A. 1996 Supp. 59-2959 and amendments thereto. Upon the completion of the hearing, if the court finds by clear and convincing evidence that the patient violated any condition of the outpatient treatment order, the court may enter an order for inpatient treatment, except that the court shall not order treatment at a state psychiatric hospital unless a written statement from a qualified mental health professional authorizing such treatment at a state psychiatric hospital has been filed with the court, or may modify the order for outpatient treatment with different terms and conditions in accordance with this section.

(h) The outpatient treatment facility shall comply with the provisions of K.S.A. 1996 Supp. 59-2969 and amendments thereto concerning the filing of written reports for each 90- or 180-day period during the time the outpatient treatment order is in effect and the court shall receive and process such reports in the same manner as reports received from an inpatient treatment facility.

Sec. 9. K.S.A. 1996 Supp. 59-2969 is hereby amended to read as follows: 59-2969. (a) At least 14 days prior to the end of each period of treatment, as set out in the court order for such treatment, the head of the treatment facility furnishing treatment to the patient shall submit to the court a written report summarizing the treatment provided and the findings and recommendations of the treatment facility concerning the need for further treatment for the patient. Upon the receipt of this written report, the court shall notify the patient's attorney of record that this

written report has been received. If there is no attorney of record for the patient, the court shall appoint an attorney and notify such attorney that the written report has been filed.

(b) When the attorney for the patient has received notice that the treatment facility has provided the district court with its written report, the attorney shall consult with the patient to determine whether the patient desires a hearing. If the patient desires a hearing, the attorney shall file a written request for a hearing with the district court, which request shall be filed not later than the end of the 90-day or 180-day period of treatment as provided for herein. If the patient does not desire a hearing, the patient's attorney shall file with the court a written statement that the attorney has consulted with the patient; the manner in which the attorney has consulted with the patient; that the attorney has fully explained to the patient the patient's right to a hearing as set out in this section and that if the patient does not request such a hearing that further treatment will likely be ordered, but that having been so advised the patient does not desire a hearing. Thereupon, the court may renew its order for treatment and may specify the next period of treatment. Notice thereof. A copy of the court's order shall be given to the patient, the attorney for the patient, the patient's legal guardian, the petitioner or the county or district attorney, as appropriate, and to the head of the treatment facility treating the patient as the court shall specify.

(c) Upon receiving a written request for a hearing, the district court shall set the matter for hearing and notice of such hearing shall be given similarly as provided for in K.S.A. 1996 Supp. 59-2963 and amendments thereto. Notice shall also be given to the head of the treatment facility treating the patient. The hearing shall be held as soon as reasonably practical, but in no event more than 10 days following the filing of the written request for a hearing. The patient shall remain in treatment during the pendency of any such hearing, unless discharged by the head of the treatment facility pursuant to K.S.A. 1996 Supp. 59-2973 and amendments thereto.

(d) The district court having jurisdiction of any case may, on its own motion or upon written request of any interested party, including the head of the treatment facility where a patient is being treated, hold a hearing to review the patient's status earlier than at the times set out in subsection (b) above, if the court determines it is in the best interests of the patient to have an earlier hearing, however, the patient shall not be entitled to have more than one hearing within the first 90 days after the date of the hearing at which the original treatment order was entered; one hearing within the second 90 days after the date of the hearing at which the original treatment order was entered and one hearing within each 180 days thereafter.

(e) The hearing shall be conducted in the same manner as hearings provided for in K.S.A. 1996 Supp. 59-2965 and amendments thereto, except that the hearing shall be to the court and the patient shall not have the right to demand a jury. At the hearing it shall be the petitioner's or county or district attorney's or treatment facility's burden to show that the patient remains a mentally ill person subject to involuntary commitment for care and treatment under this act.

(f) Upon completion of the hearing, if the court finds by clear and convincing evidence that the patient continues to be a mentally ill person subject to involuntary commitment for care and treatment under this act, the court shall order continued treatment at an inpatient treatment facility as provided for in K.S.A. 1996 Supp. 59-2966 and amendments thereto, or at an outpatient treatment facility if the court determines that outpatient treatment is appropriate under K.S.A. 1996 Supp. 59-2967 and amendments thereto, and a copy of the court's order shall be provided to the head of the treatment facility. If the court finds that it has not been shown by clear and convincing evidence that the patient continues to be a mentally ill person subject to involuntary commitment for care and treatment under this act, it shall release the patient. A copy of the court's order of release shall be provided to the patient, the patient's attorney, the patient's legal guardian or other person known to be interested in the care and welfare of a minor patient, and to the head of the treatment facility at which the patient had been receiving treatment.

Sec. 10. K.S.A. 1996 Supp. 59-2971 is hereby amended to read as follows: 59-2971. (a) At any time after the petition provided for in K.S.A. 1996 Supp. 59-2957 and amendments thereto has been filed, up until venue may be transferred in accordance with this section.

(1) Prior to trial required by K.S.A. 1996 Supp. 59-2965 and amendments thereto. Before the expiration of two full working days following the probable cause hearing held pursuant to K.S.A. 1996 Supp. 59-2959

or 59-2962 and amendments thereto, the district court then with jurisdiction, on its own motion or upon the written request of any person, may transfer the venue of the case to the district court for of the county where the patient is being detained, evaluated or treated in a treatment facility under the authority of an order issued pursuant to K.S.A. 1996 Supp. 59-2958, 59-2959 or 59-2964 and amendments thereto, issued prior to the trial required by K.S.A. 1996 Supp. 59-2965 and amendments thereto. Thereafter the district court may on its own motion or upon the written request of any person transfer venue to another district court only for good cause shown.

When any an order changing venue is issued, the district court issuing such the order shall immediately send to the district court to which venue is changed a facsimile of all pleadings and orders in the case. The district court shall also immediately send a facsimile of the order transferring venue to the treatment facility where the patient is being detained, evaluated or treated. The district court issuing such order, if not in the county of residence of the proposed patient, shall transmit to the district court in the county of residence of the proposed patient a statement of any court costs incurred by the county of the district court issuing such order and a certified copy of all pleadings and orders in the case.

(2) After trial required by K.S.A. 1996 Supp. 59-2965 and amendments thereto, the district court may on its own motion or upon the written request of any person transfer venue to another district court for good cause shown. When an order changing venue is issued, the district court issuing the order shall immediately send to the district court to which venue is changed a facsimile of the petition for determination of mental illness subject to involuntary commitment for care and treatment, the most recent notice of hearing issued by the court, the order changing venue, the current order of treatment, the most recent written report summarizing treatment and any order allowing withdrawal of the patient's attorney. The transferring district court shall also immediately send a facsimile of the order transferring venue to the treatment facility where the patient is being detained, evaluated or treated. No later than 5:00 p.m. of the second full day the district court transferring venue is open for business following the issuance of the order transferring venue, the district court transferring venue shall send to the receiving district court the entire file of the case by restricted mail.

(b) The district court issuing an order transferring venue, if not in the county of residence of the proposed patient, shall transmit to the district court in the county of residence of the proposed patient a statement of any court costs incurred by the county of the district court issuing the order and, if the county of residence is not the receiving county, a certified copy of all pleadings and orders in the case.

(c) Any district court to which venue is transferred shall proceed in the case as if the petition had been originally filed therein and shall cause notice of the change of venue to be given to the persons named in and in the same manner as provided for in K.S.A. 1996 Supp. 59-2963 and amendments thereto. In the event that notice of a change of location of a hearing due to a change of venue cannot be served at least 48 hours prior to any hearing previously scheduled by the transferring court or because of scheduling conflicts the hearing can not be held by the receiving court on the previously scheduled date, then the receiving court shall continue the hearing for up to seven full working days to allow adequate time for notice to be given and the hearing held.

(d) Any district court to which venue is transferred, if not in the county of residence of the patient, shall transmit to the district court in the county of residence of the patient a statement of any court costs incurred and a certified copy of all pleadings and orders entered in the case to the district court in the county of the residence of the patient after transfer.

Sec. 11. K.S.A. 1996 Supp. 59-2972, is hereby amended to read as follows: 59-2972. (a) The Except as provided in subsection (c), the secretary of social and rehabilitation services or the secretary's designee may transfer any patient from any state psychiatric hospital under the secretary's control to any other state psychiatric hospital whenever the secretary or the secretary's designee considers it to be in the best interests of the patient. Except in the case of an emergency, the patient's spouse or nearest relative or legal guardian, if one has been appointed, shall be notified of the transfer, and notice shall be sent to the committing court not less than 14 days before the proposed transfer. The notice shall name the hospital to which the patient is proposed to be transferred to and state that, upon request of the spouse or nearest relative or legal guardian, an

opportunity for a hearing on the proposed transfer will be provided by the secretary of social and rehabilitation services prior to such transfer.

(b) The Except as provided in subsection (c), the secretary of social and rehabilitation services or the designee of the secretary may transfer any involuntary patient from any state psychiatric hospital to any state institution for the mentally retarded whenever the secretary of social and rehabilitation services or the designee of the secretary considers it to be in the best interests of the patient. Any patient transferred as provided for in this subsection shall remain subject to the same statutory provisions as were applicable at the psychiatric hospital from which the patient was transferred and in addition thereto shall abide by and be subject to all the rules and regulations of the retardation institution to which the patient has been transferred. Except in the case of an emergency, the patient's spouse or nearest relative or legal guardian, if one has been appointed, shall be notified of the transfer, and notice shall be sent to the committing court not less than 14 days before the proposed transfer. The notice shall name the institution to which the patient is proposed to be transferred to and state that, upon request of the spouse or nearest relative or legal guardian, an opportunity for a hearing on the proposed transfer will be provided by the secretary of social and rehabilitation services prior to such transfer. No patient shall be transferred from a state psychiatric hospital to a state institution for the mentally retarded unless the superintendent of the receiving institution has found, pursuant to K.S.A. 76-12b01 through 76-12b11 and amendments thereto, that the patient is mentally retarded and in need of care and training and that placement in the institution is the least restrictive alternative available. Nothing in this subsection shall prevent the secretary of social and rehabilitation services or the designee of the secretary from allowing a patient at a state psychiatric hospital to be admitted as a voluntary resident to a state institution for the mentally retarded, or from then discharging such person from the state psychiatric hospital pursuant to K.S.A. 1996 Supp. 59-2973 and amendments thereto, as may be appropriate.

(c) At all times, any person admitted to or detained at a state psychiatric hospital upon an application made pursuant to K.S.A. 1996 Supp. 59-2954, and amendments thereto, or an order issued pursuant to K.S.A. 1996 Supp. 59-2958, 59-2959, 59-2964, 59-2966 or 59-2969, and amendments thereto, and who is alleged to be or who has been determined to be a mentally ill person subject to involuntary commitment for care and treatment, as defined in subsection (f)(1)(B) of K.S.A. 1996 Supp. 59-2946, and amendments thereto, shall be kept in a separate secure facility or building and segregated at all times from any other patient alleged to be or who has been determined to be a mentally ill person subject to involuntary commitment for care and treatment, as defined in subsection (f)(1)(A) of K.S.A. 1996 Supp. 59-2946, and amendments thereto. The provisions of this subsection (c) shall be effective on the date of the issuance by the United States supreme court of an opinion in the case of *State of Kansas vs. LeRoy Hendricks*, case no. 95-1649, which holds the sexually violent predator act, K.S.A. 59-29a01 et seq., unconstitutional and shall expire on June 30, 1998.

Sec. 12. On the date of the issuance by the United States supreme court of an opinion in the case of *State of Kansas vs. LeRoy Hendricks*, case no. 95-1649, which holds the sexually violent predator act, K.S.A. 59-29a01 et seq., unconstitutional, K.S.A. 1996 Supp. 59-2946 and 59-2972 and section 1 of chapter 172 of the 1996 Session Laws of Kansas, section 2 of chapter 172 of the 1996 Session Laws of Kansas, section 3 of chapter 172 of the 1996 Session Laws of Kansas, section 4 of chapter 172 of the 1996 Session Laws of Kansas and section 5 of chapter 172 of the 1996 Session Laws of Kansas are hereby repealed.

Sec. 13. K.S.A. 1996 Supp. 59-2957, 59-2958, 59-2966, 59-2967, 59-2969 and 59-2971 are hereby repealed.

Sec. 14. This act shall take effect and be in force from and after its publication in the Kansas register.

(Published in the Kansas Register May 8, 1997.)

SENATE BILL No. 333

AN ACT concerning the state corporation commission; powers and duties; assessment of expenses; time to issue certain orders; granting of exemptions from certain filing requirements; issuance of certain certificates; duties and authority relating to energy efficiency standards for buildings; changes in rates and schedules of public utilities and common carriers; regulation of natural gas gathering systems and services; amending K.S.A. 66-1,191, 66-1,234, 66-1502 and 66-1503 and K.S.A. 1996 Supp. 55-150, 66-101d, 66-101e, 66-117, 66-118b, 66-125, 66-1,192, 66-1,204, 66-1,205, 66-1,219, 66-1,220, 66-1,235 and 77-529 and repealing the existing sections; also repealing K.S.A. 66-131a.

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

Section 1. On and after July 1, 1997, K.S.A. 66-1502 is hereby amended to read as follows: 66-1502. (a) Whenever, in order to carry out the duties imposed upon it by law, the state corporation commission, in a proceeding upon its own motion, on complaint, or upon an application to it, shall deem it necessary to investigate any public utility or common carrier or make appraisals of the property of any public utility, such public utility or common carrier, in case the expenses reasonably attributable to such investigation or appraisal exceed the sum of \$100, including both direct and indirect expenses incurred by the commission or its staff or by the citizens' utility ratepayer board, shall pay such expenses which shall be assessed against such public utility or common carrier by the commission; except that no such public utility or common carrier shall be assessed for payment of such expenses, unless prior to the incurring of any such expense. Such expenses shall be assessed beginning on the date that the proceeding is filed or beginning three business days after the commission gives the public utility or common carrier notice of the assessment by United States mail, whichever is later. The state corporation commission shall give such public utility or common carrier notice and opportunity for a hearing in accordance with the provisions of the Kansas administrative procedure act. At such hearing, the public utility or common carrier may be heard as to the necessity of such investigation or appraisal and may show cause, if any, why such investigation or appraisal should not be made or why the costs thereof should not be assessed against such public utility or common carrier. The finding of the commission as to the necessity of the investigation or appraisal and the assessment of the expenses thereof shall be conclusive, except that no such public utility or common carrier shall be liable for payment of any such expenses incurred by such state corporation commission or citizens' utility ratepayer board in connection with any proceeding before or within the jurisdiction of the interstate commerce commission or other any federal regulatory body.

The commission shall ascertain the expenses of any such investigation or appraisal and by order assess such expenses against the public utility or common carrier investigated or whose property is appraised in such proceeding, and shall render a bill therefor, by registered United States mail, to the public utility or common carrier, either at the conclusion of the investigation or appraisal, or from time to time during such investigation or appraisal. Such bill shall constitute notice of such assessment and demand of payment thereof. Upon a bill rendered to such public utility or common carrier, within 15 days after the mailing thereof, such public utility or common carrier shall pay to the commission the amount of the assessment for which it is billed. Such payment when made shall be transmitted by the commission to the state treasurer, who shall credit the same to the appropriations made for the use of such commission or for the use of the citizens' utility ratepayer board. The total amount, in any one state fiscal year for which any public utility or common carrier shall be assessed under the provisions of this section shall not exceed the following: (1) For a public utility or common carrier that is under the jurisdiction of the commission and has not filed an annual report with the commission pursuant to K.S.A. 66-123, and amendments thereto, prior to the beginning of the commission's fiscal year, actual expenses, including direct and indirect expenses incurred by the commission or the commission's staff or by the citizens' utility ratepayer board; and (2) for any other public utility or common carrier $\frac{3}{4}$ of 1% of its under the jurisdiction of the commission, 0.6% of the public utility's or common carrier's gross operating revenues derived from intrastate operations as reflected in the last annual report filed with the commission pursuant to K.S.A. 66-123, and amendments thereto, prior to the beginning of the commission's fiscal year. The commission may render bills in one fiscal year for costs incurred within a previous fiscal year.

(b) The commission, in accordance with the procedures prescribed by subsection (a), may assess against an entity, other than a residential or small commercial ratepayer, that is not subject to assessment pursuant to

subsection (a) actual expenses of any services extended, filings processed or actions certified by the commission for the entity.

Sec. 2. On and after July 1, 1997, K.S.A. 66-1503 is hereby amended to read as follows: 66-1503. (a) (1) The state corporation commission shall determine within 15 days after each quarter-year for each such quarter-year, the total amount of its expenditures during such period of time and the total amount of expenditures of the citizens' utility ratepayer board during such period of time. The total amount shall include the salaries of members and employees and all other lawful expenditures of the commission and the board, including all expenditures in connection with investigations or appraisals made under the provisions of K.S.A. 66-1502, and amendments thereto, except that there shall not be included in such total amount of expenditures for the purpose of this section the expenditures during such period of time which are otherwise provided for by fees and assessments made under other existing laws for the regulation of motor carriers or for administering the oil proration and the oil and gas conservation laws.

(2) From the amount determined under paragraph (1) of this subsection, the commission shall deduct (A) all amounts collected under K.S.A. 66-1502, and amendments thereto, during such period of time and (B) the amounts of all fees collected during such period of time under the provisions of subsection (b)(1) of K.S.A. 66-1a01, and amendments thereto.

(3) To the remainder after making the deductions under paragraph (2) of this subsection, the commission shall add such amount as in its judgment may be required to satisfy any deficiency in the prior assessment period's assessment and to provide for anticipated increases in necessary expenditures for the current assessment period.

(b) The amount determined under subsection (a) shall be assessed by the commission against the several all public utilities and common carriers subject to the jurisdiction of the commission in proportion to their respective and shall not exceed, during any fiscal year, the greater of \$100 or 0.2% of the respective utility's or common carrier's gross operating revenues derived from intrastate operation as reflected in the last annual report filed with the commission pursuant to K.S.A. 66-123, and amendments thereto, prior to the beginning of the commission's fiscal year; except that the assessment during any fiscal year shall not exceed 2% of such gross operating revenues or made available to the commission upon request. Such assessment shall be paid to the commission within 15 days after the notice of assessment has been mailed to such public utilities and common carriers, which notice of assessment shall constitute demand of payment thereof.

(c) The commission shall remit all moneys received by or for it for the assessment imposed under this section to the state treasurer at least monthly. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount thereof in the state treasury. Twenty percent of each such deposit shall be credited to the state general fund and the balance shall be credited to the public service regulation fund.

Sec. 3. On and after July 1, 1997, K.S.A. 1996 Supp. 66-118b is hereby amended to read as follows: 66-118b. No cause of action arising out of any order or decision of the commission shall accrue in any court to any party unless such party shall petition for reconsideration in accordance with the provisions of K.S.A. 77-529 and amendments thereto, except that the commission shall have 30 days to issue an order on reconsideration. No party shall, in any court, urge or rely upon any ground not set forth in the petition. An order made after reconsideration, abrogating, changing or modifying the original order or decision, shall have the same force and effect as an original order or decision, including the obligation to file a petition for reconsideration, as provided in this section, as a condition precedent to filing an action for review thereof. The time for filing an appeal of any order or decision in a proceeding shall run from the date that all petitions for reconsideration in such proceeding have been denied or such petitions for reconsideration are deemed denied pursuant to subsection (b) of K.S.A. 77-529 and amendments thereto.

Sec. 4. On and after July 1, 1997, K.S.A. 1996 Supp. 77-529 is hereby amended to read as follows: 77-529. (a) Any party, within 15 days after service of a final order, may file a petition for reconsideration with the agency head, stating the specific grounds upon which relief is requested. The filing of the petition is not a prerequisite for seeking administrative or judicial review except as provided in K.S.A. 44-1010 and 44-1115, and amendments thereto, concerning orders of the Kansas human rights commission, K.S.A. 55-606 and 66-118b, and amendments thereto, concerning orders of the corporation commission and K.S.A. 74-2426, and amendments thereto, concerning orders of the board of tax appeals.

(b) Within 20 days after the filing of the petition, the agency head shall render a written order denying the petition, granting the petition and dissolving or modifying the final order, or granting the petition and setting the matter for further proceedings. The petition may be granted, in whole or in part, only if the agency head states, in the written order, findings of fact, conclusions of law and policy reasons for the decision if it is an exercise of the state agency's discretion, to justify the order. In proceedings before the Kansas corporation commission, the petition is deemed to have been denied if the agency head does not dispose of it within 20 30 days after the filing of the petition.

An order under this section shall be served on the parties in the manner prescribed by K.S.A. 77-531 and amendments thereto.

(c) Any order rendered upon reconsideration or any order denying a petition for reconsideration shall state the agency officer to receive service of a petition for judicial review on behalf of the agency.

(d) For the purposes of this section, "agency head" shall include a presiding officer designated in accordance with subsection (g) of K.S.A. 77-514, and amendments thereto.

Sec. 5. On and after July 1, 1997, K.S.A. 1996 Supp. 66-101d is hereby amended to read as follows: 66-101d. ~~It shall be the duty of the commission, either upon complaint or upon its own initiative, to The commission, upon its own initiative, may investigate~~ all schedules of rates and rules and regulations of electric public utilities. If after investigation and hearing the commission finds that such rates or rules and regulations are unjust, unreasonable, unjustly discriminatory or unduly preferential, the commission shall have the power to establish and order substituted therefor such rates and such rules and regulations as are just and reasonable.

If after investigation and hearing it is found that any regulation, measurement, practice, act or service complained of is unjust, unreasonable, unreasonably inefficient or insufficient, unduly preferential, unjustly discriminatory, or otherwise in violation of this act or of the orders of the commission, or if it is found that any service is inadequate or that any reasonable service cannot be obtained, the commission shall have the power to substitute therefor such other regulations, measurements, practices, service or acts, and to make such order respecting any such changes in such regulations, measurements, practices, service or acts as are just and reasonable. When, in the judgment of the commission, public necessity and convenience require, the commission shall have the power to establish just and reasonable concentration or other special rates, charges or privileges, but all such rates, charges and privileges shall be open to all users of a like kind of service under similar circumstances and conditions.

Hearings shall be conducted in accordance with the provisions of the Kansas administrative procedure act, *unless, in the case of a general investigation, for good cause, the commission orders otherwise.*

Sec. 6. On and after July 1, 1997, K.S.A. 1996 Supp. 66-101e is hereby amended to read as follows: 66-101e. Upon a complaint in writing made against any electric public utility governed by this act that any of the rates or rules and regulations of such electric public utility are in any respect unreasonable, unfair, unjust, unjustly discriminatory or unduly preferential, or both, or that any regulation, practice or act whatsoever affecting or relating to any service performed or to be performed by such electric public utility for the public, is in any respect unreasonable, unfair, unjust, unreasonably inefficient or insufficient, unjustly discriminatory or unduly preferential, or that any service performed or to be performed by such electric public utility for the public is unreasonably inadequate, inefficient, unduly insufficient or cannot be obtained, the commission ~~shall~~ *may* proceed, with or without notice, to make such investigation as it deems necessary.

~~The commission may, upon its own motion, and without any complaint being made, proceed to make such investigation; but~~ No order changing such rates, rules and regulations, practices or acts complained of shall be made or entered by the commission without a formal public hearing, of which due notice shall be given by the commission to such electric public utility or to such complainant or complainants, if any, in accordance with the provisions of the Kansas administrative procedure act. Any public investigation or hearing which the commission shall have power to make or to hold may be made or held before any one or more commissioners. All investigations, hearings, decisions and orders made by a commissioner shall be deemed the investigations, hearings, decisions and orders of the commission, when approved by the commission.

The commission shall have power to require electric public utilities to

make such improvements and do such acts as are or may be required by law to be done by any such electric public utility.

Sec. 7. On and after July 1, 1997, K.S.A. 66-1,191 is hereby amended to read as follows: 66-1,191. ~~It shall be the duty of the commission, either upon complaint or upon its own initiative, to The commission, upon its own initiative, may investigate~~ all rates, joint rates, tolls, charges and exactions, classifications or schedules of rates or joint rates and rules and regulations of telecommunications public utilities. If after full hearing and investigation the commission finds that such rates, joint rates, tolls, charges or exactions, classifications or schedules of rates or joint rates or rules and regulations are unjust, unreasonable, unjustly discriminatory or unduly preferential, the commission shall have the power to fix and order substituted therefor such rates, tolls, charges, exactions, classifications or schedules of rates or joint rates and such rules and regulations as are just and reasonable.

If upon any investigation it is found that any regulation, measurement, practice, act or service complained of is unjust, unreasonable, unreasonably inefficient or insufficient, unduly preferential, unjustly discriminatory, or otherwise in violation of this act or of the orders of the commission, or if it is found that any service is inadequate or that any reasonable service cannot be obtained, the commission may substitute therefor such other regulations, measurements, practices, service or acts, and make such order respecting any such changes in such regulations, measurements, practices, service or acts as are just and reasonable. When, in the judgment of the commission, public necessity and convenience require, the commission may establish just and reasonable concentration or other special rates, charges or privileges, but all such rates, charges and privileges shall be open to all users of a like kind of service under similar circumstances and conditions. *Hearings shall be conducted in accordance with the provisions of the Kansas administrative procedure act, unless, in the case of a general investigation, for good cause, the commission orders otherwise.*

Sec. 8. On and after July 1, 1997, K.S.A. 1996 Supp. 66-1,192 is hereby amended to read as follows: 66-1,192. (a) Upon a complaint in writing made against any telecommunications public utility governed by this act, ~~by any mercantile, agricultural or manufacturing organization or society, or by any body politic or municipal organization, or by any taxpayer, firm, corporation or association;~~ that any of the rates or joint rates, tolls, charges, rules, regulations, classifications or schedules of such telecommunications public utility are in any respect unreasonable, unfair, unjust, unjustly discriminatory or unduly preferential, or both, or that any regulation, practice or act whatsoever affecting or relating to any service performed or to be performed by such telecommunications public utility for the public, is in any respect unreasonable, unfair, unjust, unreasonably inefficient or insufficient, unjustly discriminatory or unduly preferential, or that any service performed or to be performed by such telecommunications public utility for the public is unreasonably inadequate, inefficient, unduly insufficient or cannot be obtained, the commission ~~shall~~ *may* proceed, with or without notice, to make such investigation as it deems necessary.

~~The commission may, upon its own motion, and without any complaint being made, proceed to make such investigation; but~~ No order changing such rates, joint rates, tolls, charges, rules, regulations and classifications, schedules, practices or acts complained of shall be made or entered by the commission without a formal public hearing in accordance with the provisions of the Kansas administrative procedure act, of which due notice shall be given by the commission to such telecommunications public utility or to such complainant or complainants, if any. Any public investigation or hearing which the commission shall have power to make or to hold may be made or held before any one or more commissioners. All investigations, hearings, decisions and orders made by a commissioner shall be deemed the investigations, hearings, decisions and orders of the commission, when approved by the commission.

(b) The commission shall have power to require telecommunications public utilities to make such improvements and do such acts as are or may be required by law to be done by any such telecommunications public utility.

Sec. 9. On and after July 1, 1997, K.S.A. 1996 Supp. 66-1,204 is hereby amended to read as follows: 66-1,204. ~~It shall be the duty of the commission, either upon complaint or upon its own initiative, to The commission, upon its own initiative, may investigate~~ all schedules of rates and rules and regulations of natural gas public utilities. If after investi-

(continued)

gation and hearing the commission finds that such rates or rules and regulations are unjust, unreasonable, unjustly discriminatory or unduly preferential, the commission shall have the power to establish and order substituted therefor such rates and such rules and regulations as are just and reasonable.

If after investigation and hearing it is found that any regulation, measurement, practice, act or service complained of is unjust, unreasonable, unreasonably inefficient or insufficient, unduly preferential, unjustly discriminatory, or otherwise in violation of this act or of the orders of the commission, or if it is found that any service is inadequate or that any reasonable service cannot be obtained, the commission may substitute therefor such other regulations, measurements, practices, service or acts, and make such order respecting any such changes in such regulations, measurements, practices, service or acts as are just and reasonable. When, in the judgment of the commission, public necessity and convenience require, the commission may establish just and reasonable concentration or other special rates, charges or privileges, but all such rates, charges and privileges shall be open to all users of a like kind of service under similar circumstances and conditions. *Hearings shall be conducted in accordance with the provisions of the Kansas administrative procedure act, unless, in the case of a general investigation, for good cause, the commission orders otherwise.*

Sec. 10. On and after July 1, 1997, K.S.A. 1996 Supp. 66-1,205 is hereby amended to read as follows: 66-1,205. (a) Upon a complaint in writing made against any natural gas public utility governed by this act that any rates or rules and regulations of such natural gas public utility are in any respect unreasonable, unfair, unjust, unjustly discriminatory or unduly preferential, or both, or that any rule and regulation, practice or act whatsoever affecting or relating to any service performed or to be performed by such natural gas public utility for the public, is in any respect unreasonable, unfair, unjust, unreasonably inefficient or insufficient, unjustly discriminatory or unduly preferential, or that any service performed or to be performed by such natural gas public utility for the public is unreasonably inadequate, inefficient, unduly insufficient or cannot be obtained, the commission shall *may* proceed, with or without notice, to make such investigation as it deems necessary.

~~The commission, upon its own motion and without any complaint being made, may proceed to make such investigation, but No order changing such rates, rules and regulations, practices or acts complained of shall be made or entered by the commission without a formal public hearing in accordance with the provisions of the Kansas administrative procedure act, of which due notice shall be given by the commission to such natural gas public utility or to such complainant or complainants, if any. Any public investigation or hearing which the commission shall have power to make or to hold may be made or held before any one or more commissioners. All investigations, hearings, decisions and orders made by a commissioner shall be deemed the investigations, hearings, decisions and orders of the commission, when approved by the commission.~~

(b) The commission shall have power to require natural gas public utilities to make such improvements and do such acts as are or may be required by law to be done by any such natural gas public utility.

Sec. 11. On and after July 1, 1997, K.S.A. 1996 Supp. 66-1,219 is hereby amended to read as follows: 66-1,219. ~~It shall be the duty of the commission, either upon complaint or upon its own initiative, to The commission, upon its own initiative, may investigate all rates, joint rates, tolls, charges and exactions, classifications or schedules of rates or joint rates and rules and regulations of common carriers, except a motor carrier holding a certificate of public service. If after full hearing and investigation the commission finds that such rates, joint rates, tolls, charges or exactions, classifications or schedules of rates or joint rates or rules and regulations are unjust, unreasonable, unjustly discriminatory or unduly preferential, the commission shall have the power to fix and order substituted therefor such rates, tolls, charges, exactions, classifications or schedules of rates or joint rates and such rules and regulations as are just and reasonable.~~

If upon any investigation it is found that any such regulation, measurement, practice, act or service complained of is unjust, unreasonable, unreasonably inefficient or insufficient, unduly preferential, unjustly discriminatory, or otherwise in violation of this act or of the orders of the commission, or if it is found that any service is inadequate or that any reasonable service cannot be obtained, the commission may substitute therefor such other regulations, measurements, practices, service or acts, and make such order respecting any such changes in such regulations,

measurements, practices, service or acts as are just and reasonable. When, in the judgment of the commission, public necessity and convenience require, the commission may establish just and reasonable concentration or other special rates, charges or privileges; but all such rates, charges and privileges shall be open to all users of a like kind of service under similar circumstances and conditions. *Hearings shall be conducted in accordance with the provisions of the Kansas administrative procedure act, unless, in the case of a general investigation, for good cause, the commission orders otherwise.*

Sec. 12. On and after July 1, 1997, K.S.A. 1996 Supp. 66-1,220 is hereby amended to read as follows: 66-1,220. (a) Upon a complaint in writing made against any common carrier, except a motor carrier holding a certificate of public service, governed by this act, ~~by any mercantile, agricultural or manufacturing organization or society; or by any body politic or municipal organization, or by any taxpayer, firm, corporation or association;~~ that any of the rates or joint rates, fares, tolls, charges, rules, regulations, classifications or schedules of such common carrier are in any respect unreasonable, unfair, unjust, unjustly discriminatory or unduly preferential, or both, or that any regulation, practice or act whatsoever affecting or relating to any service performed or to be performed by such common carrier for the public, is in any respect unreasonable, unfair, unjust, unreasonably inefficient or insufficient, unjustly discriminatory or unduly preferential, or that any service performed or to be performed by such common carrier for the public is unreasonably inadequate, inefficient, unduly insufficient or cannot be obtained, the commission shall *may* proceed, with or without notice, to make such investigation as it deems necessary.

~~The commission, upon its own motion, and without any complaint being made, may proceed to make such investigation, but No order changing such rates, joint rates, tolls, charges, rules, regulations and classifications, schedules, practices or acts complained of shall be made or entered by the commission without a formal public hearing in accordance with the provisions of the Kansas administrative procedure act, of which due notice shall be given by the commission to such common carrier or to such complainant or complainants, if any. Any public investigation or hearing which the commission shall have power to make or to hold may be made or held before any one or more commissioners. All investigations, hearings, decisions and orders made by a commissioner shall be deemed the investigations, hearings, decisions and orders of the commission, when approved by the commission.~~

(b) The commission shall have power to require common carriers, except a motor carrier holding a certificate of public service, to make such improvements and do such acts as are or may be required by law to be done by any such common carrier.

Sec. 13. On and after July 1, 1997, K.S.A. 66-1,234 is hereby amended to read as follows: 66-1,234. ~~It shall be the duty of the commission, either upon complaint or upon its own initiative, to The commission, upon its own initiative, may investigate all rates, joint rates, tolls, charges and exactions, classifications or schedules of rates or joint rates and rules and regulations of miscellaneous public utilities. If after full hearing and investigation the commission finds that such rates, joint rates, tolls, charges or exactions, classifications or schedules of rates or joint rates or rules and regulations are unjust, unreasonable, unjustly discriminatory or unduly preferential, the commission shall have the power to fix and order substituted therefor such rates, tolls, charges, exactions, classifications or schedules of rates or joint rates and such rules and regulations as are just and reasonable.~~

If upon any investigation it is found that any regulation, measurement, practice, act or service complained of is unjust, unreasonable, unreasonably inefficient or insufficient, unduly preferential, unjustly discriminatory, or otherwise in violation of this act or of the orders of the commission, or if it is found that any service is inadequate or that any reasonable service cannot be obtained, the commission may substitute therefor such other regulations, measurements, practices, service or acts, and make such order respecting any such changes in such regulations, measurements, practices, service or acts as are just and reasonable. When, in the judgment of the commission, public necessity and convenience require, the commission may establish just and reasonable concentration, commodity, transit or other special rates, charges or privileges, but all such rates, charges and privileges shall be open to all users of a like kind of service under similar circumstances and conditions. *Hearings shall be conducted in accordance with the provisions of the Kansas administrative procedure act, unless, in the case of a general investigation, for good cause, the commission orders otherwise.*

Sec. 14. On and after July 1, 1997, K.S.A. 1996 Supp. 66-1,235 is hereby amended to read as follows: 66-1,235. (a) Upon a complaint in writing made against any miscellaneous public utility governed by this act, by any mercantile, agricultural or manufacturing organization or society; or by any body politic or municipal organization; or by any taxpayer, firm, corporation or association; that any of the rates or joint rates, tolls, charges, rules, regulations, classifications or schedules of such miscellaneous public utility are in any respect unreasonable, unfair, unjust, unjustly discriminatory or unduly preferential, or both, or that any regulation, practice or act whatsoever affecting or relating to any service performed or to be performed by such miscellaneous public utility for the public, is in any respect unreasonable, unfair, unjust, unreasonably inefficient or insufficient, unjustly discriminatory or unduly preferential, or that any service performed or to be performed by such miscellaneous public utility for the public is unreasonably inadequate, inefficient, unduly insufficient or cannot be obtained, the commission shall may proceed, with or without notice, to make such investigation as it deems necessary.

The commission may, upon its own motion, and without any complaint being made, proceed to make such investigation, but No order changing such rates, joint rates, fares, tolls, charges, rules, regulations and classifications, schedules, practices or acts complained of shall be made or entered by the commission without a formal public hearing in accordance with the provisions of the Kansas administrative procedure act, of which due notice shall be given by the commission to such miscellaneous public utility or to such complainant or complainants, if any. Any public investigation or hearing which the commission shall have power to make or to hold may be made or held before any one or more commissioners. All investigations, hearings, decisions and orders made by a commissioner shall be deemed the investigations, hearings, decisions and orders of the commission, when approved by the commission.

(b) The commission shall have power to require miscellaneous public utilities to make such improvements and do such acts as are or may be required by law to be done by any such miscellaneous public utility.

New Sec. 15. (a) The state corporation commission shall have the authority to exempt any public utility or common carrier over which the commission has jurisdiction from the requirements of publishing and filing with the commission copies of schedules of rates, joint rates, tolls, charges, classifications and divisions of rates for jurisdictional services affecting Kansas customers and charged for any such service that is not subject to price regulation. After a public utility or common carrier service has been exempted from such requirements, the commission may require such public utility or common carrier to publish and file with the commission tariffs for such service when necessary to protect consumers from fraudulent business practices or practices that are inconsistent with the public interest, convenience and necessity or when the commission otherwise deems necessary.

(b) The provisions of this section shall take effect on and after July 1, 1997.

Sec. 16. On and after July 1, 1997, K.S.A. 1996 Supp. 66-125 is hereby amended to read as follows: 66-125. (a) Any investor-owned electric public utility incorporated in the state of Kansas having a total capitalization in excess of \$1 billion dollars may issue stocks, certificates, bonds, notes or other evidences of indebtedness, payable at periods of more than 12 months after the date thereof, when necessary for the acquisition of property, for the purpose of carrying out its corporate powers, the construction, completion, extension or improvements of its facilities, for the improvements or maintenance of its service, for the discharge or lawful refunding of its obligations, or for such other purposes as may be authorized by law. Prior to any such issuance, there shall be secured from the commission a certificate stating the amount, character, purposes and terms on which such stocks, certificates, bonds, notes or other evidences of indebtedness are proposed to be issued, as set out in the application for such certificate. In lieu of securing a certificate from the commission, if the issuance requires a registration statement to be filed with the securities and exchange commission or such utility obtains an authorization or approval of such issuance from another state or federal agency, the public utility may file with the state corporation commission a copy of the information filed with the securities and exchange commission or such other agency.

(b) The proceedings for obtaining such certificate from the commission and the conditions of its being issued shall be as follows:

(1) In case the stocks, certificates, bonds, notes or other evidences of indebtedness are to be issued for money only, the public utility or com-

mon carrier shall file with the commission a statement, signed and verified by the president or other chief officer of the company having knowledge of the facts, showing:

(A) The amount and character of the proposed stocks, certificates, bonds, notes or other evidences of indebtedness;

(B) the general purposes for which they are to be issued;

(C) the terms on which they are to be issued;

(D) the total assets and liabilities of the public utility or common carrier; and

(E) that the capital sought to be secured by the issuance of such stocks, certificates, bonds, notes or other evidences of indebtedness is necessary and required for such purposes and will be used therefor.

(2) In case stocks, certificates, bonds, notes or other evidences of indebtedness are to be issued, partly or wholly for property or services or other consideration than money, the public utility or common carrier shall file with the commission a statement, signed and verified by the president or other chief officer having knowledge of the facts, showing:

(A) The amount and character of the stocks, certificates, bonds, notes or other evidences of indebtedness proposed to be issued;

(B) the general purposes for which they are to be issued;

(C) a general description and an estimated value of the property or services for which they are to be issued;

(D) the terms on which they are to be issued or exchanged;

(E) the amount of money, if any, to be received for the same in addition to such property, services or other consideration;

(F) the total assets and liabilities of the public utility or common carrier; and

(G) that the capital sought to be secured by the issuance of such stocks, certificates, bonds, notes or other evidences of indebtedness is necessary and required for such purposes and will be used therefor.

(c) The commission may also require the public utility or common carrier to furnish such further statements of facts as may be reasonable and pertinent to the inquiry. Upon full compliance by the applicant with the provisions of this section the commission shall forthwith issue a certificate stating the amount, character, purposes and terms upon which such stocks, certificates, bonds, notes or other evidences of indebtedness are proposed to be issued, as set out in the application for such certificate. Any issue of stocks, certificates, bonds, notes or other evidences of indebtedness not payable within one year, which shall be issued by such public utility or common carrier contrary to the provisions of this act shall be voidable by the commission, except as provided in subsection (d).

(d) The provisions of this section shall not apply to motor carriers, as defined in K.S.A. 06-1,108, and amendments thereto or any public utility except as provided in subsection (a). Any issue of stocks, certificates, bonds, notes or other evidences of indebtedness not payable within one year, which were issued by a motor carrier prior to the effective date of this act without obtaining a certificate from the commission shall be deemed valid.

New Sec. 17. (a) The American Society of Heating and Air Conditioning Engineers/Illuminating Society of North America 1989 90-1 Standard or Code (ASHRAE/IES 90.1-89) is hereby adopted as the applicable thermal efficiency standard for new commercial and industrial structures in this state.

(b) The state corporation commission has no authority to adopt or enforce energy efficiency standards for residential, commercial or industrial structures.

(c) Nothing in this section shall be construed to preclude a city or county from adopting or enforcing thermal efficiency standards for structures within the jurisdiction of such city or county.

New Sec. 18. (a) Except as provided by subsection (b), the person building or selling a previously unoccupied new residential structure shall disclose to the buyer information regarding the thermal efficiency of the structure on a form prepared and disseminated by the state corporation commission, which form shall be substantially as follows:

"ENERGY EFFICIENCY DISCLOSURE

This residence (mark one of the following):

_____ 1. Has been built to meet the energy efficiency standards of the Model Energy Code of 1993

_____ 2. Has been built to include the following energy efficiency elements:

(1) Insulation values (R-value of insulation installed) for each of the following:

Ceiling with attic above R-value _____

Cathedral ceiling R-value _____

(continued)

- Opaque walls R-value _____
 Floors over unheated spaces R-value _____
 Floors over outside air R-value _____
 Foundation type:
 Slab-on-grade _____
 Crawlspace _____
 Basement and percent of basement walls underground _____
- (2) Thermal properties of windows and doors for each of the following:
 Entry door(s) R-value _____
 Sliding door(s) R-value _____
 Other exterior doors R-value _____
 Garage to house door R-value _____
 Window U-value (determined from NFRC rating label or default table) _____
- (3) HVAC equipment efficiency levels:
 Heating systems:
 Gas fired forced air furnace AFUE rating _____
 Electric heat pump HSPF rating _____
 Air conditioning systems:
 Electric unit SEER rating _____
 Electric heat pump EER rating _____
 Ground source heat pump EER rating _____
 Duct insulation levels: Insulation R-value of ducts outside envelope _____
 Thermostat:
 Manual control type _____
 Automatic set-back type _____
- (4) Water heating efficiency levels:
 Water heater fuel type _____
 Water heater capacity _____
 NAECA energy factor _____

(b) If a structure is subject to both the national manufactured housing construction and safety standards act (42 U.S.C. 5403) and the federal trade commission regulation on labeling and advertising of home insulation, 16 CFR section 460.16, both as in effect on the effective date of this act, the builder or seller may disclose, instead of the information required by subsection (a), the information regarding such structure that is required to be disclosed pursuant to such federal act and regulation.

Sec. 19. On and after July 1, 1997, K.S.A. 1996 Supp. 66-117 is hereby amended to read as follows: 66-117. (a) Unless the state corporation commission otherwise orders, no common carrier or public utility over which the commission has control shall make effective any changed rate, joint rate, toll, charge or classification or schedule of charges, or any rule or regulation or practice pertaining to the service or rates of such public utility or common carrier except by filing the same with the commission at least 30 days prior to the proposed effective date. The commission, for good cause, may allow such changed rate, joint rate, toll, charge or classification or schedule of charges, or rule or regulation or practice pertaining to the service or rates of any such public utility or common carrier to become effective on less than 30 days' notice. If the commission allows a change to become effective on less than 30 days' notice, the effective date of the allowed change shall be the date established in the commission order approving such change, or the date of the order if no effective date is otherwise established. Any such proposed change shall be shown by filing with the state corporation commission a schedule showing the changes, and such changes shall be plainly indicated by proper reference marks in amendments or supplements to existing tariffs, schedules or classifications, or in new issues thereof.

(b) Whenever any common carrier or public utility governed by the provisions of this act files with the state corporation commission a schedule showing the changes desired to be made and put in force by such public utility or common carrier, the commission either upon complaint or upon its own motion, may give notice and hold a hearing upon such proposed changes. Pending such hearing, the commission may suspend the operation of such schedule and defer the effective date of such change in rate, joint rate, toll, charge or classification or schedule of charges, or any rule or regulation or practice pertaining to the service or rates of any such public utility or common carrier by delivering to such public utility or common carrier a statement in writing of its reasons for such suspension.

(c) The commission shall not delay the effective date of the proposed change in rate, joint rate, toll, charge or classification or schedule of charges, or in any rule or regulation or practice pertaining to the service or rates of any such public utility or common carrier, more than 240 days beyond the date the public utility or common carrier filed its application requesting the proposed change. If the commission does not suspend the proposed schedule within 30 days of the date the same is filed by the public utility or common carrier, such proposed schedule shall be deemed

approved by the commission and shall take effect on the proposed effective date. If the commission has not issued a final order on the proposed change in any rate, joint rate, toll, charge or classification or schedule of charges, or any rule or regulation or practice pertaining to the service or rates of any such public utility or common carrier, within 240 days after the carrier or utility files its application requesting the proposed change, then the schedule shall be deemed approved by the commission and the proposed change shall be effective immediately, except that (1) for purposes of the foregoing provisions regarding the period of time within which the commission shall act on an application, any amendment to an application for a proposed change in any rate, which increases the amount sought by the public utility or common carrier or substantially alters the facts used as a basis for such requested change of rate, shall, at the option of the commission, be deemed a new application and the 240-day period shall begin again from the date of the filing of the amendment, and (2) if hearings are in process before the commission on a proposed change requested by the public utility or common carrier on the last day of such 240-day period, such period shall be extended to the end of such hearings plus 20 days to allow the commission to prepare and issue its final order, and, (3) nothing in this subsection shall preclude the public utility or common carrier and the commission from agreeing to a waiver or an extension of the 240-day period.

(e) (d) Except as provided in subsection (b) (c), no change shall be made in any rate, toll, charge, classification or schedule of charges or joint rates, or in any rule or regulation or practice pertaining to the service or rates of any such public utility or common carrier, without the consent of the commission. Within 30 days after such changes have been authorized by the state corporation commission or become effective as provided in subsection (b) (c), copies of all tariffs, schedules and classifications, and all rules and regulations, except those determined to be confidential under rules and regulations adopted by the commission, shall be filed in every station, office or depot of every such public utility and every common carrier in this state, for public inspection.

(d) (e) Upon a showing by a public utility before the state corporation commission at a public hearing and a finding by the commission that such utility has invested in projects or systems that can be reasonably expected (1) to produce energy from a renewable resource other than nuclear for the use of its customers, (2) to cause the conservation of energy used by its customers, or (3) to bring about the more efficient use of energy by its customers, the commission may allow a return on such investment equal to an increment of from 1/2% to 2% plus an amount equal to the rate of return fixed for the utility's other investment in property found by the commission to be used or required to be used in its services to the public. The commission may also allow such higher rate of return on investments by a public utility in experimental projects, such as load management devices, which it determines after public hearing to be reasonably designed to cause more efficient utilization of energy and in energy conservation programs or measures which it determines after public hearing provides a reduction in energy usage by its customers in a cost-effective manner.

(e) (f) Whenever, after the effective date of this act, an electric public utility, a natural gas public utility or a combination thereof, files tariffs reflecting a surcharge on the utility's bills for utility service designed to collect the annual increase in expense charged on its books and records for ad valorem taxes, such utility shall report annually to the state corporation commission the changes in expense charged for ad valorem taxes. For purposes of this section, such amounts charged to expense on the books and records of the utility may be estimated once the total property tax payment is known. If found necessary by the commission or the utility, the utility shall file tariffs which reflect the change as a revision to the surcharge. Upon a showing that the surcharge is applied to bills in a reasonable manner and is calculated to substantially collect the increase in ad valorem tax expense charged on the books and records of the utility, or reduce any existing surcharge based upon a decrease in ad valorem tax expense incurred on the books and records of the utility, the commission shall approve such tariffs within 30 days of the filing. Any over or under collection of the actual ad valorem tax increase charged to expense on the books of the utility shall be either credited or collected through the surcharge in subsequent periods. The establishment of a surcharge under this section shall not be deemed to be a rate increase for purposes of this act. The net effect of any surcharges established under this section shall be included by the commission in the establishment of base rates in any subsequent rate case filed by the utility.

(f) (g) Except as to the time limits prescribed in subsection (b) (c),

proceedings under this section shall be conducted in accordance with the provisions of the Kansas administrative procedure act.

Sec. 20. On and after July 1, 1997, K.S.A. 1996 Supp. 55-150 is hereby amended to read as follows: 55-150. As used in this act unless the context requires a different meaning:

- (a) "Commission" means the state corporation commission.
- (b) "Contractor" means any person who acts as agent for an operator as a drilling, plugging, service rig or seismograph contractor in such operator's oil and gas, cathodic protection, gas gathering or underground natural gas storage operations.
- (c) "Fresh water" means water containing not more than 1,000 milligrams per liter, total dissolved solids.
- (d) "Gas gathering system" means a natural gas pipeline system used primarily for transporting natural gas from a wellhead, or a metering point for natural gas produced by one or more wells, to a point of entry into a main transmission line, but shall not mean or include: (1) the gathering of natural gas produced from wells owned and operated by the gatherer and where the gathering system is used exclusively for its own private purposes; (2) Lead lines from the wellhead to the connection with the gathering system which are owned by the producing entity person; and (3) (2) gathering systems used exclusively for injection and withdrawal from natural gas storage fields under the jurisdiction of the federal energy regulatory commission.
- (e) "Operator" means a person who is responsible for the physical operation and control of a well, gas gathering system or underground natural gas storage facility.
- (f) "Person" means any natural person, partnership, governmental or political subdivision, firm, association, corporation or other legal entity.
- (g) "Rig" means any crane machine used for drilling or plugging wells.
- (h) "Usable water" means water containing not more than 10,000 milligrams per liter, total dissolved solids.
- (i) "Well" means a hole drilled or recompleted for the purpose of:
 - (1) Producing oil or gas;
 - (2) injecting fluid, air or gas in the ground in connection with the exploration for or production of oil or gas;
 - (3) obtaining geological information in connection with the exploration for or production of oil or gas by taking cores or through seismic operations;
 - (4) disposing of fluids produced in connection with the exploration for or production of oil or gas;
 - (5) providing cathodic protection to prevent corrosion to lines; or
 - (6) injecting or withdrawing natural gas.

New Sec. 21. On and after July 1, 1997, the term "public utility" as used in K.S.A. 66-104, and amendments thereto, and the term "common carriers" as used in K.S.A. 66-105, and amendments thereto, shall not include any gas gathering system, as defined in K.S.A. 55-150, and amendments thereto.

New Sec. 22. (a) As used in sections 22 through 30:

- (1) "Gas gathering services" means the gathering or preparation of natural gas for transportation, whether such services are performed for hire or in connection with the purchase of natural gas by the person gathering or preparing the gas or a marketer affiliated with the person gathering or preparing the gas. "Gas gathering services" does not include the gathering of natural gas by an owner or operator of gathering facilities who: (A) Does not hold such facilities out for hire on or after the effective date of this act; or (B) does not purchase the gas for resale.
- (2) Other terms have the meanings provided by K.S.A. 55-150, and amendments thereto.

(b) The provisions of sections 22 through 30 shall be part of and supplemental to chapter 55 of the Kansas Statutes Annotated.

(c) This section shall take effect and be in force on and after July 1, 1997.

New Sec. 23. (a) Each person offering gas gathering services in this state shall file with the commission copies of: (1) Rates paid for natural gas purchased at the wellhead by the person offering gas gathering services; (2) all rates charged for gas gathering services offered by such person; and (3) such data related to the characteristics of the gas purchased or gathered by the person offering gas gathering services and such information regarding the terms and duration of the contract as the commission determines necessary. The commission shall adopt rules and regulations prescribing the form and times of filing of such rates, data and information. The commission shall not be required to analyze, publish or

disseminate such rates, data and information except to the extent otherwise required by law.

(b) Upon notice and an opportunity to be heard in accordance with the provisions of the Kansas administrative procedure act, the commission may impose an administrative fine on any person for failure to file any rate, data or information as required by this section and rules and regulations of the commission. Such fine shall not exceed \$10,000 for each day the rate, data or information remains unfiled as required or an aggregate amount of \$250,000, whichever is less.

(c) Rates, data and information filed pursuant to this section shall not be used by the commission to order a change in any rate except in a proceeding pursuant to section 25.

(d) Rates, data and information filed pursuant to this section shall not be subject to K.S.A. 66-1220a, and amendments thereto.

(e) This section shall take effect and be in force on and after July 1, 1997.

New Sec. 24. (a) Persons offering gas gathering services in this state, or facilities essential to provision of such services, shall provide, in a manner that is just, reasonable, not unjustly discriminatory and not unduly preferential, access to any person seeking such services or facilities.

(b) Persons performing gas gathering services shall engage in practices in connection with such services, and charge fees for such services, that are just, reasonable, not unjustly discriminatory and not unduly preferential.

(c) This section shall take effect and be in force on and after July 1, 1997.

New Sec. 25. (a) The commission, in its discretion, may at any time review a fee, term or practice being used by a person offering gas gathering services to ascertain whether a violation of section 24 has occurred. Upon such review, the commission may initiate a proceeding to determine whether a violation of section 24 has occurred. Upon notice and an opportunity for hearing in accordance with the Kansas administrative procedure act, the commission shall have authority to order the remediation of any violation of section 24 that the commission finds has occurred.

(b) Any consumer of gas gathering services, any person seeking direct purchase of natural gas at the wellhead or any royalty owner, may request the commission to investigate and initiate proceedings to review a fee, term or practice being used by a person offering gas gathering services. As a condition to formal commission action, the person requesting commission action must first file a complaint that includes:

- (1) A statement that the complainant has presented the complaint, in writing, to the person offering gas gathering services and included a request for a meeting with such person to discuss the matter;
- (2) a copy of the document described in subsection (b)(1);
- (3) a statement that the requested meeting took place or the person offering gas gathering services refused to meet with the complainant;
- (4) detailed factual statement indicating how the fee, term or practice violates section 24;
- (5) a statement of the precise remedy being requested that will make the fee, term or practice consistent with the provisions of section 24;
- (6) if the complainant is a producer of natural gas, a copy of the analysis of the complainant's natural gas, including the nitrogen, carbon dioxide, hydrogen sulfide, water and other contaminant content; the amount of volume; and the amount of pressure at the wellhead; and
- (7) if available, a map showing the location of the affected wells and all gas gathering systems in the area.

(c) The commission may resolve the complaint by use of an informal procedure established by the commission pursuant to rules and regulations adopted by the commission or the commission may conduct a formal hearing and take evidence as necessary to determine the merits of the complaint. If the commission uses an informal procedure and the complaint is not resolved within 60 days after the complaint is filed, the commission shall conduct a formal hearing on the complaint. The hearing shall be conducted and notice given in accordance with the Kansas administrative procedure act. Upon such hearing, the commission shall have authority to order the remediation of any violations of section 24, to the extent necessary for remediation as to the aggrieved person with respect to the particular violation.

(d) In evaluating a fee or term, or in establishing a reasonable fee or term, the commission is not required to engage in cost-of-service rate-making or any other form of ratemaking. Instead, the commission can

(continued)

employ any form of analysis and remedy that is designed to accomplish the goals of this act while respecting the legitimate property interests of the person offering the gas gathering services.

(e) Any natural gas producer using the gas gathering facilities of a person engaged in activities described in subsection (a)(1)(A) or (B) of section 22 may request the commission to investigate and initiate proceedings to review the fees, terms and practices of the person engaged in such activities. The commission shall conduct such investigation and proceeding in the same manner as provided by this section for complaints filed pursuant to subsection (b) and may order the remediation of any violation of subsection (b) of section 24 that the commission finds would exist except for the exemption provided by subsection (a)(1)(A) or (B) of section 22.

(f) The commission shall maintain a publicized telephone number to facilitate the filing of informal complaints pursuant to subsection (b) or (e).

(g) The commission shall adopt such rules and regulations as the commission determines reasonably necessary to prevent abuse of the complaint procedure provided for by this section. Such rules and regulations shall include provisions to prevent delay of the proceedings that may damage a party's ability to pursue or defend the complaint.

New Sec. 26. (a) The commission may adopt such rules and regulations as the commission determines necessary to improve access to gas gathering services or to improve market competition or protect the public interest in such services.

(b) This section shall take effect and be in force on and after July 1, 1997.

New Sec. 27. (a) The commission may exempt natural gas sold directly to a consumer from the wellhead before the gas enters a gathering system from rate averaging or pricing systems that apply to gas sold from a gas gathering system.

(b) This section shall take effect and be in force on and after July 1, 1997.

New Sec. 28. (a) In any retail natural gas service area where the commission has granted a certificate of convenience and necessity to sell natural gas at retail from a gas gathering system, the commission may issue other certificates of convenience and necessity to make such sales in such area. A person purchasing natural gas or gas gathering services from a person offering gas gathering services in a retail natural gas service area where the commission has issued more than one certificate of convenience and necessity shall not be assessed an exit fee for electing to purchase natural gas or gas gathering services from another person offering gas gathering services.

(b) This section shall take effect and be in force on and after July 1, 1997.

New Sec. 29. (a) Nothing in sections 22 through 28 shall be construed, or authorize the commission, to amend any contractual obligations between the person offering gas gathering services and the complainant unless the commission determines, after investigation, notice and hearing, that such contractual obligations are unjust, unreasonable, unjustly discriminatory or unduly preferential and adversely impact the public welfare.

(b) This section shall take effect and be in force on and after July 1, 1997.

New Sec. 30. If a public utility providing service from a gas gathering system determines that such utility lacks sufficient services or facilities to serve the needs of any person wishing to utilize such utility's services within such utility's certificated service area during any calendar year, such utility, not later than November 1 preceding the beginning of such calendar year, shall give notice thereof to the commission and to each person that such utility determines it will be unable to serve.

New Sec. 31. If any provisions of this act or the application of this act to any person or circumstances is held invalid, the invalidity does not affect other provisions or applications of this act that can be given effect without the invalid provisions or application. To this end the provisions of this act are severable.

Sec. 32. K.S.A. 66-131a is hereby repealed.

Sec. 33. On and after July 1, 1997, K.S.A. 66-1,191, 66-1,234, 66-1,502 and 66-1,503 and K.S.A. 1996 Supp. 55-150, 66-101d, 66-101e, 66-117, 66-118b, 66-125, 66-1,192, 66-1,204, 66-1,205, 66-1,219, 66-1,220, 66-1,235 and 77-529 are hereby repealed.

Sec. 34. This act shall take effect and be in force from and after its publication in the Kansas register.

State of Kansas

Department of Health and Environment

Notice Concerning Kansas Water Pollution Control Permits

In accordance with state regulations 28-16-57 through 63, 28-18-1 through 4, 28-16-150 through 154, 28-46-7, and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, draft permits have been prepared for discharges to the waters of the United States and the State of Kansas for the class of dischargers described below. The determinations for permit content are based on staff review, applying the appropriate standards, regulations and effluent limitations of the State of Kansas and the EPA, and when issued will result in a state water pollution control permit and national pollutant discharge elimination system authorization subject to certain conditions.

Public Notice No. KS-AG-97-108/111

Name and Address of Applicant	Legal Description	Receiving Water
Pork Chop Acres, Inc. Leo Schwartz 2051 N. 20th Road Washington, KS 66968	SE/4, Sec. 31, T6S, R5E, Riley County	Big Blue River Basin

Kansas Permit No. A-BBRL-S001

This is an existing facility for 100 head (40 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: 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
D & S Hog Farm Gary D. Duerksen Route 1, Box 46 Lehigh, KS 67073	SE/4, Sec. 16, T19S, R1E, Marion County	Neosho River Basin

Kansas Permit No. A-NEMN-S010

This is an existing facility for 750 head (300 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: 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
Jerry P. Morris 8807 S. Spring Lake Road Sedgwick, KS 67135	NE/4, Sec. 29, T24S, R2W, Harvey County	Little Arkansas River Basin

Kansas Permit No. A-LAHV-H001 Federal Permit No. KS-0093785

This is a new facility for 4,800 head (1,920 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 the NRCS 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 1.11 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 57 gallons per minute and dispersing the wastewater over 46 acres of land suitable for waste application. Written verification of the acquisition of the equipment shall be submitted to the department.

The maximum allowable seepage rate for each lagoon is 1/8 (0.125) inch per day. Should the lagoons not meet the maximum allowable seepage rate, additional sealing will be required.

Name and Address of Applicant	Legal Description	Receiving Water
Dan Morrell Route 1, Box 194 Blue Mound, KS 66010	SE/4 and SW/4 of Sec. 10, T22S, R22E, Linn County	North fork of Little Sugar Creek

Kansas Permit No. A-MCLN-S015

This is an existing facility for 750 head (300 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.

Public Notice No. KS-AG-97-066/070

Name and Address of Applicant	Waterway	Type of Discharge
City of Alma P.O. Box 444 Alma, KS 66401	Kansas River via Mill Creek	Treated domestic wastewater

Kansas Permit No.: M-KS01-IO01 Federal Permit No.: KS0046345

Location: NE¼, S15, T12S, R10E, Wabaunsee County

Facility Description: The proposed action is to re-issue an existing permit for operation of an existing wastewater treatment facility. The facility consists of an aeration basin followed by a three-cell wastewater lagoon system. 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
City of Hesston P.O. Box 100 Hesston, KS 67062	Emma Creek via Little Emma Creek	Treated domestic wastewater

Kansas Permit No.: M-LA07-IO01 Federal Permit No.: KS0022799

Location NW¼, S22, T22S, R1W, Harvey County

Facility Description: The proposed action is to re-issue an existing permit for operation of an existing wastewater treatment facility. The facility consists of a four-channel Orbal aeration basin with two final clarifiers 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
N. R. Hamm Quarry, Inc. Loomis #91 Quarry P.O. Box 17 Perry, KS 66073	Neosho River via Elm Creek via unnamed tributary	Quarry dewatering and stormwater

Kansas Permit No.: I-NE17-PO02 Federal Permit No.: KS0092312

Location: NW¼, S36, T16S, R7E, Morris County

Facility Description: The proposed action is to issue a new permit for operation of a new quarry. The facility is a limestone quarrying operation with some washing. Any discharge is from a settling pond that receives wash water and stormwater runoff. The permit requirements are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria.

Name and Address of Applicant	Waterway	Type of Discharge
Holland Corporation, Inc. Olathe Quarry P.O. Box 14130 Lenexa, KS 66215	Kansas River via Cedar Creek via unnamed tributary	Quarry dewatering and stormwater

Kansas Permit No.: I-KS52-PO10 Federal Permit No.: KS0092321

Location: NW¼, S16, T14S, R23E, Johnson County

Facility Description: The proposed action is to issue a new permit for operation of a new quarry. The facility is a limestone quarrying and crushing operation with no washing. The permit requirements are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria.

Name and Address of Applicant	Waterway	Type of Discharge
City of Ellsworth Water Treatment Plant P.O. Box 163 Ellsworth, KS 67439	Smoky Hill River via unnamed tributary	Treated process wastewater

Kansas Permit No.: I-SH07-PO02 Federal Permit No.: KS0093637

Location: NW¼, S20, T15S, R8W, Ellsworth County

Facility Description: The proposed action is to issue a new permit for operation of a new lagoon for treatment of lime softening slurry and filter backwash from the Ellsworth Water Treatment Plant. The facility consists of a two-cell wastewater lagoon system. The permit requirements 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.

Public Notice No. KS-ND-97-030/031

Name and Address of Applicant	Legal Location	Type of Discharge
Stuckey's Dairy Queen - Paxico c/o James Cook Route 2, Box 358 Columbia, MO 65201	NE¼, S32, T11S R12E, Wabaunsee County	Nonoverflowing

Kansas Permit No. C-KS57-NO03

Facility Description: The proposed action is to re-issue an existing permit for operation of an existing three-cell wastewater treatment lagoon system. The proposed permit contains a schedule of compliance requiring the permittee to obtain the services of a KDHE-certified operator.

Name and Address of Applicant	Legal Location	Type of Discharge
Miami Co. Sewer District Club Estates c/o Dir. of Engr. Services P.O. Box 445 Paola, KS 66071-0445	SE¼, S5, T17S R25E, Miami County	Nonoverflowing

Kansas Permit No.: M-MC20-NO01

Facility Description: The proposed action is to issue a new permit for operation of a new septic tank/recirculating sand filter system with

(continued)

chlorination treating domestic wastewater. The wastewater will be used for golf course irrigation. Design flow is 10,000 gpd.

Written comments on the draft permits must be submitted to the attention of Lisa Duncan for agricultural permits or to the permit clerk for all other permits, Kansas Department of Health and Environment, Division of Environment, Bureau of Water, J Street and 2 North, Forbes Field, Building 283, Topeka, 66620.

All comments postmarked or received on or before June 8 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate public notice number (KS-AG-97-108/111, KS-97-066/070, KS-ND-97-030/031) and the name of applicant as listed when preparing comments.

If no objections are received during the public notice period, the Secretary of Health and Environment will issue the final determination. If response to this notice in-

dicates 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 5 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.

Gary R. Mitchell
Secretary of Health and Environment

Doc. No. 019096

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 1996 Supplement to the *Kansas Administrative Regulations*.

AGENCY 1: DEPARTMENT OF ADMINISTRATION

Reg. No.	Action	Register
1-1-1	Amended	V. 15, p. 703
1-1-2	Revoked	V. 15, p. 704
1-1-3	Revoked	V. 15, p. 704
1-1-4	Revoked	V. 15, p. 704
1-2-53	Revoked	V. 15, p. 704
1-2-57	Amended	V. 15, p. 704
1-2-72	Amended	V. 15, p. 704
1-2-88	Amended	V. 15, p. 704
1-3-1	Revoked	V. 15, p. 704
1-3-3	Revoked	V. 15, p. 704
1-3-4	Revoked	V. 15, p. 704
1-4-2	Amended	V. 15, p. 704
1-4-6	Revoked	V. 15, p. 704
1-5-1	Amended	V. 15, p. 704
1-5-2	Revoked	V. 15, p. 704
1-5-3	Revoked	V. 15, p. 704
1-5-6	Revoked	V. 15, p. 704
1-5-7	Amended	V. 15, p. 704
1-5-12	Amended	V. 15, p. 705
1-5-15	Amended	V. 15, p. 705
1-5-22	Amended	V. 15, p. 706
1-5-24	Amended	V. 15, p. 706
1-5-26	Amended	V. 15, p. 707
1-6-22a	Amended	V. 15, p. 707
1-6-23	Amended	V. 15, p. 708
1-6-24	Amended	V. 15, p. 708
1-6-31	Amended	V. 15, p. 708
1-8-1	Revoked	V. 15, p. 709
1-8-5	Amended	V. 15, p. 709
1-8-7	Revoked	V. 15, p. 709
1-9-9	Revoked	V. 15, p. 709
1-9-15	Revoked	V. 15, p. 709
1-9-16	Revoked	V. 15, p. 709
1-9-19a	Amended	V. 15, p. 709
1-9-23	Amended	V. 15, p. 710
1-9-27	New	V. 15, p. 711

1-10-6	Amended	V. 15, p. 713
1-10-8	Revoked	V. 15, p. 713
1-10-9	Revoked	V. 15, p. 713
1-11-1	Amended	V. 15, p. 713
1-13-1a	Amended	V. 15, p. 713
1-13-2	Revoked	V. 15, p. 714
1-13-3	Revoked	V. 15, p. 714
1-13-4	Revoked	V. 15, p. 714
1-14-6	Revoked	V. 15, p. 714
1-14-7	Amended	V. 15, p. 714
1-14-10	Amended	V. 15, p. 715
1-14-11	Amended	V. 15, p. 715
1-14-12a	New	V. 16, p. 170
1-16-18a	Amended	V. 15, p. 317
1-17-10	Amended	V. 15, p. 1706
1-18-1a	Amended	V. 15, p. 1508
1-45-4	Amended	V. 15, p. 1706
1-45-7	Amended	V. 15, p. 1706
1-45-8	Amended	V. 15, p. 1706

AGENCY 5: DEPARTMENT OF AGRICULTURE—DIVISION OF WATER RESOURCES

Reg. No.	Action	Register
5-25-1		
through		
5-25-10	Amended	V. 15, p. 410-412
5-50-1	Amended	V. 15, p. 1861
5-50-2	Amended	V. 15, p. 1861
5-50-3	Revoked	V. 15, p. 1862
5-50-4	Amended	V. 15, p. 1862
5-50-5	Amended	V. 15, p. 1862
5-50-6	Amended	V. 15, p. 1863
5-50-7	New	V. 15, p. 1863
5-50-8	New	V. 15, p. 1863

AGENCY 7: SECRETARY OF STATE

Reg. No.	Action	Register
7-18-1	New	V. 15, p. 1508
7-18-2	New	V. 15, p. 1508
7-18-3	New	V. 15, p. 1508
7-23-2	Amended	V. 15, p. 1927
7-23-4	Amended	V. 15, p. 1927
7-23-8	Revoked	V. 15, p. 1927
7-38-1	New	V. 15, p. 1927
7-38-2	New	V. 15, p. 1927

AGENCY 9: ANIMAL HEALTH DEPARTMENT

Reg. No.	Action	Register
9-10-31	New	V. 15, p. 1671
9-10-32	New	V. 15, p. 1671
9-18-1	Amended	V. 15, p. 1671
9-19-1		
through		
9-19-11	Amended	V. 15, p. 1671-1677

9-25-1		
through		
9-25-15	New	V. 15, p. 1677-1684
9-26-1	New	V. 15, p. 1684

AGENCY 11: STATE CONSERVATION COMMISSION

Reg. No.	Action	Register
11-8-8	Amended	V. 15, p. 1401

AGENCY 16: ATTORNEY GENERAL

Reg. No.	Action	Register
16-2-1	Amended	V. 15, p. 375
16-5-1	Amended	V. 15, p. 375
16-5-4	Amended	V. 15, p. 375
16-5-5	Amended	V. 15, p. 376
16-6-1	Amended	V. 15, p. 376

AGENCY 17: STATE BANKING DEPARTMENT

Reg. No.	Action	Register
17-1-1	New	V. 15, p. 1130
17-9-1		
through		
17-9-10	New	V. 15, p. 1130, 1131
17-10-1	Revoked	V. 15, p. 1131
17-11-1		
through		
17-11-12	Revoked	V. 15, p. 1131
17-11-13	Amended	V. 15, p. 1131
17-11-14	Amended	V. 15, p. 1380
17-11-15		
through		
17-11-19	Amended	V. 15, p. 1131, 1132
17-11-20	Revoked	V. 15, p. 1132
17-11-21	Amended	V. 15, p. 1132
17-11-23	New	V. 15, p. 1132
17-12-1	Amended	V. 15, p. 1132
17-12-2	Amended	V. 15, p. 1132
17-16-1	Amended	V. 15, p. 1132
17-16-2	Amended	V. 15, p. 1132
17-16-3	Revoked	V. 15, p. 1133
17-16-4	Amended	V. 15, p. 1133
17-16-5		
through		
17-16-8	Revoked	V. 15, p. 1133
17-16-9	Amended	V. 15, p. 1133
17-17-1		
through		
17-17-10	Amended	V. 15, p. 1133, 1134
17-18-1		
through		
17-18-4	Revoked	V. 15, p. 1134
17-21-1		
through		
17-21-6	Amended	V. 15, p. 1134, 1135
17-21-7	Revoked	V. 15, p. 1135

17-21-8 Amended V. 15, p. 1135
AGENCY 24: KANSAS WHEAT COMMISSION
Reg. No. Action Register
 24-1-1 Amended V. 15, p. 703

AGENCY 25: STATE GRAIN INSPECTION DEPARTMENT
Reg. No. Action Register
 25-1-1 Revoked V. 15, p. 138
 25-3-3 Amended V. 15, p. 138
 25-4-1 Revoked V. 15, p. 1380
 25-4-4 Amended V. 15, p. 1538

AGENCY 26: DEPARTMENT ON AGING
Reg. No. Action Register
 26-5-6 Amended V. 15, p. 1625
 26-5-9 New V. 15, p. 1626
 26-5-10 New V. 15, p. 1626
 26-6-1 through
 26-6-8 Revoked V. 15, p. 1626

AGENCY 28: DEPARTMENT OF HEALTH AND ENVIRONMENT
Reg. No. Action Register

28-1-9 Revoked V. 15, p. 550
 28-1-10 Revoked V. 15, p. 550
 28-1-13 Amended V. 15, p. 970
 28-1-14 Amended V. 15, p. 970
 28-1-15 Amended V. 15, p. 971
 28-1-19 Revoked V. 15, p. 550
 28-1-21 Revoked V. 15, p. 550
 28-1-22 Revoked V. 15, p. 550
 28-3-5 Revoked V. 15, p. 550
 28-3-6 Revoked V. 15, p. 550
 28-4-72 Revoked V. 15, p. 551
 28-4-431 Revoked V. 15, p. 551
 28-4-506 Revoked V. 15, p. 551
 28-4-507 Revoked V. 15, p. 551
 28-4-508 Revoked V. 15, p. 551
 28-4-558 through
 28-4-563 Amended V. 15, p. 490-494
 28-4-567 Amended V. 15, p. 494
 28-4-570 Amended V. 15, p. 495
 28-5-8 Revoked V. 15, p. 551
 28-6-1 Revoked V. 15, p. 551
 28-6-2 Revoked V. 15, p. 551
 28-7-1 through
 28-7-9 Revoked V. 15, p. 551
 28-8-1 Revoked V. 15, p. 551
 28-10-36 Revoked V. 15, p. 551
 28-10-40 Revoked V. 15, p. 551
 28-10-41 Revoked V. 15, p. 551
 28-11-1 through
 28-11-6 Revoked V. 15, p. 551
 28-13-10 Revoked V. 15, p. 551
 28-13-11 Revoked V. 15, p. 551
 28-16-50 through
 28-16-54 Revoked V. 15, p. 551
 28-16-56a Revoked V. 15, p. 1402
 28-16-56b Revoked V. 15, p. 1402
 28-16-56c New V. 15, p. 1402
 28-16-56d New V. 15, p. 1403
 28-16-59 Amended V. 15, p. 1403
 28-16-65 Revoked V. 15, p. 551
 28-16-67 Revoked V. 15, p. 551
 28-17-5 Revoked V. 15, p. 551
 28-17-8 Revoked V. 15, p. 551
 28-19-45 Revoked V. 15, p. 183
 28-19-46 Revoked V. 15, p. 183
 28-19-47 Revoked V. 15, p. 183
 28-19-79 New V. 16, p. 584
 28-19-83 through
 28-19-96 Revoked V. 15, p. 551
 28-19-98 Revoked V. 15, p. 551
 28-19-98a Revoked V. 15, p. 551
 28-19-99 through
 28-19-108 Revoked V. 15, p. 552
 28-19-108a Revoked V. 15, p. 552
 28-19-109 Revoked V. 15, p. 552
 28-19-119 to
 28-19-121a Revoked V. 15, p. 552

28-19-123 Revoked V. 15, p. 552
 28-19-124 Revoked V. 15, p. 552
 28-19-125 Revoked V. 15, p. 552
 28-19-127 through
 28-19-131 Revoked V. 15, p. 552
 28-19-133 through
 28-19-141 Revoked V. 15, p. 552
 28-19-149 through
 28-19-162 Revoked V. 15, p. 552
 28-19-202 Amended V. 16, p. 176
 28-19-645 New V. 15, p. 183
 28-19-646 New V. 15, p. 183
 28-19-647 New V. 15, p. 183
 28-19-648 New V. 15, p. 184
 28-19-800 New V. 15, p. 257
 28-19-801 New V. 15, p. 258
 28-21-3 Revoked V. 15, p. 552
 28-21-90a Revoked V. 15, p. 552
 28-21-91a Revoked V. 15, p. 552
 28-21-91b Revoked V. 15, p. 552
 28-21-92a Revoked V. 15, p. 552
 28-21-93a Revoked V. 15, p. 552
 28-21-94a Revoked V. 15, p. 552
 28-21-96a Revoked V. 15, p. 552
 28-21-98a Revoked V. 15, p. 552
 28-21-99a Revoked V. 15, p. 552
 28-21-102 through
 28-21-112 Revoked V. 15, p. 552
 28-23-5 Revoked V. 15, p. 552
 28-23-8 Revoked V. 15, p. 552
 28-23-14 Revoked V. 15, p. 552
 28-23-15 Revoked V. 15, p. 552
 28-23-25 Revoked V. 15, p. 552
 28-23-33 Revoked V. 15, p. 552
 28-23-60 through
 28-23-66 Revoked V. 15, p. 552
 28-23-69 Revoked V. 15, p. 552
 28-23-72 Revoked V. 15, p. 553
 28-23-74 Revoked V. 15, p. 553
 28-23-76 Revoked V. 15, p. 553
 28-23-77 Revoked V. 15, p. 553
 28-26-80 through
 28-26-87 Revoked V. 15, p. 553
 28-26-90a Revoked V. 15, p. 553
 28-28-1 Revoked V. 15, p. 553
 28-28-2 Revoked V. 15, p. 553
 28-29-1 Revoked V. 15, p. 553
 28-29-83 Revoked V. 15, p. 553
 28-29-98 Amended V. 15, p. 1804
 28-29-100 Amended V. 15, p. 1804
 28-29-103 Amended V. 15, p. 1804
 28-31-4 Amended V. 15, p. 297
 28-31-10 Amended V. 15, p. 301
 28-33-1 Revoked V. 15, p. 495
 28-33-11 Revoked V. 15, p. 495
 28-33-12 Amended V. 15, p. 495
 28-34-11 Amended V. 15, p. 497
 28-35-178b Amended V. 15, p. 1592
 28-35-180a Amended V. 15, p. 1593
 28-35-184b New V. 15, p. 1596
 28-35-193b New V. 15, p. 1596
 28-35-201 New V. 15, p. 1598
 28-35-202 New V. 15, p. 1599
 28-35-290 New V. 15, p. 1601
 28-35-291 New V. 15, p. 1601
 28-35-362 Amended V. 15, p. 1602
 28-37-10 through
 28-37-14 Revoked V. 15, p. 553
 28-39-144 Amended V. 16, p. 177
 28-39-145 Amended V. 16, p. 179
 28-39-146 Amended V. 16, p. 181
 28-39-147 Amended V. 16, p. 181
 28-39-148 Amended V. 16, p. 182
 28-39-149 Amended V. 16, p. 183
 28-39-150 Amended V. 16, p. 184
 28-39-151 Amended V. 16, p. 184
 28-39-152 Amended V. 16, p. 185
 28-39-153 Amended V. 16, p. 187
 28-39-154 Amended V. 16, p. 187
 28-39-155 Amended V. 16, p. 188
 28-39-156 Amended V. 16, p. 188
 28-39-157 Amended V. 16, p. 189
 28-39-158 Amended V. 16, p. 190
 28-39-159 Amended V. 16, p. 192

28-39-160 Amended V. 16, p. 192
 28-39-161 Amended V. 16, p. 192
 28-39-162 Amended V. 16, p. 193
 28-39-162a Amended V. 16, p. 194
 28-39-162b Amended V. 16, p. 199
 28-39-162c Amended V. 16, p. 200
 28-39-163 Amended V. 16, p. 204
 28-39-240 through
 28-39-256 New V. 16, p. 206-213
 28-41-1 through
 28-41-9 Revoked V. 15, p. 553
 28-42-1 Revoked V. 15, p. 553
 28-42-3 through
 28-42-7 Revoked V. 15, p. 553
 28-42-9 through
 28-42-16 Revoked V. 15, p. 553
 28-49-1 through
 28-49-8 Revoked V. 15, p. 553
 28-68-1 through
 28-68-9 New V. 15, p. 1931-1934

AGENCY 30: SOCIAL AND REHABILITATION SERVICES

Reg. No. Action Register
 30-4-34 Amended V. 16, p. 251
 30-4-35w Revoked V. 16, p. 251
 30-4-40 Amended V. 16, p. 251
 30-4-41 Amended V. 16, p. 251
 30-4-41w Revoked V. 16, p. 252
 30-4-50 Amended V. 16, p. 252
 30-4-50w Revoked V. 16, p. 252
 30-4-52 Amended V. 16, p. 252
 30-4-52w Revoked V. 16, p. 252
 30-4-53 Revoked V. 16, p. 252
 30-4-53w Revoked V. 16, p. 252
 30-4-54 Amended V. 16, p. 688
 30-4-54w Revoked V. 16, p. 252
 30-4-55 Amended V. 16, p. 252
 30-4-55w Revoked V. 16, p. 253
 30-4-58 Revoked V. 16, p. 253
 30-4-58w Revoked V. 16, p. 253
 30-4-59 Amended V. 16, p. 253
 30-4-59w Revoked V. 16, p. 253
 30-4-60w Revoked V. 16, p. 253
 30-4-61 Amended V. 16, p. 253
 30-4-61w Revoked V. 16, p. 253
 30-4-63 Revoked V. 16, p. 253
 30-4-63w Revoked V. 16, p. 254
 30-4-64 Amended V. 16, p. 254
 30-4-64w Revoked V. 16, p. 255
 30-4-65w Revoked V. 16, p. 255
 30-4-70 Amended V. 16, p. 255
 30-4-70w Revoked V. 16, p. 256
 30-4-71 Revoked V. 16, p. 256
 30-4-71w Revoked V. 16, p. 256
 30-4-72 Revoked V. 16, p. 256
 30-4-72w Revoked V. 16, p. 256
 30-4-73 Revoked V. 16, p. 256
 30-4-74 Revoked V. 16, p. 256
 30-4-74w Revoked V. 16, p. 256
 30-4-78 Revoked V. 16, p. 256
 30-4-80 Amended V. 16, p. 256
 30-4-85a Revoked V. 16, p. 256
 30-4-90 Amended V. 16, p. 257
 30-4-90w Revoked V. 16, p. 259
 30-4-95 Amended V. 16, p. 259
 30-4-96 Amended V. 16, p. 259
 30-4-100 Amended V. 16, p. 260
 30-4-100w Revoked V. 16, p. 260
 30-4-101 Amended V. 16, p. 260
 30-4-102 Amended V. 16, p. 261
 30-4-105 Revoked V. 16, p. 261
 30-4-105w Revoked V. 16, p. 261
 30-4-106 Amended V. 16, p. 261
 30-4-106w Revoked V. 16, p. 262
 30-4-108 Amended V. 16, p. 262
 30-4-109 Amended V. 16, p. 262
 30-4-109w Revoked V. 16, p. 263
 30-4-110 Amended V. 16, p. 263
 30-4-110w Revoked V. 16, p. 264
 (continued)

30-4-111	Amended	V. 16, p. 264
30-4-111w	Revoked	V. 16, p. 265
30-4-112w	Revoked	V. 16, p. 265
30-4-113	Amended	V. 16, p. 265
30-4-113w	Revoked	V. 16, p. 266
30-4-120	Amended	V. 16, p. 266
30-4-120w	Revoked	V. 16, p. 266
30-4-121	Revoked	V. 15, p. 915
30-4-122a	Revoked	V. 16, p. 266
30-4-130	Amended	V. 16, p. 266
30-4-130w	Revoked	V. 16, p. 268
30-4-140	Amended	V. 16, p. 268
30-4-140w	Revoked	V. 16, p. 268
30-5-58	Amended	V. 15, p. 917
30-5-64	Amended	V. 15, p. 923
30-5-70	Amended	V. 15, p. 1017
30-5-81	Amended	V. 15, p. 925
30-5-88	Amended	V. 15, p. 925
30-5-101	Amended	V. 15, p. 1876
30-5-300	through	
30-5-308	New	V. 15, p. 1877-1880
30-6-34	Amended	V. 16, p. 268
30-6-35w	Revoked	V. 16, p. 268
30-6-41	Amended	V. 16, p. 268
30-6-41w	Revoked	V. 16, p. 269
30-6-50w	Revoked	V. 16, p. 269
30-6-52	Amended	V. 16, p. 269
30-6-52w	Revoked	V. 16, p. 269
30-6-53	Amended	V. 15, p. 1880
30-6-53w	Revoked	V. 16, p. 269
30-6-54	Amended	V. 16, p. 688
30-6-54w	Revoked	V. 16, p. 270
30-6-55	Amended	V. 16, p. 270
30-6-55w	Revoked	V. 16, p. 270
30-6-56w	Revoked	V. 16, p. 270
30-6-59	Amended	V. 16, p. 270
30-6-59w	Revoked	V. 16, p. 270
30-6-60w	Revoked	V. 16, p. 270
30-6-65	Amended	V. 16, p. 270
30-6-65w	Revoked	V. 16, p. 271
30-6-70	Amended	V. 16, p. 271
30-6-70w	Revoked	V. 16, p. 271
30-6-72	Revoked	V. 16, p. 271
30-6-72w	Revoked	V. 16, p. 271
30-6-73	Revoked	V. 16, p. 271
30-6-77w	Revoked	V. 16, p. 272
30-6-78w	Revoked	V. 16, p. 272
30-6-79	Revoked	V. 16, p. 272
30-6-81w	Revoked	V. 16, p. 272
30-6-82w	Revoked	V. 16, p. 272
30-6-85w	Revoked	V. 16, p. 272
30-6-86w	Revoked	V. 16, p. 272
30-6-87w	Revoked	V. 16, p. 272
30-6-94w	Revoked	V. 16, p. 272
30-6-103	Amended	V. 15, p. 1882
30-6-103w	Revoked	V. 16, p. 272
30-6-105	Revoked	V. 16, p. 272
30-6-105w	Revoked	V. 16, p. 272
30-6-106	Amended	V. 16, p. 272
30-6-106w	Revoked	V. 16, p. 274
30-6-107w	Revoked	V. 16, p. 274
30-6-108	Amended	V. 16, p. 274
30-6-109	Amended	V. 16, p. 275
30-6-109w	Revoked	V. 16, p. 276
30-6-110	Amended	V. 16, p. 276
30-6-110w	Revoked	V. 16, p. 277
30-6-111	Amended	V. 16, p. 277
30-6-111w	Revoked	V. 16, p. 278
30-6-112w	Revoked	V. 16, p. 278
30-6-113	Amended	V. 16, p. 279
30-6-113w	Revoked	V. 16, p. 279
30-6-140	Amended	V. 16, p. 280
30-6-150w	Revoked	V. 16, p. 280
30-7-65	Amended	V. 16, p. 280
30-7-100	Amended	V. 16, p. 280
30-7-102	Amended	V. 15, p. 927
30-7-103	Amended	V. 15, p. 929
30-7-104	Amended	V. 15, p. 929
30-10-1a	Amended	V. 15, p. 1887
30-10-2	Amended	V. 15, p. 1890
30-10-7	Amended	V. 15, p. 1890
30-10-15a	Amended	V. 15, p. 1891
30-10-17	Amended	V. 15, p. 1892
30-10-19	Amended	V. 15, p. 1894

30-10-21	Amended	V. 15, p. 929
30-10-25	Amended	V. 15, p. 1894
30-10-217	Amended	V. 15, p. 930
30-10-218	Amended	V. 15, p. 550
30-41-1	through	
30-41-5	Revoked	V. 15, p. 930
30-41-6a	Revoked	V. 15, p. 930
30-41-6b	Revoked	V. 15, p. 1895
30-41-6c	through	
30-41-6h	Revoked	V. 15, p. 930, 931
30-41-7a	through	
30-41-7i	Revoked	V. 15, p. 931
30-41-8	Revoked	V. 15, p. 931
30-41-10	through	
30-41-20	Revoked	V. 15, p. 931
30-46-10	Amended	V. 15, p. 1895
30-46-13	Amended	V. 15, p. 1896
30-46-15	Amended	V. 15, p. 1896
30-46-16	Amended	V. 15, p. 1896
30-46-17	Amended	V. 15, p. 1896
30-63-1	New	V. 15, p. 931
30-63-10	through	
30-63-14	New	V. 15, p. 931-933
30-63-20	New	V. 15, p. 933
30-63-21	New	V. 15, p. 933
30-63-22	New	V. 15, p. 934
30-63-23	New	V. 15, p. 1215
30-63-24	through	
30-63-31	New	V. 15, p. 934-937
30-64-1	New	V. 15, p. 937
30-64-10	through	
30-64-13	New	V. 15, p. 937
30-64-20	through	
30-64-34	New	V. 15, p. 938-942

AGENCY 40: KANSAS INSURANCE DEPARTMENT

Reg. No.	Action	Register
40-1-19	Amended	V. 16, p. 685
40-1-42	New	V. 16, p. 41
40-1-43	New	V. 16, p. 41
40-1-44	New	V. 16, p. 41
40-2-24	New	V. 16, p. 482
40-3-5	Amended	V. 16, p. 686
40-3-26	Amended	V. 16, p. 686
40-3-27	Amended	V. 16, p. 686
40-3-49	Amended	V. 16, p. 686
40-4-17	Amended	V. 15, p. 77
40-4-35	Amended	V. 15, p. 622
40-4-37	Amended	V. 15, p. 77
40-4-37d	Amended	V. 15, p. 78
40-4-41c	Amended	V. 16, p. 686
40-5-109	Amended	V. 15, p. 78
40-7-20a	Amended	V. 16, p. 483
40-7-21	Amended	V. 16, p. 484
40-8-7	Amended	V. 16, p. 687

AGENCY 47: DEPARTMENT OF HEALTH AND ENVIRONMENT (MINED-LAND CONSERVATION AND RECLAMATION)

Reg. No.	Action	Register
47-1-1	Revoked	V. 16, p. 585
47-1-3	Amended	V. 16, p. 585
47-1-4	Revoked	V. 16, p. 585
47-1-8	Amended	V. 16, p. 585
47-1-9	Amended	V. 16, p. 586
47-1-10	Revoked	V. 16, p. 586
47-1-11	Amended	V. 16, p. 586
47-2-14	Revoked	V. 16, p. 586
47-2-21	Amended	V. 16, p. 586
47-2-53	Amended	V. 16, p. 586
47-2-53a	Amended	V. 16, p. 586
47-2-58	Amended	V. 16, p. 586
47-2-64	Amended	V. 16, p. 586
47-2-67	Amended	V. 16, p. 587
47-2-74	Amended	V. 16, p. 587
47-2-75	Amended	V. 16, p. 587

47-3-1	Amended	V. 16, p. 587
47-3-2	Amended	V. 16, p. 588
47-3-3a	Amended	V. 16, p. 588
47-3-42	Amended	V. 16, p. 588
47-4-14a	Amended	V. 16, p. 590
47-4-15	Amended	V. 16, p. 595
47-4-16	Amended	V. 16, p. 598
47-4-17	Amended	V. 16, p. 598
47-5-5a	Amended	V. 16, p. 599
47-5-16	Amended	V. 16, p. 601
47-6-1	Amended	V. 16, p. 601
47-6-2	Amended	V. 16, p. 601
47-6-3	Amended	V. 16, p. 601
47-6-4	Amended	V. 16, p. 602
47-6-6	Amended	V. 16, p. 602
47-6-7	Amended	V. 16, p. 602
47-6-8	Amended	V. 16, p. 603
47-6-9	Amended	V. 16, p. 603
47-6-10	Amended	V. 16, p. 603
47-7-2	Amended	V. 16, p. 603
47-8-9	Amended	V. 16, p. 604
47-8-11	Amended	V. 16, p. 604
47-9-1	Amended	V. 16, p. 604
47-9-2	Amended	V. 16, p. 607
47-9-4	Amended	V. 16, p. 607
47-10-1	Amended	V. 16, p. 608
47-11-8	Amended	V. 16, p. 608
47-12-4	Amended	V. 16, p. 609
47-13-5	Amended	V. 16, p. 609
47-13-6	Amended	V. 16, p. 610
47-14-7	Amended	V. 16, p. 610
47-15-1a	Amended	V. 16, p. 610
47-15-3	Amended	V. 16, p. 611
47-15-4	Amended	V. 16, p. 611
47-15-7	Amended	V. 16, p. 611
47-15-8	Amended	V. 16, p. 611
47-15-15	Amended	V. 16, p. 612
47-15-17	Amended	V. 16, p. 612
47-16-1	through	
47-16-8	Amended	V. 16, p. 612-614
47-16-9	New	V. 16, p. 614
47-16-10	New	V. 16, p. 614
47-16-11	New	V. 16, p. 614

AGENCY 49: DEPARTMENT OF HUMAN RESOURCES

Reg. No.	Action	Register
49-45-10	through	
49-45-19	Revoked	V. 15, p. 1709
49-53-1	Revoked	V. 15, p. 1709
49-53-2	Revoked	V. 15, p. 1709

AGENCY 50: DEPARTMENT OF HUMAN RESOURCES—DIVISION OF EMPLOYMENT

Reg. No.	Action	Register
50-2-21	Amended	V. 15, p. 1707

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
60-1-104	New	V. 16, p. 436
60-2-101	Amended	V. 16, p. 437
60-2-102	through	
60-2-108	New	V. 16, p. 437-440
60-3-106	Amended	V. 16, p. 440
60-9-109	Revoked	V. 15, p. 1807
60-11-103	Amended	V. 15, p. 1931
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
60-16-102	Amended	V. 15, p. 1807
60-16-104	Amended	V. 15, p. 1807

**AGENCY 65: BOARD OF EXAMINERS
IN OPTOMETRY**

Reg. No.	Action	Register
65-5-6	Amended	V. 16, p. 300
65-5-9	New	V. 16, p. 249
65-5-10	New	V. 16, p. 250

**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 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
69-5-2	Revoked	V. 15, p. 295
69-5-6	Amended	V. 15, p. 295
69-5-10	Revoked	V. 15, p. 295
69-5-13	Revoked	V. 15, p. 295
69-5-14	New	V. 15, p. 295
69-5-15	New	V. 15, p. 295
69-5-16	New	V. 15, p. 295
69-6-1	Revoked	V. 15, p. 295
69-6-2	Amended	V. 15, p. 295
69-6-5	Amended	V. 15, p. 295
69-6-6	Revoked	V. 15, p. 296
69-6-7	Amended	V. 15, p. 296
69-8-2	Revoked	V. 15, p. 296
69-8-3	Revoked	V. 15, p. 296
69-8-4	Revoked	V. 15, p. 296
69-8-6	Revoked	V. 15, p. 296
69-11-1	Amended	V. 15, p. 296
69-11-2	Amended	V. 15, p. 296
69-13-1	Amended	V. 15, p. 296
69-13-2	Amended	V. 15, p. 296
69-14-1 through 69-14-5	New	V. 15, p. 971, 972

**AGENCY 70: BOARD OF VETERINARY
MEDICAL EXAMINERS**

Reg. No.	Action	Register
70-1-1	Amended	V. 16, p. 173
70-1-6	New	V. 16, p. 441

70-2-1	Revoked	V. 16, p. 173
70-2-2	Revoked	V. 16, p. 173
70-2-3	Revoked	V. 16, p. 173

70-4-1 through 70-4-7	Revoked	V. 16, p. 173
70-4-8	New	V. 16, p. 441
70-4-9	New	V. 16, p. 443
70-4-10	New	V. 16, p. 443
70-5-1	Amended	V. 16, p. 173
70-7-1	New	V. 16, p. 173
70-8-1	New	V. 16, p. 174
70-10-1	New	V. 16, p. 175

AGENCY 71: KANSAS DENTAL BOARD

Reg. No.	Action	Register
71-4-1	Amended	V. 15, p. 1860
71-4-3	Amended	V. 15, p. 1860

AGENCY 74: BOARD OF ACCOUNTANCY

Reg. No.	Action	Register
74-12-1	Amended	V. 15, p. 1215

**AGENCY 75: CONSUMER
CREDIT COMMISSIONER**

Reg. No.	Action	Register
75-6-3	Revoked	V. 15, p. 1129
75-6-4	Revoked	V. 15, p. 1129
75-6-7	Revoked	V. 15, p. 1129
75-6-8	Revoked	V. 15, p. 1129
75-6-9	Amended	V. 15, p. 1379
75-6-10	Revoked	V. 15, p. 1129
75-6-11	Revoked	V. 15, p. 1129
75-6-16	Revoked	V. 15, p. 1129
75-6-17	Revoked	V. 15, p. 1129
75-6-18	Revoked	V. 15, p. 1129
75-6-25	Revoked	V. 15, p. 1129
75-6-26	Amended	V. 16, p. 301
75-6-29	Revoked	V. 15, p. 1129
75-8-1 through 75-8-11	Revoked	V. 15, p. 1129

**AGENCY 80: KANSAS PUBLIC EMPLOYEES
RETIREMENT SYSTEM**

Reg. No.	Action	Register
80-8-2	Amended	V. 15, p. 1832
80-8-3	Amended	V. 15, p. 1832
80-8-4	Amended	V. 15, p. 1833
80-8-7	Amended	V. 15, p. 1833

**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
81-6-1	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. 15, p. 1538
82-3-103	Amended	V. 15, p. 1541
82-3-206	Amended	V. 15, p. 1670
82-3-307	Amended	V. 15, p. 1670
82-3-700 through 82-3-704	New	V. 15, p. 1542-1544

AGENCY 86: REAL ESTATE COMMISSION

Reg. No.	Action	Register
86-1-5	Amended	V. 15, p. 598
86-1-11	Amended	V. 15, p. 1831

86-3-25	Amended	V. 15, p. 1331
---------	---------	----------------

**AGENCY 91: DEPARTMENT OF
EDUCATION**

Reg. No.	Action	Register
91-1-68c	Amended	V. 15, p. 1863
91-5-3	Amended	V. 15, p. 1864
91-10-2	Amended	V. 16, p. 409
91-12-22	Amended	V. 15, p. 226
91-12-61	Amended	V. 15, p. 230
91-31-1	Revoked	V. 15, p. 1864
91-31-2	Revoked	V. 15, p. 1864
91-31-3	Revoked	V. 15, p. 1864
91-31-4	Revoked	V. 15, p. 1864
91-31-4a	Revoked	V. 15, p. 1864
91-31-5	Revoked	V. 15, p. 1864
91-31-6	Revoked	V. 15, p. 1864
91-31-7	Revoked	V. 15, p. 1864
91-31-8	Revoked	V. 15, p. 1864
91-31-9	Revoked	V. 15, p. 1864
91-31-10	Revoked	V. 15, p. 1865
91-31-12a through 91-31-12h	Revoked	V. 15, p. 1865
91-31-13	Revoked	V. 15, p. 1865
91-31-14	Revoked	V. 15, p. 1865
91-31-14a	Revoked	V. 15, p. 1865
91-31-14b	Revoked	V. 15, p. 1865
91-31-14c	Revoked	V. 15, p. 1865
91-31-15	Revoked	V. 15, p. 1865
91-31-16 through 91-31-30	New	V. 15, p. 1865-1869
91-33-1 through 91-33-8	Revoked	V. 15, p. 1869
91-34-1 through 91-34-5	Revoked	V. 15, p. 1870
91-34-7 through 91-34-14	Revoked	V. 15, p. 1870

AGENCY 98: KANSAS WATER OFFICE

Reg. No.	Action	Register
98-5-1	Amended	V. 15, p. 1708
98-5-8	New	V. 15, p. 1709

AGENCY 100: BOARD OF HEALING ARTS

Reg. No.	Action	Register
100-23-1	Amended	V. 16, p. 652
100-29-1 through 100-29-14	New	V. 16, p. 380-384
100-34-3	Revoked	V. 16, p. 384
100-34-4	Revoked	V. 16, p. 384
100-35-1	Revoked	V. 16, p. 384
100-35-3	Revoked	V. 16, p. 384
100-35-6	Revoked	V. 16, p. 384
100-35-7	Revoked	V. 16, p. 384
100-36-1	Revoked	V. 16, p. 384
100-37-1	Revoked	V. 16, p. 384
100-37-2	Revoked	V. 16, p. 384
100-38-1	Revoked	V. 16, p. 385
100-39-1	Revoked	V. 16, p. 385
100-40-2	Revoked	V. 16, p. 385
100-42-2	Revoked	V. 16, p. 385
100-46-1	Revoked	V. 16, p. 385
100-46-2	Revoked	V. 16, p. 385
100-46-3	Revoked	V. 16, p. 385
100-46-5	Revoked	V. 16, p. 385
100-46-6	Revoked	V. 16, p. 385
100-47-1	Revoked	V. 16, p. 385
100-54-7	Amended	V. 16, p. 142
100-55-1 through 100-55-8	Amended	V. 15, p. 1928-1930
100-55-9	New	V. 15, p. 1930
100-55-10	New	V. 15, p. 1930
100-69-1 through 100-69-9	New	V. 15, p. 1021, 1022

**AGENCY 104: STATE BANKING
DEPARTMENT, CONSUMER CREDIT
COMMISSIONER AND DEPARTMENT
OF CREDIT UNIONS**

Reg. No.	Action	Register
104-1-2	Amended	V. 15, p. 1129

(continued)

AGENCY 105: BOARD OF INDIGENTS' DEFENSE SERVICES		
Reg. No.	Action	Register
105-3-2	Amended	V. 15, p. 1583
105-3-12	New	V. 15, p. 1584
105-4-2	Amended	V. 15, p. 1584
105-5-4	Amended	V. 15, p. 1584
AGENCY 108: STATE EMPLOYEES HEALTH CARE COMMISSION		
Reg. No.	Action	Register
108-1-1	Amended	V. 16, p. 651
AGENCY 109: BOARD OF EMERGENCY MEDICAL SERVICES		
Reg. No.	Action	Register
109-1-1	Amended	V. 16, p. 77
109-1-2	New	V. 16, p. 79
109-2-1	Amended	V. 16, p. 79
109-2-2	Amended	V. 16, p. 79
109-2-3	Revoked	V. 16, p. 79
109-2-4	through	
109-2-9	Amended	V. 16, p. 79-84
109-2-11	Amended	V. 16, p. 85
109-2-12	Amended	V. 16, p. 86
109-2-13	New	V. 16, p. 87
109-2-14	New	V. 16, p. 89
109-3-1	Amended	V. 16, p. 89
109-4-1	Revoked	V. 16, p. 89
109-4-2	Revoked	V. 16, p. 89
109-4-3	Revoked	V. 16, p. 89
109-5-1	Amended	V. 15, p. 1585
109-6-1	Amended	V. 15, p. 1586
109-6-2	New	V. 15, p. 1586
109-7-1	Amended	V. 15, p. 1586
109-8-1	Amended	V. 16, p. 685
109-10-1	Amended	V. 15, p. 1587
109-14-1	New	V. 16, p. 89
AGENCY 111: KANSAS LOTTERY		
Reg. No.	Action	Register
111-1-2	Amended	V. 7, p. 1190
111-1-5	Amended	V. 15, p. 1304
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
111-2-4	Amended	V. 15, p. 1953
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. 1180
111-2-31	New	V. 14, p. 170
111-2-32	through	
111-2-42	Revoked	V. 16, p. 448, 449
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	Amended	V. 16, p. 449
111-2-48	New	V. 15, p. 1055
111-2-49	New	V. 15, p. 1055
111-2-50	New	V. 15, p. 1056
111-2-51	New	V. 15, p. 1440
111-2-52	New	V. 15, p. 1441
111-2-53	New	V. 15, p. 1710
111-2-54	New	V. 15, p. 1920
111-2-55	New	V. 15, p. 1953
111-2-56	New	V. 16, p. 449
111-2-57	New	V. 16, p. 449

111-2-58	New	V. 16, p. 689
111-3-1	Amended	V. 14, p. 968
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	through	
111-4-106	Revoked	V. 16, p. 450
111-4-106a	Revoked	V. 16, p. 450
111-4-107	through	
111-4-114	Revoked	V. 16, p. 450, 451
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
111-4-221	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	
111-4-290	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
111-4-308	through	
111-4-317	Revoked	V. 16, p. 451
111-4-318	through	
111-4-321	Revoked	V. 12, p. 114
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	
111-4-340	Revoked	V. 16, p. 451
111-4-341	Revoked	V. 11, p. 1473
111-4-341a	Revoked	V. 12, p. 1372
111-4-341b	Revoked	V. 16, p. 451
111-4-341c	Revoked	V. 16, p. 451
111-4-342	through	
111-4-345	Revoked	V. 16, p. 451
111-4-346	through	
111-4-349	Revoked	V. 12, p. 114
111-4-350	through	
111-4-355	Revoked	V. 16, p. 452
111-4-356	through	
111-4-361	Revoked	V. 14, p. 7
111-4-362	through	
111-4-365	Revoked	V. 12, p. 114, 115
111-4-366	through	
111-4-369	Revoked	V. 12, p. 1373
111-4-370	through	
111-4-379	Revoked	V. 14, p. 7, 8
111-4-380	through	
111-4-383	Revoked	V. 12, p. 1664
111-4-384	through	
111-4-387	Revoked	V. 12, p. 1373
111-4-388	through	
111-4-391	Revoked	V. 12, p. 1373
111-4-392	through	
111-4-400	Revoked	V. 16, p. 252
111-4-401	through	
111-4-404	Revoked	V. 12, p. 1373
111-4-405	through	
111-4-413	Revoked	V. 16, p. 452
111-4-414	through	
111-4-428	Revoked	V. 14, p. 8
111-4-429	through	
111-4-432	Revoked	V. 12, p. 1373
111-4-433	through	
111-4-436	Revoked	V. 12, p. 1374
111-4-437	through	
111-4-440	Revoked	V. 12, p. 1374
111-4-441	through	
111-4-444	Revoked	V. 14, p. 8
111-4-445	through	
111-4-448	Revoked	V. 12, p. 1374

111-4-449 through 111-4-453	Revoked	V. 14, p. 8	111-4-817 through 111-4-824	New	V. 15, p. 289, 290	111-6-5 Amended	V. 15, p. 1187
111-4-454 through 111-4-465	Revoked	V. 12, p. 1664, 1665	111-4-825 through 111-4-838	New	V. 15, p. 449-452	111-6-6 Amended	V. 11, p. 1973
111-4-466 through 111-4-469	Revoked	V. 12, p. 1665	111-4-839 through 111-4-854	New	V. 15, p. 624-627	111-6-7 Amended	V. 11, p. 1477
111-4-470 through 111-4-477	Revoked	V. 16, p. 452, 453	111-4-855 through 111-4-859	New	V. 15, p. 884, 885	111-6-7a Amended	V. 15, p. 1188
111-4-478 through 111-4-492	Revoked	V. 14, p. 974, 975	111-4-859 Amended	V. 15, p. 1181	111-6-8 Revoked	111-6-8 Revoked	V. 12, p. 1263
111-4-493 through 111-4-496	Revoked	V. 16, p. 453	111-4-860 through 111-4-872	New	V. 15, p. 1056-1059	111-6-9 Revoked	V. 14, p. 313
111-4-497 through 111-4-512	Revoked	V. 14, p. 975	111-4-872 Amended	V. 15, p. 1181	111-6-11 Revoked	111-6-11 Revoked	V. 12, p. 1376
111-4-513 through 111-4-521	Revoked	V. 16, p. 453	111-4-873 through 111-4-892	New	V. 15, p. 1181-1186	111-6-12 Amended	V. 8, p. 212
111-4-522 through 111-4-571	Revoked	V. 14, p. 975-977	111-4-893 through 111-4-910	New	V. 15, p. 1441-1445	111-6-13 Amended	V. 8, p. 299
111-4-572 through 111-4-585	New	V. 13, p. 878-880	111-4-911 through 111-4-918	New	V. 15, p. 1475, 1476	111-6-15 Amended	V. 12, p. 677
111-4-572 Amended	V. 15, p. 882	111-4-918 Amended	V. 15, p. 1954	111-4-918 Amended	V. 15, p. 1954	111-6-17 Revoked	V. 10, p. 1475
111-4-574 Amended	V. 15, p. 882	111-4-919 through 111-4-941	New	V. 15, p. 1710-1716	111-6-18 New	111-6-18 New	V. 13, p. 150
111-4-575 Amended	V. 15, p. 882	111-4-942 through 111-4-965	New	V. 15, p. 1921-1926	111-6-19 New	111-6-19 New	V. 13, p. 340
111-4-576 Amended	V. 15, p. 882	111-4-966 through 111-4-970	New	V. 15, p. 1954, 1955	111-6-20 Amended	111-6-20 Amended	V. 15, p. 1716
111-4-577 Amended	V. 15, p. 883	111-4-971 through 111-4-982	New	V. 16, p. 341-344	111-6-21 New	111-6-21 New	V. 13, p. 881
111-4-579 Amended	V. 15, p. 883	111-4-983 through 111-4-991	New	V. 16, p. 456, 457	111-6-22 New	111-6-22 New	V. 13, p. 881
111-4-581 Amended	V. 15, p. 883	111-4-992 through 111-4-1012	New	V. 16, p. 689-694	111-6-23 New	111-7-1 New	V. 13, p. 881
111-4-582 Amended	V. 15, p. 883	111-5-1 through 111-5-23	New	V. 7, p. 209-213	111-7-1 through 111-7-10	111-7-10 New	V. 7, p. 1192, 1193
111-4-583 Amended	V. 15, p. 883	111-5-24 through 111-5-25	Amended	V. 11, p. 415-418	111-7-10 Amended	111-7-1 Amended	V. 8, p. 212
111-4-584 Amended	V. 15, p. 884	111-5-25 Amended	V. 15, p. 1059	111-5-25 Amended	V. 11, p. 983	111-7-3 Amended	V. 11, p. 1796
111-4-586 through 111-4-606	Revoked	V. 14, p. 977, 978	V. 11, p. 1059	111-5-27 Amended	V. 15, p. 1059	111-7-3a Revoked	V. 13, p. 340
111-4-607 through 111-4-619	New	V. 13, p. 1436-1438	V. 11, p. 482	111-5-28 Amended	V. 15, p. 1060	111-7-4 Amended	V. 9, p. 1367
111-4-607 Amended	V. 14, p. 1407	111-4-619 Amended	V. 14, p. 1095-1098	111-5-29 Amended	V. 15, p. 1060	111-7-5 Amended	V. 9, p. 986
111-4-609 Amended	V. 14, p. 1407	111-4-613 Amended	V. 14, p. 1408, 1409	111-5-34 New	V. 12, p. 318	111-7-6 Amended	V. 9, p. 987
111-4-610 Amended	V. 14, p. 1407	111-4-616 through 111-4-623	Revoked	V. 14, p. 1098	111-5-34a Amended	111-7-7 Amended	V. 12, p. 1263
111-4-611 Amended	V. 14, p. 1407	111-4-624 through 111-4-702	Revoked	V. 13, p. 1439	111-5-35 through 111-5-38	111-7-11 Amended	V. 15, p. 1188
111-4-613 Amended	V. 14, p. 1408	111-4-703 through 111-4-723	Revoked	V. 13, p. 1439	111-5-38 Revoked	111-7-12 through 111-7-33	V. 7, p. 1194-1196
111-4-616 through 111-4-623	Revoked	V. 16, p. 453-455	111-5-39 through 111-5-44	New	V. 15, p. 1022, 1023	111-7-33 through 111-7-43	V. 7, p. 1197, 1198
111-4-624 through 111-4-702	Revoked	V. 14, p. 909-914	111-5-45 through 111-5-50	New	V. 15, p. 1060-1062	111-7-33a New	V. 8, p. 300
111-4-703 through 111-4-723	New	V. 14, p. 978-981	111-5-51 through 111-5-52	New	V. 16, p. 458, 459	111-7-44 through 111-7-54	V. 13, p. 340
111-4-724 through 111-4-736	New	V. 14, p. 1095-1098	111-5-52 Amended	V. 15, p. 1186	111-7-54 Amended	111-7-54 Amended	V. 11, p. 1152
111-4-737 through 111-4-749	New	V. 14, p. 1095-1098	111-5-51 New	V. 15, p. 1477	111-7-55 through 111-7-63	111-7-46 Amended	V. 11, p. 1511
111-4-750 through 111-4-757	New	V. 14, p. 1408, 1409	111-6-1 through 111-6-15	New	V. 7, p. 213-217	111-7-46 Amended	V. 11, p. 1511
111-4-758 through 111-4-761	New	V. 14, p. 1502, 1503	111-6-1 Amended	V. 7, p. 213-217	V. 15, p. 1445	111-7-63 Revoked	V. 10, p. 1217
111-4-762 through 111-4-778	New	V. 14, p. 1410-1414	111-6-1 Amended	V. 14, p. 313	V. 10, p. 1413	111-7-60 Amended	V. 10, p. 262
111-4-769 Amended	V. 14, p. 1503	111-4-779 through 111-4-791	New	V. 14, p. 1504-1507	111-7-64 through 111-7-75	111-7-60 Amended	V. 11, p. 1314
111-4-791 through 111-4-792	New	V. 14, p. 1635-1638	111-6-1 Amended	V. 15, p. 1477	111-7-75 New	111-7-63 Revoked	V. 11, p. 1314
111-4-803 through 111-4-804	New	V. 14, p. 1635-1638	111-6-1 Amended	V. 15, p. 1477	111-7-75 Amended	111-7-63 Revoked	V. 15, p. 1304
111-4-816 through 111-4-816	New	V. 15, p. 116-119	111-6-4 Amended	V. 10, p. 1413	111-7-66a Revoked	111-7-64 through 111-7-75	V. 13, p. 340

111-9-1 through 111-9-12	New	V. 7, p. 1714-1716
111-9-1 through 111-9-6	Revoked	V. 9, p. 1680
111-9-13 through 111-9-18	Revoked	V. 9, p. 1680
111-9-25 through 111-9-30	New	V. 9, p. 699, 700
111-9-31 through 111-9-36	New	V. 10, p. 262
111-9-37 through 111-9-48	New	V. 10, p. 1439, 1440
111-9-49 through 111-9-54	New	V. 12, p. 318, 319
111-9-55 through 111-9-60	New	V. 12, p. 1263, 1264
111-10-1 through 111-10-9	New	V. 8, p. 136-138
111-10-7	Amended	V. 8, p. 301

AGENCY 112: KANSAS RACING AND GAMING COMMISSION

Reg. No.	Action	Register
112-3-17	Amended	V. 15, p. 182
112-3-19	Amended	V. 15, p. 222
112-4-1	Amended	V. 15, p. 223

112-4-4a	New	V. 15, p. 182
112-4-4b	New	V. 15, p. 1709
112-4-14b	Amended	V. 15, p. 1379
112-5-1	Amended	V. 15, p. 1125
112-5-2	Amended	V. 15, p. 224
112-6-1	Amended	V. 15, p. 1126
112-6-2	Amended	V. 15, p. 224
112-7-18	Amended	V. 15, p. 1801
112-10-6	Amended	V. 16, p. 379
112-10-35	Amended	V. 15, p. 1126
112-10-38	Amended	V. 15, p. 887
112-11-13a	Amended	V. 15, p. 1127
112-11-20	Amended	V. 15, p. 1127
112-16-14	Amended	V. 16, p. 380
112-17-15	Amended	V. 15, p. 888
112-18-21	New	V. 15, p. 1589
112-18-22	New	V. 15, p. 1590

AGENCY 115: DEPARTMENT OF WILDLIFE AND PARKS

Reg. No.	Action	Register
115-2-1	Amended	V. 16, p. 248
115-2-5	Amended	V. 15, p. 1093
115-4-1	Amended	V. 15, p. 546
115-4-3	Amended	V. 15, p. 547
115-4-5	Amended	V. 15, p. 548
115-4-7	Amended	V. 15, p. 549
115-30-3	Amended	V. 16, p. 249
115-30-6	Amended	V. 16, p. 249

AGENCY 117: REAL ESTATE APPRAISAL BOARD

Reg. No.	Action	Register
117-1-1	Amended	V. 15, p. 489
117-2-2	Amended	V. 16, p. 302
117-3-2	Amended	V. 16, p. 303
117-4-2	Amended	V. 16, p. 304
117-6-3	Amended	V. 15, p. 489
117-8-1	Amended	V. 15, p. 490

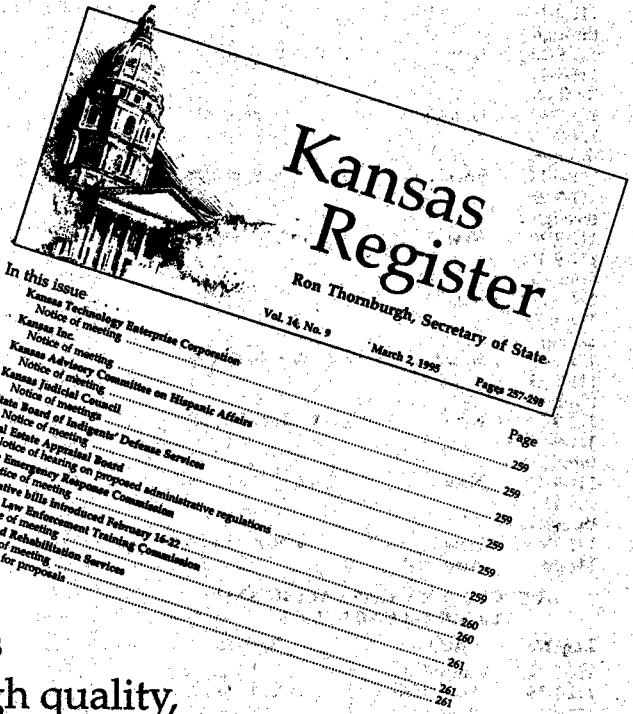
AGENCY 121: DEPARTMENT OF CREDIT UNIONS

Reg. No.	Action	Register
121-2-1	New	V. 15, p. 887
121-3-1	New	V. 15, p. 1474
121-4-1 through 121-4-11	New	V. 16, p. 72-77

AGENCY 122: POOLED MONEY INVESTMENT BOARD

Reg. No.	Action	Register
122-2-2	Amended	V. 16, p. 42
122-3-1	Amended	V. 16, p. 42
122-3-2	Amended	V. 16, p. 43
122-3-3	Amended	V. 16, p. 43
122-3-4	Amended	V. 16, p. 43
122-3-5	Amended	V. 16, p. 43
122-3-7	Amended	V. 16, p. 43
122-3-9	Amended	V. 16, p. 44
122-3-10	Amended	V. 16, p. 44
122-3-11	Amended	V. 16, p. 44
122-4-1	Amended	V. 16, p. 44
122-5-1	Amended	V. 16, p. 44

Order a custom-made loose-leaf binder for the Kansas Register!



Custom-made Kansas Register binders are now available. These binders will attractively hold up to a year's worth of your copies of the Kansas Register for permanent use. They are high quality, durable casebound Swing Hinge® binders made by McBee Loose Leaf Binder Products. (A Swing Hinge® binder has more capacity and allows for easier interfiling than standard ring binders.) The three-inch binders feature dark blue supported vinyl covering and gold imprinting.

\$12 each, includes shipping and handling.

(Kansas residents must include an additional \$.74 state and local sales tax.)

Clip and mail

Please send _____

Kansas Register Binders @ \$12 each
(Note: Kansas residents must include an additional \$.74 state and local sales tax.)

Total enclosed _____

Ship to:

Shipping is by
U.P.S. Delivery Service --
Street address is necessary.

Mail this form, with payment, to: Kansas Register, Kansas Secretary of State, 2nd Floor,
State Capitol, 300 S.W. 10th Ave., Topeka, KS 66612-1594

**Kansas Register
Secretary of State
2nd Floor, State Capitol
300 S.W. 10th Ave.
Topeka, KS 66612-1594**

Use this form or a copy of it to enter a subscription:

_____ **One-year subscriptions @ \$70 ea.
(Kansas residents must include
\$4.31 state and local sales tax.)**

Total Enclosed _____
(Make checks payable to the Kansas Register)

Send to:

(Please, no
more than
4 address
lines.)

Zip code must be included

This space for Register office use only.
Rec. No. _____
Exp. _____
Code _____

Use this form or a copy of it to enter a name or address change:

Remove your mailing label (above) and affix it here:

**Indicate change of name or address
here:**

**Mail either form to: Kansas Register, Secretary of State, 2nd Floor,
State Capitol, 300 S.W. 10th Ave., Topeka, KS 66612-1594**