

Kansas Register

Ron Thornburgh, Secretary of State

Vol. 16, No. 40 October 2, 1997 Pages 1617-1648

In this issue . . .

| | Page |
|--|------|
| Secretary of State | |
| Executive appointments | 1618 |
| Usury rate for October | 1621 |
| State Records Board | |
| Notice of meeting | 1619 |
| Statewide Independent Living Council | |
| Notice of meeting | 1619 |
| Legislative interim committee schedule | 1619 |
| Kansas Commission on Veterans' Affairs | |
| Notice of meeting | 1620 |
| Kansas Judicial Council | |
| Notice of meetings | 1620 |
| Department of Transportation | |
| Notice of public auction | 1620 |
| Notice to consulting engineers | 1634 |
| Notice to contractors | 1638 |
| Pooled Money Investment Board | |
| Notice of hearing on proposed administrative regulations | 1621 |
| Notice of investment rates | 1622 |
| Kansas Commission on Governmental Standards and Conduct | |
| Advisory Opinions No. 97-43 through 97-45 | 1622 |
| Attorney General | |
| Opinions No. 97-72 through 97-78 | 1624 |
| Permanent administrative regulations | |
| Kansas Insurance Department | 1626 |
| Notice of Bond Sale | |
| Topeka and Shawnee County Public Library District | 1625 |
| City of Johnson City | 1626 |
| City of DeSoto | 1627 |
| City of Osawatomie | 1628 |
| City of Emporia | 1629 |
| Kansas State University | |
| Notice to bidders | 1630 |
| Board of Emergency Medical Services | |
| Notice of hearing on proposed administrative regulations | 1630 |
| Board of Healing Arts | |
| Notice of hearing on proposed administrative regulations | 1630 |
| Department of Administration—Division of Purchases | |
| Notice to bidders for state purchases | 1631 |
| Department of Health and Environment | |
| Request for comments on proposed municipal solid waste landfill permit | 1632 |
| Notice of hearing on proposed administrative regulations | 1632 |
| Notice concerning Kansas water pollution control permits | 1636 |
| State Corporation Commission | |
| Notice of motor carrier hearings | 1633 |
| Notice of hearing | 1634 |
| Index to administrative regulations | 1640 |
| Annual statement of ownership, management and circulation | 1646 |

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. A complete listing of Kansas state agencies, boards and commissions are included in the Kansas Directory, published by the Secretary of State. The following appointments, which are effective immediately unless otherwise specified, were recently filed with the Secretary of State:

**Grant County Commissioner,
2nd District**

Madison M. Traster, 1010 N. Arapahoe, Ulysses, 67880. Term expires when a successor is elected and qualifies according to law. Succeeds Sam Maruyama, deceased.

Jackson County Sheriff

Daina D. Durham, 20857 W Road, Holton, 66436. Term expires when a successor is elected and qualifies according to law. Succeeds Phil McManigal, resigned.

**Morton County Commissioner,
3rd District**

Allen D. Tucker, 221 3rd St., Elkhart, 67950. Term expires when a successor is elected and qualifies according to law. Succeeds Claudine Davidson, resigned.

Rush County Attorney

Thomas E. Patterson, 520 Maple, LaCrosse, 67548. Term expires when a successor is elected and qualifies according to law. Succeeds Ivan D. Krug, resigned.

Southwest Kansas Regional Library System

Mary A. Bain, Box 144, Bazine, 67516. Term expires June 30, 2001. Succeeds Thelma Atwell.

Sue Farmer, Route 2, Liberal, 67901. Term expires June 30, 2001. Succeeds Bonnie Atwell.

Gloria Howell, Route 1, Box 123, Ashland, 67831. Term expires June 30, 2001. Reappointment.

Dinah M. Mellard, 9041 20 Road, Meade, 67864. Term expires June 30, 2001. Reappointment.

Kansas Military Board

Brig. Gen. Brian Barents, 13029 Pinehurst, Wichita, 67230. Serves at the pleasure of the Governor. Succeeds Brig. Gen. John J. Crawford, Jr.

**State Examining Committee
for Physical Therapy**

Stephen M. Chandler, P.T., Route 5, Box 195, Hiawatha, 66434. Term expires June 30, 2001. Succeeds Jackie S. Rawlings, P.T.

Real Estate Appraisal Board

Gary A. Freeman, CPA, Regier, Carr & Monroe, LLP, 300 W. Douglas, Suite 100, Wichita, 67202. Term expires June 30, 1998. Succeeds Elmer Peters, deceased.

Kenneth J. Lickteig, 208 S. Westview, Chanute, 66720. Term expires June 30, 2000. Succeeds Robert Niehues, Jr.

David E. Matson, 650 N. Crestway, Wichita, 67208. Term expires June 30, 2000. Reappointment.

Real Estate Commission

Jerry Gray, J.P. Weigand & Sons, Inc., 150 N. Market, Wichita, 67202. Term expires April 30, 2001. Succeeds F. Patrick Egan.

G. Reid Teaney, 12721 Wenonga Lane, Leawood, 66209. Term expires April 30, 2001. Succeeds Francis Thorne.

Ron Thornburgh
Secretary of State

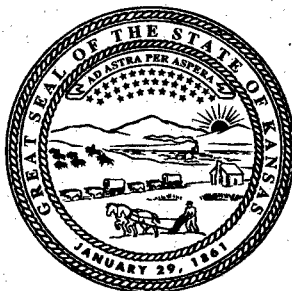
Doc. No. 019715

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
(785) 296-4564



Register Office:
Room 233-N, State Capitol
(785) 296-3489
Fax (785) 291-3051

State of Kansas

State Records Board

Notice of Meeting

The Kansas State Records Board will meet at 10 a.m. Thursday, October 9, at the Kansas History Center, 6425 S.W. 6th Ave., Topeka. The board will consider requests from state agencies submitting proposals for retention and disposition of noncurrent government records. In addition, general administrative matters and other business will be discussed.

Patricia A. Michaelis
State Archivist

Doc. No. 019700

State of Kansas

Statewide Independent Living Council

Notice of Meeting

The Statewide Independent Living Council of Kansas, Inc. will meet at 10 a.m. Friday, October 24, at the Holiday Inn, 4020 Parkview Drive, Pittsburg. For further information, contact Shannon Jones at (785) 234-6990 (Voice/TDD).

Shannon Jones
Executive Director

Doc. No. 019717

State of Kansas

Legislature

Interim Committee Schedule

The following committee meetings have been scheduled during the period of October 6 through October 19:

| Date | Room | Time | Committee | Agenda |
|------------|---------|------------|---|---|
| October 6 | Ulysses | 10:00 a.m. | Legislative Post Audit Committee | Legislative matters. |
| October 7 | 529-S | 10:00 a.m. | Committee on Broadcasting | Review information about 1998 televising of the legislature. |
| October 7 | 514-S | 10:00 a.m. | Health Care Reform | 7th: Child health coverage (Title XXI). |
| October 8 | 514-S | 9:00 a.m. | Legislative Oversight Committee | 8th: Health data collection; rural health access. |
| October 7 | 519-S | 10:00 a.m. | Special Committee on Governmental Organization | Hearing, discussion and decisions regarding confidentiality of personal information gathered by state agencies and repeal of certain local government statutes. |
| October 8 | 519-S | 9:00 a.m. | | Agenda unavailable. |
| October 9 | 514-S | 9:00 a.m. | Special Committee on Community College Governance | Agenda unavailable. |
| October 10 | 514-S | 9:00 a.m. | | |
| October 9 | 519-S | 10:00 a.m. | Special Committee on Judiciary | Agenda unavailable. |
| October 10 | 519-S | 9:00 a.m. | | |
| October 13 | | | 1997 Ways and Means/ Appropriations Biennial Tour | 13th: Topeka, Atchison, Leavenworth, Lansing, and lodging in Lawrence; 14th: Lawrence, Kansas City, Overland Park, and lodging in Lenexa; 15th: Marais des Cygnes, a waterfowl area, Fort Scott, Pittsburg, Oswego, Independence, with lodging in Independence; 16th: Winfield and Wichita, with lodging in Wichita; 17th: Wichita and Manhattan. |
| October 14 | | | | |
| October 15 | | | | |
| October 16 | | | | |
| October 16 | 123-S | 10:00 a.m. | Legislative Coordinating Council | Legislative matters. |

Emil Lutz
Director of Legislative
Administrative Services

Doc. No. 019718

State of Kansas

Commission on Veterans' Affairs

Notice of Meeting

The Kansas Commission on Veterans' Affairs will meet at 2:30 p.m. Friday, October 24, in the auditorium of Eisenhower Hall at the Kansas Soldiers' Home, Fort Dodge. The public is invited to attend.

Don Myer
Executive Director

Doc. No. 019711

State of Kansas

Kansas Judicial Council

Notice of Meetings

The Kansas Judicial Council and its advisory committees will meet according to the following schedule at the Kansas Judicial Center, 301 S.W. 10th Ave., Topeka:

| Date | Committee | Time | Location |
|---------|--------------------------|-----------|--------------------------------|
| Oct. 2 | Care & Treatment | 9:30 a.m. | Room 259 |
| Oct. 3 | Probate Law | 9:30 a.m. | Room 259 |
| Oct. 8 | Lien Law | 9:30 a.m. | Federal Courthouse, Wichita |
| Oct. 10 | PIK-Criminal | 9:30 a.m. | Room 275-N |
| Oct. 10 | Chapter 61 | 9:30 a.m. | Room 259 |
| Oct. 17 | Judicial Council | 9:00 a.m. | Room 259 |
| Oct. 24 | Administrative Procedure | 9:30 a.m. | Room 259 |
| Oct. 24 | Municipal Court | 9:30 a.m. | Room 275-N |
| Nov. 6 | Care & Treatment | 9:30 a.m. | Room 259 |
| Nov. 7 | Criminal Law | 9:30 a.m. | Room 275-N |
| Nov. 7 | Probate Law | 9:30 a.m. | Room 259 |
| Nov. 7 | Chapter 61 | 9:30 a.m. | Room 364-N |
| Nov. 14 | PIK-Criminal | 9:30 a.m. | Room 259 |
| Nov. 21 | Judicial Council | 9:30 a.m. | Room 259 |

Hon. Tyler C. Lockett
Chair

Doc. No. 019719

State of Kansas

Department of Transportation

Notice of Public Auction

The Kansas Secretary of Transportation will offer for sale and removal at public auction November 6 the following improvements located in Reno County, Kansas, described as follows:

- 8:30 a.m. Tr. 8 - 3610 Nickerson Blvd., Hutchinson, Kansas (located 3 miles west of Hutchinson on the north side of K-96) - 1,865 sq. ft. house with living room, kitchen/dining, 3 bedrooms and 1 bathroom.
1,472 sq. ft. built on mobile home with living room, kitchen/dining, 4 bedrooms and 1 bathroom.
890 sq. ft. two-car detached garage with attached carport and shop area.
998 sq. ft. shed.

- 9:30 a.m. Tr. 9 - 3612 Nickerson Blvd., Hutchinson, Kansas (located 3 miles west of Hutchinson on the north side of K-96) - 1,420 sq. ft. house

with living room, dining, kitchen, 3 bedrooms, 1 bathroom, laundry room and storage room.

- 10:30 a.m. Tr. 27 - 3216 W. 4th Ave., Hutchinson, Kansas (located on the northwest corner of West 4th Ave. and Westridge Drive) - 1,955 sq. ft. house with living room, kitchen/dining, 4 bedrooms, 2 baths, and laundry area.
Wood frame shop building.

- 11:30 a.m. Tr. 33 - 3414 W. 4th Ave., Hutchinson, Kansas (located on the northeast corner of 4th Ave. and Westside Villa Drive) - 1,320 sq. ft. house with living room, dining room, kitchen, 2 bedrooms, and 1 bath.
Detached garage.

An inspection of properties will be October 28 from 11 a.m. to noon and 30 minutes prior to each sale.

| | |
|--|---------|
| Performance Bonds: Houses and Mobile Home..... | \$2,500 |
| Detached Garages | \$1,000 |
| Wood Frame Shop | \$1,000 |
| Shed | \$ 500 |

The successful bidders will be required to remove the structures from the right of way on or before March 6, 1998. A performance bond equal to the amount specified above for each sale must be posted on the day of the sale as guarantee of removal of the structures. Any item not removed from the right of way on or before the specified date shall revert to and become the property of the Kansas Department of Transportation. The purchasers shall have no right, title, interest or claim to or lien upon said remaining items or part thereof, nor any claim against the Department of Transportation for the sale price paid after said date.

Purchasers shall not permit use or occupancy of said structures pending removal from highway right of way. If applicable, the purchaser shall, during interim period of moving the improvement and filling in the basement, mark the area with tape, ribbon or fencing, warning the public of the opening.

The Kansas Department of Transportation ensures the acceptance of any bid pursuant to this notice will be without discrimination on the grounds of sex, race, color, religion, physical handicap or national origin.

Terms of Sale:

Money order, certified check or cashier's check for full price on the day of sale, payable to "Kansas Department of Transportation." Purchasers will receive a bill of sale.

The seller reserves the right to reject any and all bids and is not responsible for accidents. For additional information, contact Rodney Miller or Vicky Harth, Bureau of Right of Way, (785) 296-3501.

E. Dean Carlson
Secretary of Transportation

Doc. No. 019712

State of Kansas

Secretary of State

Usury Rate for October

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 October 1, 1997 through October 31, 1997, is 9.03 percent.

Ron Thornburgh
Secretary of State

Doc. No. 019704

State of Kansas

Pooled Money Investment Board

Notice of Hearing on Proposed
Administrative Regulations

A public hearing will be conducted at 10:30 a.m. Tuesday, December 9, in Room 106, Landon State Office Building, 900 S.W. Jackson, Topeka, to consider the adoption of a proposed rule and regulation of the Pooled Money Investment Board on a permanent basis.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed rule and regulation. All interested parties may submit written comments prior to the hearing to Derl Treff, Director of Investments, Pooled Money Investment Board, Room 209, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulation during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request each participant to limit any oral presentation to five minutes.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulation and economic impact statement in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Faith Loretto at (785) 296-6000 or (785) 296-4798 (TTY). Handicapped parking is located at the south end of Landon State Office Building, and the north entrance to the building is accessible.

Summaries of the proposed regulation and its economic impact follow.

K.A.R. 122-2-2 establishes requirements for collateral provided by those qualified depository institutions to secure state bank accounts. The regulation is being amended in the following ways:

Subsection (a) is amended to clarify that the securities offered as collateral by a qualified depository institution can be accepted or rejected by the Pooled Money Investment Board, as provided in K.S.A. 75-4201(k).

Subsection (d) establishes requirements relating to corporate surety bonds that have been offered as collateral.

Paragraph (5) of subsection (d) is amended to provide that the ability of the issuer of the corporate surety bonds to pay claims must be rated and remain rated in the highest rating category of one of the nationally recognized rating agencies, as specified by written policy of the Pooled Money Investment Board. Under the existing regulation, the rating agencies are limited to those that are acceptable to the State Treasurer. This amendment is consistent with the board's statutory responsibility for accepting or rejecting securities offered as collateral.

Paragraph (6) of subsection (d) is deleted. This provision established limitations on the amount of surety bonds issued for any one qualified depository by the surety bond issuer, relative to the assets of the surety bond issuer.

An additional amendment to subsection (d) removes existing dollar limitations on the amount of collateral that can be provided in the form of corporate surety bonds (currently not more than \$1,000,000 plus 50 percent of the collateral of a qualified depository institution in excess of \$1,000,000 and not more than \$100,000,000 of all state deposits). In place of the specific dollar limitations, the amendments provide that the amount of collateral provided in the form of surety bonds by a qualified depository and the amount of total state deposits that may be collateralized in the form of surety bonds will be limited as provided by written policy of the board.

Amendments to subsection (e) clarify that letters of credit offered as collateral must be issued by a United States-sponsored enterprise that under federal law may be accepted as security for public funds, as provided in K.S.A. 75-4201(k).

Paragraph (4) of subsection (e) is amended to provide that the ability of the issuer of the letter of credit to pay claims must be rated and remain rated in the highest rating category of one of the nationally recognized rating agencies, as specified by written policy of the Pooled Money Investment Board. Under the existing regulation, the rating agencies are limited to those that are acceptable to the State Treasurer. This amendment is consistent with the board's statutory responsibility for accepting or rejecting securities offered as collateral.

These amendments are not anticipated to have any economic impact on the Pooled Money Investment Board, the State Treasurer's office, or state agencies with funds in bank accounts. No additional administrative resources will be required to approve and monitor collateral under these amendments, and the changes are intended to preserve the security of state bank accounts with sound collateral. However, the amendments provide additional flexibility with respect to limitations on corporate surety bonds. This flexibility may be of particular benefit to communities with smaller financial institutions. As a result, the amendments are expected to provide additional funds for local economies through the banking system.

Copies of the proposed regulation and the associated economic impact statement may be obtained by contacting the Pooled Money Investment Board, (785) 296-3372.

William E. Lewis
Chairman

Doc. No. 019726

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 9-29-97 through 10-5-97 | |
|-----------------------------------|-------|
| Term | Rate |
| 1-89 days | 5.49% |
| 3 months | 5.18% |
| 6 months | 5.38% |
| 9 months | 5.51% |
| 12 months | 5.61% |
| 18 months | 5.70% |
| 24 months | 5.77% |

William E. Lewis
Chairman

Doc. No. 019701

State of Kansas

Kansas Commission on Governmental Standards and Conduct

Advisory Opinion No. 97-43

Written September 11, 1997, to Michael B. Rees, Chief Counsel, Kansas Department of Transportation, Topeka.

This opinion is in response to your letter of August 21, 1997, in which you request an opinion from the Kansas Commission on Governmental Standards and Conduct concerning the state level conflict of interest laws (K.S.A. 46-215 *et seq.*). We note at the outset that the commission's jurisdiction is limited to the application of K.S.A. 46-215 *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 chief counsel of the Kansas Department of Transportation and on behalf of E. Dean Carlson, the secretary of your agency. You advise us that HB 2064, which became law on July 1, 1997, was passed without repealing any existing law. In particular, you are concerned with the application of this new law in regards to K.S.A. 46-237. You note that the new law prohibits the receipt of gifts except under designated circumstances, whereas K.S.A. 46-237 permits the receipt of gifts up to \$40 per calendar year from any one source so long as they are not received under prohibited conditions.

Question

How is HB 2064 to be construed and applied given that K.S.A. 46-237 remains in effect?

Opinion

K.S.A. 46-237(a) in pertinent part states:

- (a) No state officer or employee . . . shall accept, or agree to accept any economic opportunity, gift, loan, gratuity, special discount, favor, hospitality, or service hav-

ing an aggregate value of \$40 or more in any calendar year from any one person known to have a special interest. . . .

Section 4 of HB 2064 found in Chapter 155 of the 1997 *Session Laws of Kansas* in pertinent part states:

- (a) The provisions of this section shall apply to:
- (1) The governor;
 - (2) the lieutenant governor;
 - (3) the governor's spouse;
 - (4) all classified employees
 - (5) all unclassified employees whose compensation is subject to approval by the governor
 - (6) all members of boards, commissions and authorities of the executive branch. . . .

K.S.A. 46-237 is a statute of general application in that it prohibits, in part, all state officers and employees from accepting gifts in excess of \$40 in a calendar year from anyone with a "special interest." Subsection (a) of HB 2064 specifically sets out those state officers or employees who cannot accept any gifts or meals except under certain circumstances.

Therefore, it is our opinion that HB 2064 applies to those state officers and employees who are specifically subject to that law as set out in subsection (a). All other state officers and employees who are not specifically set out in subsection (a) of HB 2064 will remain under the general provisions set out in K.S.A. 46-237.

Advisory Opinion No. 97-44

Written September 11, 1997, to Eliezer Meza-Zerlin, Topeka.

This opinion is in response to your letter of September 2, 1997, in which you request an opinion from the Kansas Commission on Governmental Standards and Conduct concerning the state level conflict of interest laws (K.S.A. 46-215 *et seq.*). We note at the outset that the commission's jurisdiction is limited to the application of K.S.A. 46-215 *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

You advise us that you are a computer programmer for the State of Kansas. You are considering looking for part-time work that would not interfere with your current job. You would be seeking a job in the area of computer programming. It is possible that the company that you would work for might do contract work with the state. In this case, your situation would be such that you would not work on projects for the state. In addition, as part of your state duties you do not set up contracts or select vendors for state projects.

Question

What prohibitions are there on your seeking part-time employment with a computer consulting company that might contract with the state?

Opinion

We have reviewed the state level conflict of interest laws, and three sections may apply to your question. K.S.A. 46-235 in pertinent part states:

No state officer or employee shall accept compensation for performance of official duties, other than that to which such person is entitled for such performance. No person shall pay or offer to pay any state officer or employee any compensation for performance of official duties, except a state officer or employee performing official duties in making payments to state officers and employees. . . .

K.S.A. 46-233(a) in pertinent part states:

No state officer or employee shall in the capacity as such officer or employee be substantially involved in the preparation of or participate in the making of a contract with any person or business by which such officer or employee is employed or in whose business such officer or employee or any member of such officer's or employee's immediate family has a substantial interest. . . .

K.S.A. 46-286(a) states:

No state officer or employee, in the officer's or employee's official capacity, shall participate directly in the licensure, inspection or administration or enforcement of any regulation of or in any contract with any outside organization with which the officer or employee holds a position.

In applying these sections, you would be prohibited from receiving compensation from the computer company for doing computer programming that is part of your official state duties (K.S.A. 46-235). In addition, in your capacity as a state employee you could not participate in the making of a contract on behalf of the state with the company (K.S.A. 46-233), nor could you license, inspect or regulate the company (K.S.A. 46-286).

Advisory Opinion No. 97-45

Written September 11, 1997, to the Honorable Henry Helgeson, State Representative, 86th District, Wichita.

This opinion is in response to your letter of September 3, 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. 46-215 *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 state representative for the 86th district. You advise us that you are seeking clarification of K.S.A. 25-4154, which prohibits a person from giving campaign contributions in the name of another person, and K.S.A. 25-4153, which imposes limits on the amount of money that can be contributed to a candidate or committee.

Questions

1. Is it a violation for person "A" to give money to person "B" with the understanding that the money is to then be contributed to person "C," and "B" then contributes the money to "C"?
2. Is it a violation if "B" receives the money to contribute to "C," but keeps the money and does not contribute it?
3. Is it a violation if "B" receives the money without an understanding that the money is to be contributed to "C," and "B" then contributes the money to "C"?

4. Do any of the above actions constitute a violation of any other provision of the Campaign Finance Act?

5. In addition, can funds collected under the Campaign Finance Act be used for federal office?

Opinion

K.S.A. 25-4154(a) states:

No person shall make a contribution in the name of another person, and no person shall knowingly accept a contribution made by one person in the name of another.

Applying this language to your first question, if "A" gives money to "B" with the understanding that the money will then be contributed to "C," and "B" then contributes the money to "C," this would be a violation of the law.

In answer to your second question, this law cannot be violated until the money is actually contributed to "C." Thus, regardless of what "A" intended for "B" to do, if "B" does not contribute the money to "C," there is no violation.

In answer to your third question, so long as there was not an understanding between "A" and "B" that the money was to be contributed to "C," the fact that "B" eventually contributes the money to "C" would not constitute a violation of the law.

Your first three questions also raise the issue of campaign contribution limitations as set out in K.S.A. 25-4153. Once a person has reached the maximum limit that may be contributed to a candidate or committee, in situations such as the one you describe in your first question, "A" would be giving campaign contributions in excess of the limit. (Although the campaign contribution limitations are set out in K.S.A. 25-4153, K.S.A. 25-4170 is the statute that makes the giving and accepting of contributions in excess of the limit a violation of the Campaign Finance Act.)

However, under your second question, since "B" does not contribute the money to "C," there would not be an excessive contribution. Looking at your third question, so long as there was not an understanding between "A" and "B," and the commission would closely study such situations if concerns of a violation were raised, there would not be a contribution in excess of the limits.

Turning to your fourth question, in addition to the statutes already discussed, if "A," "B" or "C" were required by the Campaign Finance Act to file campaign finance reports and if there were contributions given in the name of another, it is possible that there would be a violation of K.S.A. 25-4168, which prohibits the filing of a fraudulent campaign finance report.

In answer to your fifth question, K.S.A. 25-4153(f) states:

Any political funds which have been collected and were subject to the reporting requirements of the campaign finance act shall not be used in or for the campaign of a candidate for a federal elective office.

Therefore, any political funds that were collected and were required to be reported by any candidate, political committee or party committee pursuant to K.S.A. 25-4148 could not be used in a federal campaign.

Diane Gaede
Chairwoman

Doc. No. 019703

State of Kansas

Attorney General

Opinion No. 97-72

Corporations—Agricultural Corporations—Definitions; Ownership of Agricultural Land; Operation of Feedlot; Restrictions; Exceptions; Process for Rescinding County Resolution.

Public Health—Secretary of Health and Environment, Activities; Water Supply and Sewage—Prevention of Water Pollution; Standards; Permits; Exemption; Confined Feeding Facilities; Separation Distance Requirements; Minimum Standards for Sanitary Water and Sewage Systems.

Counties and County Officers—General Provisions—Home Rule Powers; Limitations, Restrictions; Rescinding Corporate Farming Resolution. Representative Carl D. Holmes, 125th District, Liberal, September 15, 1997.

K.S.A. 17-5908 of the Agricultural Corporations Act authorizes counties to, by resolution, permit operation of swine production facilities within the county notwithstanding other provisions of the Act. Because K.S.A. 17-5908 does not specify procedures for rescinding such resolutions, or address other county powers with regard to land used for agricultural purposes, general rules pertaining to home rule, zoning and establishment of environmental standards apply as discussed herein. Cited herein: K.S.A. 12-758, as amended by L. 1997, Ch. 147, § 9; 12-3303; K.S.A. 1996 Supp. 17-5903; 17-5904; K.S.A. 17-5908; K.S.A. 1996 Supp. 19-101a; K.S.A. 19-101b; 19-2921; 19-2960; 19-3701; 19-3702; 19-3706; 65-165, as amended by L. 1997, Ch. 92, § 2; K.S.A. 1996 Supp. 65-171d; K.S.A. 65-171g; 65-171h. DMV

Opinion No. 97-73

Constitution of the State of Kansas—Legislative—Subject and Title of Bills; Two Subjects in One Bill; 1997 House Bill No. 2055. Theresa Marcel Nuckolls, Douglas County Counselor, Lawrence, September 16, 1997.

The provisions of 1997 House Bill No. 2055, dealing with transfer-on-death titling of real property and release of mortgage or deed of trust on real property, do not violate the constitutional provision against bills containing more than one subject. Cited herein: Kan. Const., Art. 2, § 16; 1997 House Bill No. 2055; 1997 House Bill No. 2057, as amended by 1997 House Bill No. 2055, Section 8. CN

Opinion No. 97-74

Publications, Bibliography and Calendar—Legal Publications—Newspapers in Which Legal Publications May Be Made; Unified School Districts. Arvid V. Jacobson, Counsel, Unified School District No. 279, Junction City, September 16, 1997.

A "newspaper of general circulation" is one to which the general public will resort in order to be informed of the news and intelligence of the day, editorial opinion and advertisements. Cited herein: K.S.A. 10-120; 12-1651; 25-2018; 64-101; 72-1623a; 72-8136d; 72-8136e; 72-8155a; 72-8212a. RDS

Opinion No. 97-75

Soldiers, Sailors and Patriotic Emblems—Kansas Commission on Veterans' Affairs—Persian Gulf War Veterans Health Initiative Act; Persian Gulf War Health Initiative Board; Members. Don Myer, Executive Director, Kansas Commission on Veterans' Affairs, Topeka, September 16, 1997.

One member of the Persian Gulf War Veterans Health Initiative Board must be qualified in the medical specialization of genetics. The Kansas Commission on Veterans' Affairs may not appoint a person lacking this qualification to the position on the board requiring this qualification. Cited herein: K.S.A. 1997 Supp. 73-1221; L. 1996, Ch. 39, §§ 1, 3, 11. RDS

Opinion No. 97-76

Public Records, Documents and Information—Records Open to Public—Certain Records Not Required to be Open; Correspondence Between a Public Agency and Private Individual. W. Ted Middendorf, Chairman, Board of Accountancy, Topeka, September 18, 1997.

K.S.A. 1996 Supp. 45-221(a)(14) allows letters of complaint to the Board of Accountancy to be closed. A letter from the Board of Accountancy to the complainant notifying the complainant that there is no probable cause of a violation is mandatorily open. K.S.A. 1996 Supp. 45-221(a)(11) permits documents assembled in the course of an investigation to be closed as long as there is an adjudication pending. K.S.A. 45-216; K.S.A. 1996 Supp. 45-217; 45-221; K.S.A. 65-4914; 77-522. SP

Opinion No. 97-77

Minors—Kansas Code for Children; General Provisions—Definitions of Child in Need of Care; Jurisdiction of District Court When Minor Violates Certain Municipal Ordinances or County Resolutions.

Cities and Municipalities—Code for Municipal Court; General Provisions—Jurisdiction of Municipal Court; Certain Ordinance Violations Committed by Minors. John P. Wheeler, Jr., Finney County Attorney, Garden City, September 22, 1997.

Municipal courts and district courts hearing county resolution violations may hear cases where a child under the age of 18 is charged with violating a city ordinance or a county resolution that makes certain conduct unlawful when committed by a child under 18 but would not constitute a violation if committed by an adult. Cited herein: K.S.A. 38-802; 38-806; 38-815 (repealed L. 1982, Ch. 182, § 150); K.S.A. 12-4104; K.S.A. 19-101d, as amended by L. 1997, Ch. 147, § 8; K.S.A. 38-1501; 38-1503; K.S.A. 1996 Supp. 38-1502; 38-1527; K.S.A. 38-1529. MF

Opinion No. 97-78

Automobiles and Other Vehicles—General Provisions; Registration of Vehicles—Registration of Golf Carts.

Automobiles and Other Vehicles—Uniform Act Regulating Traffic; Equipment of Vehicles—Use of Safety Equipment on Golf Carts. Lonnie McCollum, Super-

intendent, Kansas Highway Patrol, Topeka, September 22, 1997.

A city may not exempt itself by charter ordinance from the motor vehicle registration statutes or the safety equipment statutes because those statutory enactments apply uniformly to all cities. Cited herein: K.S.A. 1996 Supp. 8-126, as amended by L. 1997, Ch. 119, § 1; K.S.A. 8-127; K.S.A. 1996 Supp. 8-128, as amended by L. 1997, Ch. 119, § 2; 8-142; K.S.A. 8-1701; 8-2001; K.S.A. 1996 Supp. 8-2204; Kan. Const., Art. 12, § 5. MF

Carla J. Stovall
Attorney General

Doc. No. 019721

(Published in the Kansas Register October 2, 1997.)

Summary Notice of Bond Sale
Topeka and Shawnee County Public Library District
\$23,000,000
General Obligation Bonds, Series 1997
(General obligation bonds payable from
unlimited ad valorem taxes)

Sealed Bids

Subject to a notice of bond sale which will accompany a request for bids, sealed bids will be received by the secretary of the Topeka and Shawnee County Public Library District on behalf of the governing body at 1515 S.W. 10th, Topeka, KS 66604, until 10 a.m. Thursday, October 16, 1997, for the purchase of \$23,000,000 principal amount of General Obligation Bonds, Series 1997. No bid of less than the entire par value of the bonds, except a discount of not greater than 5/8 of 1 percent of the 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 November 15, 1997, and will become due on September 1 in the years as follows:

| Maturity September 1 | Principal Amount |
|-------------------------|------------------|
| 2000 | \$680,000 |
| 2001 | 720,000 |
| 2002 | 770,000 |
| 2003 | 815,000 |
| 2004 | 855,000 |
| 2005 | 890,000 |
| 2006 | 935,000 |
| 2007 | 975,000 |
| 2008 | 1,025,000 |
| 2009 | 1,075,000 |
| 2010 | 1,125,000 |
| 2011 | 1,185,000 |
| 2012 | 1,245,000 |
| 2013 | 1,305,000 |
| 2014 | 1,375,000 |
| 2015 | 1,455,000 |
| 2016 | 1,520,000 |
| 2017 | 1,600,000 |
| 2018 | 1,685,000 |

2019

1,775,000

The bonds will bear interest from their dated date at rates to be determined when the bonds are sold, which interest will be payable semiannually on March 1 and September 1 in each year, beginning March 1, 1998.

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, or a financial surety bond in a form that complies with the requirements set forth in the notice of sale, in the amount of \$460,000 (2 percent of the principal amount of the bonds).

Delivery

The bonds are issued as book-entry only and the district will deliver a single registered bond per maturity, properly prepared, executed and registered without cost to the successful bidder, on or before November 4, 1997, through the office of the Depository Trust Company, New York, New York.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations of the district for the year 1997 is \$1,078,089,914. The total general obligation indebtedness of the district as of the date of the bonds, including the bonds being sold, is \$28,000,000. Outstanding general obligation temporary notes of the district in the amount of \$5,000,000 will be redeemed from the proceeds of the bonds.

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 district, printed on the bonds and delivered to the successful bidder when the bonds are delivered.

Additional Information

Additional information regarding the bonds may be obtained from Nancy Watkins, deputy director of finance, (785) 231-0580; from the financial advisor, Kirkpatrick Pettis, 9401 Indian Creek Parkway, Suite 520, Overland Park, KS 66210, Attention: Marty Nohe, (913) 338-3447; or from bond counsel, Logan, Riley, Carson & Kaup, L.C., 9200 Indian Creek Parkway, Suite 230, Overland Park, KS 66210, (913) 661-0399.

Dated September 25, 1997.

Topeka and Shawnee County
Public Library District
By Gail Franklin
Secretary
District Offices
1515 S.W. 10th
Topeka, KS 66604
(785) 231-0580

Doc. No. 019707

State of Kansas

Kansas Insurance Department

Permanent Administrative
Regulations

Article 10.—FIREFIGHTER'S RELIEF FUND TAX

40-10-2. Firefighter's relief association; requirements for participation; procedure. (a) Members of a fire department who desire to participate in the distribution of firefighter's relief funds shall meet these requirements:

(1) Apply for a charter and incorporate as a not-for-profit corporation;

(2) file with the commissioner of insurance a certified copy of the articles of incorporation of the firefighter's relief association; and

(3) file with the commissioner of insurance evidence of establishment of a fire district within a township or county in accordance with applicable Kansas statutes. This requirement shall not apply to fire departments under the exclusive control of the governing body of an incorporated city.

(b) When the members of a city, township, county, or fire district fire department notify the commissioner of insurance of their desire to participate in the firefighter's relief fund tax and have otherwise qualified for participation, the proper officials shall complete a declaration form, provided by the commissioner, that declares their right to participate in the firefighter's relief fund. The completed form shall be returned to the commissioner. The declaration form shall be executed by the chief executive officer of the city, township, county, or fire district. The clerk of the city, township, or county, or the equivalent official of the fire district shall attest to the execution of the form.

(c) A declaration form shall be filed annually with the commissioner of insurance.

(d) Qualified firefighter's relief associations shall submit for newly established associations and for associations requesting redetermination hearings pursuant to K.S.A. 40-1706(c)(6), on forms provided by the commissioner, a certification by the county clerk, of the population and assessed tangible property valuation of the geographic area provided fire protection services by the fire department of the association. The population figure shall be computed using the most recent population figures available from the United States bureau of the census, as certified to the secretary of state by the division of the budget on July 1 of each year. The assessed tangible property valuation figure provided on the form shall be computed using the tangible assessed valuation, as shown on the latest November 1 assessment roll prepared and maintained by the county clerk.

(e) Each firefighter's relief association shall adopt bylaws to cover all activities of the association and shall set forth the procedures for disbursing funds for the payment of benefits provided by the association. A copy of the bylaws and the procedures shall be filed with the commissioner. (Authorized by K.S.A. 40-103, 40-1707(g); implementing K.S.A. 40-1701; effective Jan. 1, 1966; amended May 1, 1979; amended May 1, 1981; amended

May 1, 1985; amended May 1, 1986; amended Oct. 17, 1997.)

40-10-10. Firefighter's relief association; permissible disbursements. The cost of the bond for the treasurer of a firefighter's relief association, as prescribed by K.S.A. 40-1706, and reasonable administrative expenses, to be determined at the discretion of the commissioner of insurance, including stamps, stationery, safe deposit box rent, the expense of having the funds of the association audited, and other similar expenses, shall be permissible disbursements from the firefighter's relief funds. Each expenditure shall be itemized in the financial statement. (Authorized by K.S.A. 40-103, 40-1707(g); implementing K.S.A. 40-1707(g); effective Jan. 1, 1966; amended May 1, 1979; amended May 1, 1986; amended Oct. 17, 1997.)

Kathleen Sebelius
Kansas Insurance Department

Doc. No. 019705

(Published in the Kansas Register October 2, 1997.)

Summary Notice of Bond Sale

City of Johnson City
Stanton County, Kansas
\$380,000

General Obligation Water Bonds
Series 1997

Dated October 1, 1997

(General obligation bonds payable from
unlimited ad valorem taxes)

Sealed Bids

Subject to the notice of bond sale dated September 15, 1997, sealed bids will be received by the city clerk of the City of Johnson City, Stanton County, Kansas (the issuer), on behalf of the governing body at City Hall, P.O. Box 500, 206 S. Main, Johnson City, KS 67855, until 7 p.m. Monday, October 13, 1997, for the purchase of \$380,000 principal amount of General Obligation Water Bonds, Series 1997.

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 October 1, 1997, and will become due on October 1 in the years as follows:

| Year | Principal Amount |
|------|------------------|
| 1999 | \$20,000 |
| 2000 | \$40,000 |
| 2001 | \$40,000 |
| 2002 | \$40,000 |
| 2003 | \$40,000 |
| 2004 | \$40,000 |
| 2005 | \$40,000 |
| 2006 | \$40,000 |
| 2007 | \$40,000 |
| 2008 | \$40,000 |

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 semian-

nually on April 1 and October 1 in each year, beginning April 1, 1999.

Interest Rates

The difference between the highest and lowest interest rate submitted shall not exceed 3 percent. Only one rate of interest shall apply to any single maturity date.

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a cashier's check or certified check payable to the city drawn on a bank located in the United States in the amount of \$7,600 (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 about November 28, 1997, at such bank or trust company in the contiguous United States as may be specified by the successful bidder.

Bid Price

No bid of less than 100 percent of the principal amount of the bonds and accrued interest thereon to the date of delivery will be considered.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation of the city for computation of bonded debt limitations for the year 1996 is \$6,132,061, which includes motor vehicle valuation of \$1,731,994. The total general obligation bonded indebtedness of the issuer as of the date of delivery of the bonds, including the bonds being sold, is \$404,000. The city also has outstanding temporary notes in the total amount of \$490,755 that will be paid from special assessments and general obligation bonds, which bonds will probably be issued sometime in 1998.

Approval of Bonds

The bonds will be sold subject to the legal opinion of Fred W. Rausch, Jr., Topeka, 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 when the bonds are delivered.

Redemption

Bonds maturing on or after October 1, 2004, shall be subject to call and redemption by the city at its option on October 1, 2003, and on any interest payment date thereafter at par and accrued interest to date of redemption without premium.

Additional Information

Additional information regarding the bonds may be obtained from the city clerk, Dayle Jeanne Lorensen, City Hall, P.O. Box 500, 206 S. Main, Johnson City, KS 67855, (316) 492-1444; or from bond counsel, Fred W. Rausch, Jr., 220 S.W. 33rd, Suite 201, Topeka, KS 66611, (785) 267-3470. Preliminary official statements will be sent to prospective bidders upon request to bond counsel.

City of Johnson City
Stanton County, Kansas

Doc. No. 019702

(Published in the Kansas Register October 2, 1997.)

Summary Notice of Bond Sale

City of DeSoto, Kansas

\$342,500*

General Obligation Bonds, Series 1997

(General obligation bonds payable from unlimited ad valorem taxes)

Sealed Bids

Subject to the notice of bond sale dated September 26, 1997, sealed bids will be received by the city clerk of the City of DeSoto, Kansas, on behalf of the governing body at City Hall, 33150 W. 83rd, DeSoto, KS 66018, until 11 a.m. Thursday, October 9, 1997, for the purchase of \$342,500* principal amount of General Obligation Bonds, Series 1997. No bid of less than the entire par value of the bonds, except a discount of not greater than .625 percent of 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, except one bond in the denomination of \$7,500*. The bonds will be dated October 15, 1997, and will become due on September 1 in the years as follows:

| Maturity September 1 | Principal Amount* |
|-------------------------|----------------------|
| 1999 | \$27,500 |
| 2000 | 35,000 |
| 2001 | 35,000 |
| 2002 | 35,000 |
| 2003 | 35,000 |
| 2004 | 35,000 |
| 2005 | 35,000 |
| 2006 | 35,000 |
| 2007 | 35,000 |
| 2008 | 35,000 |

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, 1999.

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, or a financial surety bond in a form that complies with the requirements set forth in the notice of sale, in the amount of \$6,850.

Delivery

The city will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about October 28, 1997, at such bank or trust company in the contiguous United States 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

(continued)

\$16,671,728. The total general obligation indebtedness of the city as of the date of the bonds, including the bonds being sold, is \$2,107,500.

Approval of Bonds

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

Additional Information

Additional information regarding the bonds may be obtained from the clerk or the city's financial advisor, Kirkpatrick Pettis, Overland Park, Kansas, Attention: Martin Nohe, (913) 338-3447; or from bond counsel, Logan, Riley, Carson & Kaup, L.C., 9200 Indian Creek Parkway, Suite 230, Overland Park, KS 66210, (913) 661-0399.

Dated September 24, 1997.

City of DeSoto, Kansas
By JoAnn Dinger
City Clerk
33150 W. 83rd
DeSoto, KS 66018
(913) 583-1182

*Preliminary, subject to change.

Doc. No. 019708

(Published in the Kansas Register October 2, 1997.)

Summary Notice of Bond Sale \$475,000

City of Osawatomie, Kansas
General Obligation Bonds
Series 1997A

(General obligation bonds payable from
unlimited ad valorem taxes)

Sealed Bids

Subject to the official notice of bond sale and preliminary official statement dated September 11, 1997, sealed bids will be received by the city clerk of the City of Osawatomie, Kansas (the issuer), on behalf of the governing body of the city at City Hall, 5th and Main, Osawatomie, KS 66064, until 11 a.m. Thursday, October 9, 1997, for the purchase of \$475,000 principal amount of General Obligation Bonds, Series 1997A. No bid of less than the entire par value of the bonds and accrued interest thereon to the date of delivery will be considered.

Bond Details

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

| Year | Principal Amount |
|------|------------------|
| 1998 | \$15,000 |
| 1999 | 40,000 |
| 2000 | 45,000 |
| 2001 | 45,000 |
| 2002 | 50,000 |
| 2003 | 50,000 |
| 2004 | 55,000 |
| 2005 | 55,000 |
| 2006 | 60,000 |
| 2007 | 60,000 |

The bonds will be subject to mandatory and optional redemption prior to maturity as provided in the official notice of bond sale and preliminary official statement.

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 March 1 and September 1 in each year, beginning March 1, 1998.

Paying Agent and Bond Registrar

The 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, or a qualified financial surety bond, in the amount of \$9,500 (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 at such bank or trust company in the contiguous United States as may be specified by the successful bidder without cost to the successful bidder within 45 days after the date of sale.

Assessed Valuation and Indebtedness

The total assessed valuation of taxable tangible property in the city for the year 1996 is \$13,430,300. The total general obligation indebtedness of the issuer as of the date of the bonds, including the bonds being sold, is \$550,000.

Approval of Bonds

The bonds will be sold subject to the legal opinion of Nichols and Wolfe Chartered, Topeka, Kansas, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the issuer and delivered to the successful bidder when the bonds are delivered.

Additional Information

Additional information regarding the bonds may be obtained from the city clerk, (913) 755-2146; or from the financial advisor, George K. Baum & Company, 120 W. 12th, Kansas City, MO 64105, (816) 474-1100.

Dated September 11, 1997.

City of Osawatomie, Kansas
Ann Elmquist, City Clerk
City Hall
5th and Main
Osawatomie, KS 66064
(913) 755-2146

Doc. No. 019716

(Published in the Kansas Register October 2, 1997.)

Summary Notice of Bond Sale

City of Emporia, Kansas

\$2,050,000*

General Obligation Bonds, Series 1997A

and

\$10,080,000*

**Taxable General Obligation Refunding Bonds
(Sewer System), Series 1997B**

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

Sealed Bids

As described in the notice of bond sale, sealed bids will be received by the assistant city manager of the City of Emporia, Kansas, on behalf of the governing body at City Hall until 11 a.m. Wednesday, October 15, 1997, for the purchase of \$2,050,000* principal amount of General Obligation Bonds, Series 1997A, and \$1,080,000* principal amount of Taxable General Obligation Refunding Bonds (Sewer System), Series 1997B (the Series 1997A Bonds and the Series 1997B Bonds are referred to collectively as the "bonds"). No bid of less than the entire par value of each series 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 Series 1997A Bonds will be dated October 1, 1997, and will become due annually on September 1 in the years as follows:

Series 1997A Bonds

| Maturity September 1 | Principal Amount* |
|---------------------------------|------------------------------|
| 1998 | \$135,000 |
| 1999 | 135,000 |
| 2000 | 135,000 |
| 2001 | 170,000 |
| 2002 | 175,000 |
| 2003 | 155,000 |
| 2004 | 145,000 |
| 2005 | 160,000 |
| 2006 | 140,000 |
| 2007 | 160,000 |
| 2008 | 140,000 |
| 2009 | 140,000 |
| 2010 | 130,000 |
| 2011 | 130,000 |

The Series 1997B Bonds will become due annually on December 1 in the years as follows:

Series 1997B Bonds

| Maturity December 1 | Principal Amount* |
|--------------------------------|------------------------------|
| 1998 | \$210,000 |
| 1999 | 235,000 |
| 2000 | 255,000 |
| 2001 | 275,000 |
| 2002 | 105,000 |

The bonds will bear interest from their dated dates at rates to be determined when the bonds are sold. Interest on the Series 1997A Bonds will be payable semiannually on March 1 and September 1, beginning March 1, 1998. Interest on the Series 1997B Bonds will be payable semiannually on June 1 and December 1, beginning June 1, 1998.

Paying Agent and Bond Registrar

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

Good Faith Deposit

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States, or a financial surety bond in a form that complies with the requirements set forth in the notice of sale. The good faith deposit for the Series 1997A Bonds is \$41,000 (2 percent of the principal amount), and the good faith deposit for the Series 1997B Bonds is \$21,600 (2 percent of the principal amount).

Delivery

The bonds will be issued as book-entry only. The city will pay for preparation of the bonds and will deliver a single registered certificate for each maturity of the bonds properly prepared, executed and registered without cost to the successful bidder on or before October 29, 1997, at the offices of the Depository Trust Company, New York, New York.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation of the city for computation of bonded debt limitations for the year 1996 is \$110,976,304. The total general obligation indebtedness of the city as of the date of the bonds, including the bonds being sold, is \$16,345,000.

Approval of Bonds

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

Additional Information

Additional information regarding the bonds may be obtained from the assistant city manager, Mark McAnarney, (316) 342-5105; from the financial advisor, Country Club Bank, 414 Nichols Road, Kansas City, MO 64112, Attention: Greg Vahrenberg, (816) 751-1433; or from bond counsel, Logan, Riley, Carson & Kaup, L.C., 9200 Indian Creek Parkway, Suite 230, Overland Park, KS 66210, (913) 661-0399.

Dated September 22, 1997.

City of Emporia, Kansas
By Mark McAnarney
City Hall, 522 Mechanic
Emporia, KS 66801
(316) 342-5105
Fax (316) 343-4254

* Subject to change.

Doc. No. 019722

State of Kansas

Kansas State University

Notice to Bidders

Sealed bids for the items listed below will be received by the Kansas State University Purchasing Office, Manhattan, until 2 p.m. local time on the date indicated and then will be publicly opened. Interested bidders may call (785) 532-6214 or fax (785) 532-5577 for additional information.

Monday, October 13, 1997

#80096

86 H.P. diesel tractor with cab and loader

#80108

Forage harvester

William H. Sesler
Director of Purchasing

Doc. No. 019706

State of Kansas

Board of Emergency Medical Services

Notice of Hearing on Proposed
Administrative Regulations

The Kansas Board of Emergency Medical Services will conduct a public hearing at 2 p.m. Tuesday, December 2, in Room B-21, Docking State Office Building, 915 S.W. Harrison, Topeka, to consider the adoption of a new regulation.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed regulation. All interested parties may submit written comments prior to the hearing to the administrator of the Board of Emergency Medical Services, 109 S.W. 6th, Topeka, 66603. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulation during the hearing.

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

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

K.A.R. 109-2-15. Ambulances based outside of Kansas. This is a new regulation which expands upon K.S.A. 65-6136. This regulation allows the operator of a Kansas licensed ambulance service to request emergency care and transportation from an ambulance licensed in another state. K.S.A. 65-6136 allows an ambulance, not licensed in Kansas, to operate in Kansas only when that ambulance is providing care during a "prearranged hospital to hospital transport" or when rendering service in the case of a "major catastrophe."

This regulation provides Kansas ambulance service operators, especially those operators in counties which bor-

der another state, with an additional resource for mutual aid during emergency situations that do not fall under the guideline of a major catastrophe. There is no expected economic impact with the implementation of this regulation.

Copies of this regulation and the economic impact statement may be obtained from the Board of Emergency Medical Services at the address above, (785) 296-7296.

Bob McDanel
Administrator

Doc. No. 019710

State of Kansas

Board of Healing Arts

Notice of Hearing on Proposed
Administrative Regulations

A public hearing will be conducted at 10 a.m. Thursday, December 4, at the office of the Kansas State Board of Healing Arts, 235 S. Topeka Blvd., Topeka, to consider the adoption of one new proposed rule and regulation relating to the continuing education requirements of athletic trainers.

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 rule and regulation. All interested parties may submit comments prior to the hearing to the Board of Healing Arts at the address above. All interested parties will be given a reasonable opportunity to present their views, orally or in writing, concerning the adoption of the proposed regulation during the hearing. In order to give all persons an opportunity to present their views, it may be necessary to request each participant to limit any oral presentations to five minutes.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulation and economic impact statement in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Marsha Schremp at (785) 296-8962. Handicapped parking is located at the west end of the Hutton Building, and the northwest entrance to the building is accessible.

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

100-69-10. Registration renewals, continuing education. This regulation specifies the minimum continuing education requirements to be fulfilled for renewal of registrations.

The above proposed regulation is related to the registration of athletic trainers by the Kansas State Board of Healing Arts. There is no economic impact on persons who wish to hold themselves out as athletic trainers.

Copies of the proposed regulation and the associated economic impact statement may be obtained by contacting Marlee Bertholf, Kansas State Board of Healing Arts, 235 S. Topeka Blvd., Topeka, 66612, (785) 296-8558.

Lawrence T. Buening, Jr.
Executive Director

Doc. No. 019723

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 (785) 296-2377 for additional information:

Tuesday, October 14, 1997

32710

Statewide—Automotive shock absorbers

32714

Kansas Correctional Industries—Trigger sprayers

32730

Department of Wildlife and Parks—Aggregate (sand, rock, rip rap), Lovewell State Park

32731

Department of Wildlife and Parks—Shot rock aggregate (Tuttle Creek Wildlife Area)

6657

Department of Health and Environment—Reclamation of quality coal, Phase III

6673

Kansas State University—CO₂ laser system with smoke evacuation system

6674

Kansas Bureau of Investigation—HPLC with diode array detector

6675

Kansas Bureau of Investigation—Forensic comparison microscope

6680

Kansas Correctional Industries—Denim, Hutchinson

Wednesday, October 15, 1997

32349 Supp.

Department of Social and Rehabilitation Services, Kansas Industries for the Blind—Laser printer cartridge recoating services

32709

Statewide—Windsor spare parts

32737

Topeka Correctional Facility—Refuse/compactor services

6655

Department of Transportation—Traffic counter tubing

6656

Winfield Correctional Facility—Hand-held radios

6665

Kansas School for the Deaf—Furnish all labor and materials to repair greenhouse

Thursday, October 16, 1997

32736

Lansing Correctional Facility—Refuse/compactor services

32745

Department of Wildlife and Parks—Liquid oxygen, Milford fish hatchery

6666

El Dorado Correctional Facility—Rebar

6667

Hutchinson Correctional Facility—Wood doors and hardware

6668

Kansas School for the Blind—Furnish and install carpet

Friday, October 17, 1997

32743

State Corporation Commission—Well plugging, Yancy Hudson Lease

6676

El Dorado Correctional Facility—Ready mix concrete

6677

El Dorado Correctional Facility—Crushed rock and sand

6678

Topeka Correctional Facility—Full-size law enforcement automobile

6679

University of Kansas Medical Center—Authentication/intrusion detection server software

Monday, October 20, 1997

32738

Statewide—Graphic arts film and supplies

Tuesday, October 21, 1997

A-8186 Revised

University of Kansas—Classroom improvements, Strong Hall

Monday, October 27, 1997

32740

Statewide—Stock computer forms

Tuesday, October 28, 1997

A-8187

Pittsburg State University—Basement renovation, Hughes Hall

Wednesday, October 29, 1997

32735

Statewide—Kits, packs and trays (Class 06)

Friday, October 31, 1997

32729

Department of Corrections, Larned Correctional Mental Health Facility—Property insurance

Monday, November 3, 1997

32741

Department of Corrections—Farmland lease

Friday, November 7, 1997

32739

Department of Wildlife and Parks—Printing of Kansas Wildlife and Parks Magazine

Request for Proposals

Wednesday, October 22, 1997

32734

Facilities master plan for the Juvenile Justice Authority

(continued)

Friday, October 31, 1997

32742

In-home nutrition services for the Department on
Aging

John T. Houlihan
Director of Purchases

Doc. No. 019725

State of Kansas

Department of Health and Environment

Request for Comments

The Kansas Department of Health and Environment has received and reviewed a request to expand the Rooks County municipal solid waste landfill, located in Section 35, Township 8S, Range 18W, approximately 4 miles north of Plainville. The landfill's current area is approximately 32 acres, and the proposed expansion would add a 120-acre tract to the east and south of the existing landfill. KDHE is providing public notice of its intent to issue an amended municipal solid waste landfill permit to Rooks County that increases the permitted area. KDHE is currently reviewing submitted environmental monitoring procedures and the operations plan. Modifications may be required. Once these submittals are approved, Rooks County will be in full compliance with the requirements of new state and federal regulations for small arid landfills, which become effective October 9, 1997.

A copy of the administrative record, which includes the draft permit and all information regarding this permit action, is available for public review until Monday, November 3, during normal business hours, Monday through Friday, at the following locations:

Kansas Department of Health and Environment
Permits Section
Bureau of Waste Management
Forbes Field, Building 740
Topeka, 66620
Contact: Phil Rosewicz
(785) 296-1594

Rooks County Courthouse
115 N. Walnut
Stockton, 67669
Contact: Clara Strutt, County Clerk
(785) 425-6391

Anyone wishing to comment on the draft permit information should submit written statements postmarked not later than November 3 to Phil Rosewicz (KDHE). After consideration of all comments received, the director of the Division of Environment will make a final decision on whether to issue the amended permit. Notice of the decision will be given to anyone who submitted written comments during the comment period and to those who requested notice of the final permit decision.

Gary R. Mitchell
Secretary of Health
and Environment

State of Kansas

Department of Health and Environment

Notice of Hearing on Proposed Administrative Regulations

The Kansas Department of Health and Environment, Division of Health, Office of Epidemiologic Services will conduct a public hearing at 10 a.m. Friday, December 5, in Room 1051-South, Landon State Office Building, 900 S.W. Jackson, Topeka, to consider adoption of proposed amended K.A.R. 28-24-2, 28-24-4, 28-24-10, 28-24-13 and 28-24-14, sanitary standards for cosmetology establishments and schools. A summary of the proposed changes in the regulations and their economic impact follows.

K.A.R. 28-24-2 and K.A.R. 28-24-4 deal with towels and personal cleanliness, and need only small changes to address questions on the interpretation of the text that were raised by cosmetologists. K.A.R. 28-24-10 deals with disinfection of instruments, and needs to be updated to reflect current recommendations on disinfection. K.A.R. 28-24-13 deals with physical facilities. The proposed changes include a better definition of adequate ventilation and more flexibility in the requirements for cosmetology establishments sharing or adjacent to a room used for noncosmetology business. In addition, a requirement for a minimum number of square feet for cosmetology establishments has been removed, because that requirement is now addressed by a separate regulation issued by the Board of Cosmetology (K.A.R. 69-3-3). K.A.R. 28-24-14 specifies some activities or objects that should not be allowed in a cosmetology establishment or school because of sanitary reasons.

Economic Impact: None of the proposed changes will add any financial burden to what is already in existence.

The time between the publication of this notice and the scheduled hearing constitutes a public comment period for the purpose of receiving written public comments on the proposed regulatory action. All interested parties may submit written comments prior to the hearing to Dr. Gianfranco Pezzino, Office of Epidemiologic Services, Room 1051-South, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612-1290. All interested parties will be given a reasonable opportunity to present their views orally on the proposed regulatory action during the hearings. To give all parties an opportunity to present their views, it may be necessary to require each participant to limit any oral presentation to five minutes.

Copies of the proposed amendments and the economic impact statements may be obtained by calling the Office of Epidemiologic Services, (785) 296-1113. Questions pertaining to these proposed amendments should be directed to Dr. Gianfranco Pezzino, (785) 296-6215.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed amendments and the 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 Dr. Gianfranco Pezzino.

Gary R. Mitchell
Secretary of Health
and Environment

Doc. No. 019714

Doc. No. 019724

State of Kansas

State Corporation Commission

Notice of Motor Carrier Hearings

The following motor carriers have filed various applications and are scheduled for hearing at 9:30 a.m. October 21 before the commission at its offices, 1500 S.W. Arrowhead Road, Topeka, as indicated below. All applications listed herein are for statewide authority, unless otherwise stated. This list does not include cases which have been continued from earlier assigned hearing dates for which parties of record have received notice.

Requests to inspect and copy the notices provided to the parties and questions in regard to these hearings should be addressed to the State Corporation Commission, Transportation Division, 1500 S.W. Arrowhead Road, Topeka, 66604-4027, (785) 271-3225 or 271-3151. The presiding officer for these matters is Dan Riley, Assistant General Counsel, (785) 271-3159. Anyone needing special accommodations should give notice to the commission 10 days prior to the scheduled hearing date.

Attention should be directed to Kansas Administrative Regulation 82-1-228, "Rules of Practice and Procedure Before the Commission."

Application for Certificate of Public Service:

Ameriserve Transportation, Inc., dba PFS, 14841 N. Dallas Parkway, Dallas, TX 75240; MC ID No. 131928; General commodities (except household goods and hazardous materials).

Steven G. Awalt, dba Awalt Construction, Route 2, Box 161, Belleville, KS 66935; MC ID No. 153801; General commodities (except household goods and hazardous materials).

Modesto Ayala, dba M & A Trucking, 305 W. Grant, Johnson, KS 67885; MC ID No. 155000; General commodities (except household goods and hazardous materials).

Merlin Carpenter, dba Merlin Carpenter Trucking, P.O. Box 18, Westphalia, KS 66093; MC ID No. 153809; General commodities (except household goods).

Cheyenne Trucking, Inc., Route 3, Box 122, St. Francis, KS 67756; MC ID No. 153802; William Barker, Attorney; General commodities (except household goods and hazardous materials).

Adrian Allen DeClue, dba DeClue Trucking, 319 Lincoln, Quinter, KS 67752; MC ID No. 155076; General commodities (except household goods and hazardous materials).

Garry D. Embley, dba Overall Delivery, 1523 N. 25th, Kansas City, KS 66102; MC ID No. 153810; General commodities (except household goods).

Dean E. Geihlsler, dba Geihlsler Farms Trucking, Route 3, Box 115, McCook, NE 69001; MC ID No. 155053; General commodities (except household goods and hazardous materials).

Mel C. Hauk, dba Hauk Express, 22142 Kansas Ave., Tonganoxie, KS 66086; MC ID No. 138309; Trailers, containers and general commodities (except household goods and hazardous materials).

LeRoy A. Jones, dba P & L Towing, 306 Kelly, Chester, NE 68327; MC ID No. 153803; Lance Johnson, Attorney; Wrecked, disabled, repossessed and replacement vehicles.

Jerry E. Kimmal, dba Rockin K Truckin, 200 Lincoln St., St. George, KS 66545; MC ID No. 153804; General commodities (except household goods and hazardous materials).

Mark Kircher, dba Kircher Farms Trucking, Route 3, Box 114, McCook, NE 69001; MC ID No. 155054; General commodities (except household goods and hazardous materials).

James Koehn, dba Koehn Transport, 417 S. McPherson, Galva, KS 67443; MC ID No. 155070; Clyde Christey, Attorney; General commodities (except household goods and hazardous materials).

Nash Oil & Gas, Inc., 30060 N. 281 Highway, Pratt, KS 67124; MC ID No. 153805; William Barker, Attorney; General commodities (except household goods).

Owen Trucking, Inc., 650 E. 16th, Concordia, KS 66901; MC ID No. 218672; Clyde Christey, Attorney; Gasoline, gasohol, diesel fuel, aviation fuel and general commodities (except household goods and passengers).

LeRoy M. Pearson, dba Pearson Farms, 751 Bismark, Clifton, KS 66937; MC ID No. 153808; John Eyer, Attorney; General commodities (except household goods and hazardous materials).

Earl Peterson, dba Earl Peterson Trucking, Route 1, Box 157, Liberal, KS 67901; MC ID No. 155018; General commodities (except household goods and hazardous materials).

Carolyn S. Weber, dba Weber's Seeding, Hutchinson, KS 67502; MC ID No. 153811; General commodities (except household goods and hazardous materials).

Winans Oil, Inc., 2305 W. Wyatt Earp, Dodge City, KS 67801; MC ID No. 122238; General commodities (except household goods).

Robert B. Zimmerman, dba Rob Zimmerman Trucking, 409 E. 4th, Ellinwood, KS 67526; MC ID No. 153807; General commodities (except household goods and hazardous materials).

Application for Certificate of Convenience and Necessity:

Bill Rogers, dba Bill's Used Appliances and Furniture, 1212 W. 4th, Hutchinson, KS 67501; MC ID No. 153806; Stan Juhnke, Attorney; General commodities (except hazardous materials).

Application for Extension for Certificate of Public Service:

Marlin Parson, dba Parson Trucking, 523 Main, Barnard, KS 67418; MC ID No. 146141; General commodities (except household goods and hazardous materials).

Application for Transfer of Certificate of Public Service:

Bradley H. Harding, dba Gall Motor Co., 808 N. State St., Norton, KS 67654, MC ID No. 148810, to: Gall Motor Company, Inc., 808 N. State St., Norton, KS 67654; William Barker, Attorney; Wrecked, disabled, repossessed and replacement vehicles.

Don Carlile
Administrator
Transportation Division

Doc. No. 019720

State of Kansas

State Corporation Commission

Notice of Hearing

Pursuant to K.S.A. 55-603, 55-604, 55-703 and 55-703a, the State Corporation Commission has directed that a hearing be conducted to allow the following parties to show cause as to why their basic proration orders should not be dissolved:

- In the matter of establishing rules and regulations relating to the production, sevey and conservation of crude oil and natural gas in the Spivey-Grabs Field in Kingman and Harper counties, Kansas (Mississippi Combination Reservoir), therein affecting all of Section 31, the S/2 of Section 30, and the W/2 and SW/4 of the SE/4 of Section 32, Township 29 South, Range 7 West; all of Sections 31, 32, 33, 34, 35 and 36, the SW/4 of Section 28, the W/2 of the SW/4 of Section 29, and the SE/4 of Section 30, Township 29 South, Range 8 West; all of Sections 33, 34, 35 and 36, Township 29 South, Range 9 West; all of Sections 5, 6, 7, 8, 9, 10, 15, 16, 17, 18, 19, 20, 29, 30, 31 and 32, the SE/4 of Section 3, and the W/2 of the W/2 of Section 14, Township 30 South, Range 7 West; all sections, Township 30 South, Range 8 West; all of Sections 1, 2, 3, 4, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35 and 36, Township 30 South, Range 9 West, all in Kingman County, Kansas; and all of Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 16, 17, 18, 19, 20, 21, 28, 29, 30, 31, 32 and 33, and the W/2 of Sections 10 and 15, and the W/2 of Sections 22 and 27, Township 31 South, Range 8 West; all of Sections 1, 2, 3, 9, 10, 11, 12, 13, 14, 15, 16, 21, 22, 23, 24, 25, 26, 27, 34, 35 and 36, the N/2 of Sections 5 and 6, and the East 3/4's of the NE/4 along with the NE/4 of the SE/4 of Section 28, Township 31 South, Range 9 West; all of Sections 4, 5, and 6, Township 32 South, Range 8 West; all of Sections 1, 2, and 3, Township 32 South, Range 9 West, all in Harper County, Kansas. Docket No. 52,323-C (C-5,019)
- In the matter of the application of Mobil Oil Corporation for an order establishing rules and regulations relating to well spacing in the Earl D. Davis (Morrow Sand) Oil Pool underlying parts of Stevens and Seward counties, Kansas, and for the assignment of a special allowable therein, affecting the NW/4 of Section 18 less the 40-acre square in the NE corner of the quarter section, the N/2 of the SW/4 of Section 18 and the 40-acre square in the SW corner of the SW/4 of Section 18, Township 31 South, Range 34 West, Seward County, Kansas; and the NE/4 of Section 13, and the N/2 of the SE/4 of Section 13, Township 31 South, Range 35 West, Stevens County, Kansas. Docket No. 176,492-C (C-26,187)
- In the matter of establishing a well spacing pattern in the Lansing "B" - Kansas City "A" Oil and Gas Reservoir of the Eubank Field, in Haskell County, Kansas, and for the establishment of appropriate allowables for wells drilled therein, affecting all sections in Township 28 South, Range 34 West; all sections of Township 29 South, Range 34 West; and Sections 2 through 12, Township 30 South, Range 34 West, Haskell County, Kansas. Docket No. 65,756-C (C-8,617)
- In the matter of establishing a well spacing pattern in the Morrow Oil and Gas Reservoir of the Eubank Field in Haskell County, Kansas, and for the establishment of appropriate allowables for wells drilled therein, affecting all of Section 1, the E/2 of Section 2, the W/2 of Section 3, all of Sections 4, 5, 6, and 7, the SW/4 and N/2 of Section 8, the N/2 of Section 9, the NW/4 of Section 10, the E/2 of Section 11, and all remaining sections in Township 28 South, Range 34 West; all of Sections 1 through 24, Township 29 South, Range 34 West; all of Sections 11 and 12, Township 30 South, Range

34 West, Haskell County, Kansas. Docket No. 65,757-C (C-8,618)

- In the matter of establishing a well spacing pattern in the Mississippi Oil and Gas Reservoir of the Eubank Field in Haskell County, Kansas, and for the establishment of appropriate allowables for wells drilled therein, affecting all sections in Township 28 South, Range 34 West; all of Sections 1 through 24, Township 29 South, Range 34 West; all of Sections 11 and 12, Township 30 South, Range 34 West, Haskell County, Kansas. Docket No. 65,758-C (C-8,619)
- In the matter of establishing a well spacing pattern in the Marmaton-Cherokee Oil and Gas Reservoir of the Eubank Field in Haskell County, Kansas, and for the establishment of appropriate allowables for wells drilled therein, affecting all sections of Township 28 South, Range 34 West; all sections of Township 29 South, Range 34 West; Sections 1 through 12, Township 30 South, Range 34 West, Haskell County Kansas. Docket No. 65,759-C (C-8,620)
- In the matter of the application of Service Drilling Co. for a basic proration order and well spacing pattern for a common source of supply of oil in the Lower Morrow Formation in Haskell, Seward and Stevens counties, Kansas, therein affecting all of Sections 31, 32 and 33, Township 30 South, Range 34 West, Haskell County, Kansas; all of Sections 4 and 9, Township 31 South, Range 34 West, Seward County, Kansas; and all of Section 1, Township 31 South, Range 35 West, Stevens County, Kansas. Docket No. 88,496-C (C-15,403)

The hearing will be at 10 a.m. Thursday, November 6, in the second floor hearing room, Room 2078, Finney State Office Building, 130 S. Market, Wichita. Any person requiring special accommodations under the Americans With Disabilities Act should give notice to the commission at least 10 days prior to the hearing.

Further information may be obtained by contacting William J. Wix, Assistant General Counsel, State Corporation Commission, Conservation Division, Room 2078, Finney State Office Building, 130 S. Market, Wichita, 67202, (316) 337-6200.

David J. Heinemann
Executive Director

Doc. No. 019709

State of Kansas

Department of Transportation

Notice to Consulting Engineers

The Kansas Department of Transportation is seeking qualified consulting engineering firms for the projects listed below. Responses must be received by 5 p.m. October 3 for the consulting engineering firm to be considered. Seven signed copies of the response should be mailed to Neil Rusch, P.E., Assistant to the Director, Division of Engineering and Design, KDOT, Room 1084-West, Docking State Office Building, 915 S.W. Harrison, 66612-1568. Responses shall be limited to four pages.

From the firms expressing interest, the Consultant Selection Committee will select a list of the most highly qualified (not less than three, not more than five) and invite them to attend an individual interview conference. At this time, the consulting firms can more thoroughly discuss their experience related to the type of project at hand and will be expected to discuss, in some detail, their

approach to the project and the personnel to be assigned to the project. Firms not selected to be short listed will be notified by letter.

The Consultant Negotiating Committee, appointed by the Secretary of Transportation, will conduct discussions with the firms invited to the individual interview conferences. The committee will select the firm to perform the professional services required for completing the advertised project. After the selection of this firm, the remaining firms will be notified by letter of the outcome.

Project No. 15-14 K-6781-01
Clay County

The scope of services is to provide for the replacement of Otter Creek Bridge (015), 6.5 km north of the junction of K-82. The construction estimate is \$1,047,000.

Project No. 57-19 K-6783-01
Crawford County

The scope of services is to provide for the replacement of sideroad bridge (026) over First Cow Creek and the First Cow Creek Bridge (027), 9.0 km east of K-7. The construction estimate is \$1,196,000.

Project No. 54-37 K-6658-01
Greenwood County

The scope of services is to provide for the replacement of the Verdigris River Bridge (009), 0.45 km west of the Greenwood-Woodson county line. The estimated construction cost is \$3,031,000.

Project No. 99-37 K-6784-01
Greenwood County

The scope of services is to provide for the replacement of the Homer Creek Bridge (034), 5.6 km north of the east junction of US-54. The estimated construction cost is \$723,000.

Project No. 196-40 K-6786-01
Harvey County

The scope of services is to provide for the replacement of the Wildcat Creek Bridge (067) and Gypsum Creek Bridge (068), 8.5 km and 11.9 km east of I-135. The construction estimate is \$1,447,000.

Project No. 156-42 K-6830-01
Hodgeman County

The scope of services is to provide for the replacement of the Buckner Creek Bridge (015) and Buckner Creek Drainage Bridge (016), 7.7 km and 5.7 km west of the Hodgeman-Pawnee county line. The construction estimate is \$2,106,000.

Project No. 50-56 K-6829-01
Lyon County

The scope of services is to provide for the replacement of Bridge (027) over the ATSF Railroad and local streets, 1.5 km east of K-99 in Emporia. The construction estimate is \$1,486,000.

Project No. 56-70 K-2037-01
Osage County

The scope of services is to provide for the replacement of Bridge (026) over the abandoned MoPac Railroad, 9.2 km east of US-75. The construction estimate is \$483,000.

Project No. 70-91 M-1875-01
Sherman County

Project No. 50-35 M-1876-01
Gray County

The scope of services is to provide a new water system for Safety Rest Areas No. 3-2515 and 3-2516, west of Ru-leton, and for Safety Rest Area 6-3502, west of Ingalls. The construction estimate is \$600,000.

Project No. 106 K-6875-01
**Shawnee, Douglas, Jefferson, Leavenworth,
Wyandotte & Johnson Counties**

Major Corridor Study from Topeka to Kansas City

Traffic and population are growing rapidly in the Topeka to Kansas City corridor and there is a need for long-range planning. Several sections of both US-24 and US-40 have been identified for improvement by KDOT's prioritization process, and the Kansas Turnpike Authority (KTA) also has identified the corridor as one in need of analysis for future capacity improvements. With the large investment any highway capacity improvements would require, a major corridor study needs to be undertaken in order to identify the most beneficial expenditure of funds to add capacity to the corridor. The purpose of the study is to analyze the corridor and make recommendations as to where resources should be invested to best address transportation needs in the area.

The study will review the operational characteristics and deficiencies of all major routes within the corridor. The report should describe both current and forecasted travel demand, travel patterns, and controlling features involved in providing capacity improvements within the corridor. Recommendations for possible improvements using Transportation System Management (TSM) and Intelligent Transportation System (ITS) strategies also may be included.

Potential social, environmental and right-of-way issues should be identified and analyzed along with comparative project costs. Critical design issues for improvements along with general estimates for construction, right-of-way and utility adjustments should be investigated and summarized. Long-range planning and corridor preservation issues also should be addressed. Innovative finance issues should be explored, including the role that tolls might play in any corridor improvements.

In addition to public involvement efforts, this study will require extensive coordination with the KTA, local city and county governments, and metropolitan planning organizations. Value engineering techniques also may be used.

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

1. Size and professional qualifications;
2. experience of staff;
3. location of firm with respect to proposed project;
4. work load of firm; and
5. firm's performance record.

E. Dean Carlson
Secretary of Transportation

Doc. No. 019673

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-97-226/231

| Name and Address of Applicant | Legal Description | Receiving Water |
|---|--|-----------------------|
| Delmar Ensiz 1268 Cheyenne Road Inman, KS 67546 | NE/4 of Sec. 36, T20S, R4W, McPherson County | Little Arkansas River |

Kansas Permit No. A-LAMP-S030

This is a new facility for 2,000 head (200 animal units) of nursery pigs.

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. 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 16,415 gallons per day and dispersing the wastewater over 35 acres of land suitable for waste application. Written verification of the acquisition of the equipment shall be submitted to the department.

| Name and Address of Applicant | Legal Description | Receiving Water |
|--|--|---------------------|
| Lazy H Ranch Dave Hubbard Box 62 McDonald, KS 67745 | NE/4 of Sec. 29, T3S, R26W, Rawlins County | Middle Beaver Creek |

Kansas Permit No. A-URRA-B003

This is an existing facility for 950 head (950 animal units) of cattle.

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

Compliance Schedule: A livestock waste management plan for the facility shall be developed. The plan shall cover, but not be limited to, the following items: handling and disposal equipment for both solid and liquid wastes, land application practices used to protect against runoff and leaching, waste application rates based on crop nutrient utilization, and identification of adequate land areas for application of all wastes. Detailed guidance and requirements will be provided by the department. A plan shall be submitted to the department

within six months following receipt of detailed requirements. The approved plan will become part of this permit.

| Name and Address of Applicant | Legal Description | Receiving Water |
|--|--|----------------------------|
| Pratt Feeders P.O. Box 945 Pratt, KS 67124 | E/2, W/2, and NE/4, Sections 8, 9, 17, T27S, R13W, Pratt County | Lower Arkansas River Basin |

Kansas Permit No. A-ARPR-C001 Federal Permit No. KS-0036374

This is an expansion facility for additional wastewater storage.

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

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

| Name and Address of Applicant | Legal Description | Receiving Water |
|---|---|-------------------------|
| Gary Rieck 5588 W. 149th Burlingame, KS 66413 | SW/4 of Sec. 25, T14S, R14E, Osage County | Marais des Cygnes River |

Kansas Permit No. A-MCOS-S008

This is an existing facility for 250 head of swine and 350 head of beef cattle (235 animal units).

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

Compliance Schedule: Existing controls meet KDHE requirements.

| Name and Address of Applicant | Legal Description | Receiving Water |
|---|--|-----------------|
| Dale Schmitt Route 3, Box 32 Beloit, KS 67420 | W/2, Sec. 9, T6S, R8W, Mitchell County | Solomon River |

Kansas Permit No. A-SOMC-B011

This is a new facility for 950 head (950 animal units) of cattle.

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

Compliance Schedule: The waste management plan developed by the designer and approved by the department shall be adhered to as a condition of this permit. The plan calls for nutrient analysis of both liquids and solids with applications to meet crop nutrient needs. If wastes are not analyzed for nutrient content, wastewater shall be applied at not greater than 4.0 acre inch per acre per year and solids shall be applied at not greater than 21 ton per acre.

| Name and Address of Applicant | Legal Description | Receiving Water |
|--|--|-----------------------|
| Rodney Schroeder 2702 Cimarron Road Canton, KS 67428 | SW/4 of Sec. 27, T20S, R1W, McPherson County | Little Arkansas River |

Kansas Permit No. A-LAMP-S031

This is a new facility for 665 head (266 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.

Public Notice No. KS-97-142/147

| | | |
|---|-----------------|-----------------------------|
| Name and Address of Applicant | Waterway | Type of Discharge |
| City of Wichita Water & Sewer Department City Hall, 8th Floor 455 N. Main P.O. Box 7704 Wichita, KS 67202-1677 | Arkansas River | Treated domestic wastewater |

Kansas Permit No. M-AR94-IO01 Federal Permit No. KS-0043036
Location: 2305 E. 57th St. South, Wichita, Kansas

Facility Description: The proposed action is to re-issue an existing permit for a discharge of treated domestic wastewater. This facility consists of two plants. Plant No. 1 consists of raw wastewater pumping, primary clarification, anaerobic digestion sludge pumping and an extraneous flow basin. Plant No. 2 consists of raw wastewater pumping, primary clarification, trickling filters, activated sludge aeration basins, final clarification, chlorination and dechlorination, reaeration, gravity belt sludge thickeners, belt filter presses and anaerobic sludge digestion. Design flow is 54 mgd. Additional sludge handling facilities are under construction. 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 water quality based.

| | | |
|---|---|----------------------------|
| Name and Address of Applicant | Waterway | Type of Discharge |
| Cessna Aircraft Co. Mid-Continent Facility P.O. Box 7704 Wichita, KS 67277 | Arkansas River via Cowskin Creek via Slough Creek | Treated process wastewater |

Kansas Permit No. I-AR94-PO01 Federal Permit No. KS-0000485
Location: One Cessna Blvd., Wichita, Kansas

Facility Description: The proposed action is to re-issue an existing permit for a discharge of treated process wastewater. This facility is engaged in the manufacture and assembly of propeller driven and jet aircraft. Noncontact cooling water and stormwater runoff are commingled in the east cooling water impoundment prior to discharge to Slough Creek at outfall 001. Contaminated groundwater is treated with an air stripper tower prior to discharge at outfall 002. Stormwater runoff is collected in a decorative (south) pond prior to discharge. Average discharge excluding stormwater runoff is about 0.73 mgd. 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 water quality based.

| | | |
|--|---|----------------------------|
| Name and Address of Applicant | Waterway | Type of Discharge |
| IBP, Inc. P.O. Box 515 Dakota City, NE 68731 | Neosho River via Cottonwood River via Fox Creek | Treated process wastewater |

Kansas Permit No. I-NE24-PO02 Federal Permit No. KS-0000817
Location: Emporia, Kansas

Facility Description: The proposed action is to re-issue an existing permit for operation of an existing wastewater treatment facility. This facility is a beef complex slaughterhouse with associated rendering and hide curing activities. The wastewater consists of 2.09 mgd process wastewater from the slaughtering operation, 0.08 mgd of sanitary wastewater, 0.0034 mgd of hide defleshing washwater, 0.223 mgd of boiler wastewater, and 0.386 mgd from the stockyards plus stormwater runoff which is treated in the wastewater treatment plant. Wastewater is treated by screening out large solids, gravity skimming of food-oil and grease, grit removal, anaerobic treatment activated sludge system followed by eight large storage lagoons. Grit pit solids, paunch manure and sludge are land applied. The permit requirements are pursuant to Kansas surface water quality stan-

dards, 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 |
| Neosho Co. Public Works Erie Quarry 110 S. Main Erie, KS 66733 | Neosho River via Elk Creek | Quarry dewatering and stormwater |

Kansas Permit No. I-NE25-PO03 Federal Permit No. KS-0094021
Location: NE¼, SE¼, S30, T28S, R19E, Neosho County

Facility Description: The proposed action is to issue a new permit for a new 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 |
| Webber/Oldhams c/o Armour Swift-Eckrich 2001 Butterfield Road Downers Grove, IL 60515 | Delaware River via Elk Creek via Banner Creek | Treated process wastewater |

Kansas Permit No. I-KS23-PO01 Federal Permit No. KS-0003271
Location: 619 E. 4th, Holton, KS 766436

Facility Description: The proposed action is to re-issue an existing permit for operation of an existing wastewater treatment facility. The facility is engaged in a hog slaughtering operation which processes the carcasses into various prepared meat products. The wastewater treatment system consists of one anaerobic lagoon, one synthetic-lined lagoon and four aerobic lagoons. Biosolids are periodically land applied. The average flow rate is 0.00936 mgd. 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 water quality based.

| | | |
|---|--|----------------------------|
| Name and Address of Applicant | Waterway | Type of Discharge |
| Western Resources Wichita Sys. Control Center c/o Tom Brown P.O. Box 889 Topeka, KS 66601 | Arkansas River via Little Ark River | Treated process wastewater |

Kansas Permit No. I-AR94-BO04 Federal Permit No. KS-0000591
Location: 777 W. Central Ave., Wichita, Kansas

Facility Description: The proposed action is to re-issue an existing permit for a discharge of treated process wastewater. This electric generating facility has been permanently retired from operation. The building currently houses power generation support services. Discharges include building heating boiler blowdown, floor drains and stormwater runoff. Total discharge, excluding stormwater runoff, is about 1100 gallons once a year. The permit requirements are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria.

Public Notice No. KS-ND-97-049/051

| | | |
|---|---|--------------------------|
| Name and Address of Applicant | Legal Location | Type of Discharge |
| City of Garden City Attn: Airport Manager P.O. Box 499 Garden City, KS 67846 | SW¼, S33, T24S, R31W, Finney County | Nonoverflowing |

Kansas Permit No. M-UA14-NO01

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 three-cell lagoon system treating domestic wastewater. The proposed permit contains a schedule of compliance requiring the owner to furnish a draft facility plan and schedule for improvements to enable this facility to meet the current KDHE minimum standards of design.

(continued)

| Name and Address of Applicant | Legal Location | Type of Discharge |
|--|--|-------------------|
| National By-Products Tribune Facility P.O. Box 615 Des Moines, IA 50303 | NW1/4, S27, T18S, R39W, Greeley County | Nonoverflowing |
| Kansas Permit No. I-UA41-NP01 | | |

Facility Description: The proposed action is to re-issue an existing permit for operation of an existing wastewater treatment facility. The facility is used as a transfer station of dead stock to the Garden City plant. About three trucks are cleaned every week to generate about 100 gallons of wastewater per week. Trucks are washed inside the building on a concrete floor and the collected wastewater is pumped into an aboveground tank. This wastewater is hauled in the raw material trailers to the Wichita facility for treatment and disposal. No rendering or hide curing operation is conducted at this facility. Domestic wastewater is directed to a septic tank system.

| Name and Address of Applicant | Legal Location | Type of Discharge |
|--|--|-------------------|
| St. Francis Sand & Redi-Mix c/o Pete Jensen, Jr. P.O. Box 281 St. Francis, KS 67756 | SE1/4, S21, T3S, R40W, Cheyenne County | Nonoverflowing |
| Kansas Permit No. I-UR18-NO01 | | |

Facility Description: The proposed action is to re-issue an existing permit for operation of an existing wastewater treatment facility. This is a ready mix concrete facility which utilizes a wet batch process. The drums of the concrete mixer trucks are washed out and wash water is collected in two earthen settling basins. Settled solids are removed from the basins and utilized by Cheyenne County.

Written comments on the draft permits must be submitted to the attention of Dorothy Geisler for agricultural permits, or to the permit clerk for all other permits, at the Kansas Department of Health and Environment, Division of Environment, Bureau of Water, J Street and 2 North, Forbes Field, Building 283, Topeka, 66620. All comments postmarked or received on or before November 1 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate public notice number (KS-AG-97-226/231, KS-97-142/147, KS-ND-97-049/051) and the name of applicant as listed when preparing comments.

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

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

State of Kansas
Department of Transportation

Notice to Contractors

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

District One—Northeast

Johnson—35-46 N-0069-01—In Merriam: Antioch Road at the I-35 and Burlington Northern Railroad, 0.5 mile (0.8 kilometer), grading, bridge and surfacing. (Federal Funds)

Marshall—58 C-3080-01—County road 1 mile (1.6 kilometers) west and 2.5 miles (4 kilometers) north of Waverlyville, 0.09 mile (0.16 kilometer), grading and bridge. (Federal Funds)

Marshall-Washington—106 K-6717-01—K-9, from the Washington-Marshall county line, east to the west junction of U.S. 77; K-9 from the south junction of K-15, north and east to the Washington-Marshall county line; K-119, from the junction of K-9, north to the south city limits of Greenleaf; K-15, from the K-9/K-148 junction, north to the east junction of U.S. 36, 36.4 miles (58.6 kilometers), overlay. (State Funds)

Wyandotte—32-105 K-5497-01—Intersection of K-32 and 55th Street in Kansas City, 0.12 mile (0.2 kilometer), intersection improvement. (State Funds)

District Two—North Central

Clay—14 C-3127-01—County road, 0.5 mile (0.8 kilometer) west of Clay Center, 0.2 mile (0.3 kilometer), grading, bridge and surfacing. (Federal Funds)

Clay—24-14 K-6850-01—U.S. 24, from the east city limits of Clay Center, east to the Clay-Riley county line, 8.1 miles (13 kilometers), sealing. (State Funds)

Clay-Washington—9-106 K-6718-01—K-9, from the Washington-Clay county line, east to the south junction of K-15; K-9, from the east city limits of Concordia, east to the Cloud-Washington county line; K-9, from the Cloud-Washington county line, east to the Washington-Clay county line, 28.7 miles (46.2 kilometers), overlay. (State Funds)

Cloud—15 K-6719-01—U.S. 24, from the Mitchell-Cloud county line east to the junction of K-189; K-194, from the north city limits of Simpson, north to the junction of U.S. 24, 28.7 miles (46.2 kilometers), overlay. (State Funds)

Ellsworth—14-27 M-1872-01—K-14, KDOT mixing strip, 10 miles (16 kilometers) north and east of Ellsworth, stockpile bituminous material. (State Funds)

Ellsworth—156-27 M-1873-01—K-156, KDOT mixing strip, 1 mile (1.6 kilometers) south of Ellsworth, stockpile bituminous material. (State Funds)

Ellsworth-Lincoln—106 K-6720-01—K-14, from the junction of K-140, north to the Ellsworth-Lincoln county line; K-111, from the north city limits of Kanopolis, north to the U.S. 156 junction; K-14, from the Ellsworth-Lincoln

county line, north to the K-18 junction, 31.6 miles (50.8 kilometers), overlay. (State Funds)

Jewell—128-45 K-6849-01—K-128, from the junction of U.S. 36 north to the Kansas-Nebraska state line, 16 miles (25.6 kilometers), crack repair. (State Funds)

Marion—56-57 K-6859-01—U.S. 56, from the east junction of K-15, east to the junction of U.S. 77, 14 miles (22.5 kilometers), pavement patching. (State Funds)

Marion—50-57 K-6863-01—U.S. 50, Bridge 053, Cottonwood River 1.2 miles (1.9 Kilometers) east of U.S. 77, bridge repair. (State Funds)

Mitchell—24-62 K-6679-01—U.S. 24, 1.9 miles (3.1 kilometers) east of K-128, east to the junction of K-14, 10.5 miles (17 kilometers), overlay. (State Funds)

Republic—266-79-K6851-01—K-266, from the junction of U.S. 36 to the state park, 7.5 miles (12.1 kilometers), sealing. (State Funds)

Saline—85-C-3254-01—County road, 1.4 miles (2.3 kilometers) south of Smolan, then south 0.15 mile (0.24 kilometer), grading, bridge and surfacing. (Federal Funds)

Washington—9-101 M-1870-01—K-9, KDOT mixing strip, 0.5 mile (0.8 kilometer) west of Barnes, stockpile bituminous material. (State Funds)

Washington—36-101 M-1871-01—U.S. 36, KDOT mixing strip, 1.5 miles (2.4 kilometers) east of Washington, stockpile bituminous material. (State Funds)

District Three—Northwest

Decatur—82-20 K-6480-01—U.S. 83, from the U.S. 36 junction, north to the Kansas-Nebraska state line, 12.4 miles (20 kilometers), recycle and overlay. (State Funds)

Norton—69 K-6721-01—K-383, from the Decatur-Norton county line, east and north to U.S. 36; K-261, from the state park north to the U.S. 36 junction, 14.8 miles (23.8 kilometers), overlay. (State Funds)

Rawlins—25-77 K-6486-01—K-25, from the south city limits of Atwood, north 13.7 miles (22 kilometers), overlay. (State Funds)

Sheridan—23-90 - K-2180-01—K-23, from U.S. 24 north and west to U.S. 83/K-383, 18.8 miles (30.3 kilometers), overlay. (State Funds)

Thomas—97 K-6722-01—U.S. 24, north of I-70 north and east to the west city limits of Colby; U.S. 24, from the east city limits of Colby, east to U.S. 83; U.S. 83, from the junction of U.S. 24, north and northeast to the Thomas-Sheridan county line, 28.6 miles (46 kilometers), recycle and overlay. (State Funds)

District Four—Southeast

Allen—1 C-3410-01—County road 8.4 miles (13.5 kilometers) east and 5.5 miles (8.9 kilometers) south of Humboldt, 0.18 mile (0.3 kilometer), grading and bridge. (Federal Funds)

Bourbon—7-6 K-6131-01—K-7, from the Crawford-Bourbon county line, north to the west junction of K-39, 3.2 miles (5.1 kilometers), sealing. (State Funds)

Bourbon—54-6 K-6839-01—U.S. 54, from the Allen-Bourbon county line, east to the west city limits of Fort Scott, 21.3 miles (34.3 kilometers), crack repair. (State Funds)

Crawford—7-19 K-6132-01—K-7, from County Route 169, north to the Crawford-Bourbon county line, 5 miles (8 kilometers), sealing. (State Funds)

Elk—160-25 K-6842-01—U.S. 160, 0.7 mile (1.2 kilometers) west of the Elk-Montgomery county line, crack repair. (State Funds)

Labette—59-50 K-6841-01—U.S. 59, from the west junction of K-96, north to the south city limits of Parsons, 8.3 miles (13.4 kilometers), crack repair. (State Funds)

Miami—61 C-3512-01—County road 8.0 miles (12.9 kilometers) south and 4.4 miles (7.7 kilometers) west of Louisburg, 0.08 mile (0.14 kilometers), grading, bridge and surfacing. (Federal Funds)

Miami—69-61 K-6860-01—U.S. 69, from the end of the asphalt, north to the Miami-Johnson county line, 18.7 miles (30 kilometers), pavement patching. (State Funds)

Montgomery—160-63 K-6153-01—U.S. 160, from the Elk-Montgomery county line, east to the west junction of U.S. 75, 16.9 miles (27.2 kilometers), crack repair. (State Funds)

Neosho—169-67 K-5387-01—U.S. 169, from the Labette-Neosho county line, northeast to the south city limits of Thayer, 6.8 miles (10.9 kilometers), grading and bridge. (State Funds)

Neosho—59-67 K-6840-01—U.S. 59, from the junction of K-146, north to the west junction of K-39, 5.1 miles (8.2 kilometers), crack repair. (State Funds)

District—106 X-1985-01—Kansas Eastern Railroad in Wilson, Montgomery, Labette and Cherokee counties, signing. (Federal Funds)

District Five—South Central

Barber-Comanche-Kiowa—106 K-6724-01—U.S. 160, from the Comanche-Barber county line, east to the west junction of U.S. 281; U.S. 160, from the north city limits of Coldwater, east to the Comanche-Barber county line; U.S. 183, from the U.S. 160 junction, north to the Comanche-Kiowa county line; U.S. 183, from the Comanche-Kiowa county line, north to the U.S. 54 junction, 63.2 miles (101.7 kilometers), overlay. (State Funds)

Barton—56-5 K-6539-01—U.S. 56, from the east city limits of Great Bend, east to the west city limits of Ellinwood, 8 miles (13 kilometers), overlay. (State Funds)

Butler—54-8 K-6837-01—U.S. 54, from the Sedgwick-Butler county line, east to the west city limits of Augusta, 9 miles (14.4 kilometers), crack repair. (State Funds)

Cowley—18 C-3395-01—County road 3.0 miles (4.8 kilometers) east and 0.7 mile (1.1 kilometers) south of Wilmot, 0.09 mile (0.16 kilometer), grading, bridge and surfacing. (Federal Funds)

Harvey—196-40 K-6836-01—K-196, from the I-35 junction, east to the Harvey-Butler county line, 9.6 miles (15.4 kilometers), crack repair. (State Funds)

Pawnee—19-73 M-1869-01 K-19, KDOT mixing strip, 1.5 miles (2.5 kilometers) south of the K-19 spur junction, stockpile bituminous material. (State Funds)

Pawnee-Stafford—106 K-6723-01—K-19 from the K-19s junction, east to the Pawnee-Stafford county line; U.S.

(continued)

56, from Big Coon Creek, northeast to the south city limits of Larned; K-19, from the Pawnee-Stafford county line, east to the junction of U.S. 281; K-219, from the junction of K-19, to the south city limits of Seward, 31.2 miles (50.2 kilometers), overlay (State Funds)

Reno—78 C-2781-01—County road 8.0 miles (12.9 kilometers) west of Nickerson, then east, 0.13 mile (0.21 kilometer), grading and bridge. (Federal Funds)

Reno—61-78 K-6838-01—K-61, from the K-14 junction, northeast to the U.S. 50 junction, 10.1 miles (16.2 kilometers), crack repair. (State Funds)

Rush—183-83 K-6545-01—U.S. 183, from the Pawnee-Rush county line, north to the K-96 junction, 7.9 miles (12.8 kilometers), recycle and overlay. (State Funds)

Stafford—281-93 K-6184-01—U.S. 281, from the junction of K-19 north to the Stafford-Barton county line, 7 miles (11.4 kilometers), sealing. (State Funds)

District—106 X-1756-01—The Kansas Southwestern Railroad, Wichita/Hutchinson/Sterling/Geneseo, signing. (Federal Funds)

District Six—Southwest

Finney—50-28 K-6548-01—U.S. 50, from the Kearny-Finney county line, east 5.6 miles (9.1 kilometers), 5.6 miles, overlay. (State Funds)

Finney—83-28 K-6549-01—U.S. 83, from the Haskell-Finney county line, north to County Road 247, 7.9 miles (12.7 kilometers), overlay. (State Funds)

Hamilton—27-38 M-1861-01—K-27, KDOT mixing strip, 1 mile (1.6 kilometers) north of the U.S. 50 west junction, stockpile bituminous material. (State Funds)

Hamilton—27-38 K-6555-01—K-27, from the U.S. 50 junction, north to the Hamilton-Greeley county line, 19.4 miles (31.2 kilometers), overlay. (State Funds)

Stanton—27-94 K-6567-01—K-27, from the Morton-Stanton county line, north to the south junction of U.S. 160, 12.1 miles (19.5 kilometers), overlay. (State Funds)

Gray-Haskell—144-106 K-6727-01—K-144, from the Haskell-Gray county line, east to the U.S. 56 junction; K-144, from the U.S. 83 junction, east to the Haskell-Gray county line, 16.8 miles (27.1 kilometers), overlay. (State Funds)

Haskell-Seward-Grant—190-106 K-6725-01—K-190, from the U.S. 160 junction, south to the Grant-Haskell county line; K-190, from the Grant-Haskell county line, southeast to the Haskell-Seward county line; K-190, from the Haskell-Seward county line, east to the U.S. 83 junction, 23.1 miles (37.163 kilometers), sealing. (State Funds)

Meade-Seward—160-106 K-6728-01—U.S. 160, from the Seward-Meade county line, east to the U.S. 54 junction; U.S. 160, from the U.S. 83 junction, east to the Seward-Meade county line, 16.7 miles (26.9 kilometers), overlay. (State Funds)

Seward—88 U-1580-01—15th Street from Western Avenue to U.S. 83 in Liberal, grading, bridge and surfacing. (Federal Funds)

Proposals will be issued upon request to all prospective bidders who have been prequalified by the Kansas Department of Transportation on the basis of financial condition, available construction equipment and experience. Also, a statement of unearned contracts (Form No. 284) must be filed. There will be no discrimination against anyone because of race, age, religion, color, sex, handicap or national origin in the award of contracts.

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

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

E. Dean Carlson
Secretary of Transportation

Doc. No. 019674

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 to the 1997 Volumes of the *Kansas Administrative Regulations*.

| AGENCY 1: DEPARTMENT OF ADMINISTRATION | | | AGENCY 4: DEPARTMENT OF AGRICULTURE | | |
|--|---------|----------------|-------------------------------------|---------|----------------|
| Reg. No. | Action | Register | Reg. No. | Action | Register |
| 1-2-8 | Amended | V. 16, p. 1178 | 4-16-1a | Amended | V. 16, p. 1356 |
| 1-2-14 | Amended | V. 16, p. 1178 | 4-16-1c | Amended | V. 16, p. 1356 |
| 1-2-35 | Amended | V. 16, p. 1178 | 4-17-1a | Amended | V. 16, p. 1357 |
| 1-2-68 | Revoked | V. 16, p. 1178 | 4-17-1c | Amended | V. 16, p. 1357 |
| 1-6-2 | Amended | V. 16, p. 1178 | | | |
| 1-6-8 | Amended | V. 16, p. 1179 | AGENCY 7: SECRETARY OF STATE | | |
| 1-6-21 | Amended | V. 16, p. 1179 | Reg. No. | Action | Register |
| 1-6-22 | Revoked | V. 16, p. 1179 | 7-19-1 | Amended | V. 16, p. 821 |
| 1-6-27 | Amended | V. 16, p. 1179 | 7-19-2 | Amended | V. 16, p. 821 |
| 1-6-33 | Amended | V. 16, p. 973 | 7-19-3 | Amended | V. 16, p. 822 |
| 1-9-2 | Amended | V. 16, p. 973 | 7-19-4 | Amended | V. 16, p. 822 |
| 1-9-7c | Amended | V. 16, p. 974 | 7-19-7 | New | V. 16, p. 822 |
| 1-9-13 | Amended | V. 16, p. 974 | | | |
| 1-9-17 | Revoked | V. 16, p. 975 | | | |
| 1-9-26 | Amended | V. 16, p. 975 | | | |
| 1-9-27 | Amended | V. 16, p. 976 | | | |
| 1-13-1a | Amended | V. 16, p. 977 | | | |
| 1-14-12a | New | V. 16, p. 170 | | | |

AGENCY 10: KANSAS BUREAU OF INVESTIGATION

Table with 3 columns: Reg. No., Action, Register. Rows include 10-20-2, 10-20-3, 10-20-4.

AGENCY 16: ATTORNEY GENERAL

Table with 3 columns: Reg. No., Action, Register. Row includes 16-9-1.

AGENCY 26: DEPARTMENT ON AGING

Table with 3 columns: Reg. No., Action, Register. Rows include 26-4a-1, 26-10-1.

AGENCY 28: DEPARTMENT OF HEALTH AND ENVIRONMENT

Table with 3 columns: Reg. No., Action, Register. Multiple rows listing regulations from 28-1-6 to 28-39-148.

Table with 3 columns: Reg. No., Action, Register. Multiple rows listing regulations from 28-39-149 to 28-39-256.

AGENCY 30: SOCIAL AND REHABILITATION SERVICES

Table with 3 columns: Reg. No., Action, Register. Multiple rows listing regulations from 30-2-17 to 30-4-113.

Table with 3 columns: Reg. No., Action, Register. Multiple rows listing regulations from 30-4-113w to 30-7-100.

AGENCY 36: DEPARTMENT OF TRANSPORTATION

Table with 3 columns: Reg. No., Action, Register. Rows include 36-1-1, 36-1-1a, 36-1-2, 36-1-3, 36-1-8, 36-1-9, 36-1-10, 36-1-26.

| | | | | | | |
|-------------------|----------------------|--|--------------------|----------------------|-------------------|----------------------|
| 111-4-607 through | | | 111-4-996a New | V. 16, p. 1080 | 111-7-9 Amended | V. 12, p. 1263 |
| 111-4-610 Amended | V. 16, p. 1504 | | 111-4-1013 through | | 111-7-11 Amended | V. 15, p. 1188 |
| 111-4-611 Amended | V. 14, p. 1407 | | 111-4-1016 New | V. 16, p. 1045, 1046 | 111-7-12 through | |
| 111-4-613 Amended | V. 14, p. 1408 | | 111-4-1017 through | | 111-7-32 New | V. 7, p. 1194-1196 |
| 111-4-616 through | | | 111-4-1037 New | V. 16, p. 1081-1085 | 111-7-33 through | |
| 111-4-623 Revoked | V. 14, p. 978 | | 111-4-1031 Amended | V. 16, p. 1473 | 111-7-43 New | V. 7, p. 1197, 1198 |
| 111-4-624 through | | | 111-4-1038 through | | 111-7-33a New | V. 8, p. 300 |
| 111-4-702 Revoked | V. 16, p. 453-455 | | 111-4-1041 New | V. 16, p. 1209, 1210 | 111-7-44 through | |
| 111-4-703 through | | | 111-4-1041 Amended | V. 16, p. 1473 | 111-7-54 Revoked | V. 13, p. 340 |
| 111-4-723 New | V. 14, p. 909-914 | | 111-4-1042 through | | 111-7-46 Amended | V. 11, p. 1152 |
| 111-4-724 through | | | 111-4-1059 New | V. 16, p. 1474-1478 | 111-7-54 Amended | V. 11, p. 1511 |
| 111-4-736 New | V. 14, p. 978-981 | | 111-4-1048 Amended | V. 16, p. 1505 | 111-7-55 through | |
| 111-4-737 through | | | 111-4-1060 through | | 111-7-63 Revoked | V. 10, p. 1217 |
| 111-4-749 New | V. 14, p. 1095-1098 | | 111-4-1083 New | V. 16, p. 1506-1511 | 111-7-60 Amended | V. 10, p. 262 |
| 111-4-750 through | | | 111-5-1 through | | 111-7-64 through | |
| 111-4-757 New | V. 14, p. 1408, 1409 | | 111-5-23 New | V. 7, p. 209-213 | 111-7-75 New | V. 11, p. 13, 14 |
| 111-4-758 through | | | 111-5-9 through | | 111-7-66 Amended | V. 15, p. 1304 |
| 111-4-761 New | V. 14, p. 1502, 1503 | | 111-5-19 Revoked | V. 15, p. 291 | 111-7-66a Revoked | V. 13, p. 340 |
| 111-4-762 through | | | 111-5-21 through | | 111-7-75 through | |
| 111-4-778 New | V. 14, p. 1410-1414 | | 111-5-33 New | V. 11, p. 415-418 | 111-7-78 Amended | V. 15, p. 1188 |
| 111-4-769 Amended | V. 14, p. 1503 | | 111-5-33 Amended | V. 16, 1478 | 111-7-75 Amended | V. 16, p. 1479 |
| 111-4-779 through | | | 111-5-21 Revoked | V. 15, p. 291 | 111-7-78 Amended | V. 16, p. 1479 |
| 111-4-791 New | V. 14, p. 1504-1507 | | 111-5-22 Amended | V. 13, p. 1438 | 111-7-79 Revoked | V. 13, p. 340 |
| 111-4-792 through | | | 111-5-23 Amended | V. 15, p. 1059 | 111-7-80 through | |
| 111-4-803 New | V. 14, p. 1635-1638 | | 111-5-24 Amended | V. 11, p. 983 | 111-7-83 New | V. 11, p. 1478-1480 |
| 111-4-804 through | | | 111-5-25 Amended | V. 15, p. 1059 | 111-7-81 Amended | V. 15, p. 1189 |
| 111-4-816 New | V. 15, p. 116-119 | | 111-5-27 Amended | V. 11, p. 482 | 111-7-83 Amended | V. 15, p. 1189 |
| 111-4-817 through | | | 111-5-28 Amended | V. 15, p. 1060 | 111-7-84 through | |
| 111-4-824 New | V. 15, p. 289, 290 | | 111-5-29 Amended | V. 15, p. 1060 | 111-7-81 through | |
| 111-4-825 through | | | 111-5-34 New | V. 12, p. 318 | 111-7-93 Revoked | V. 15, p. 291 |
| 111-4-838 New | V. 15, p. 449-452 | | 111-5-34a Amended | V. 14, p. 1098 | 111-7-94 Revoked | V. 13, p. 340 |
| 111-4-839 through | | | 111-5-35 through | | 111-7-95 through | |
| 111-4-854 New | V. 15, p. 624-627 | | 111-5-38 Revoked | V. 13, p. 1439 | 111-7-118 Revoked | V. 15, p. 291, 292 |
| 111-4-855 through | | | 111-5-39 through | | 111-7-119 through | |
| 111-4-859 New | V. 15, p. 884, 885 | | 111-5-44 New | V. 15, p. 1022, 1023 | 111-7-127 New | V. 15, p. 1189-1191 |
| 111-4-855 Amended | V. 15, p. 1181 | | 111-5-45 through | | 111-7-122 Amended | V. 15, p. 1477 |
| 111-4-860 through | | | 111-5-50 New | V. 15, p. 1060-1062 | 111-7-123 Amended | V. 15, p. 1477 |
| 111-4-872 New | V. 15, p. 1056-1059 | | 111-5-46 Amended | V. 15, p. 1186 | 111-7-124 Amended | V. 15, p. 1477 |
| 111-4-871 Amended | V. 15, p. 1181 | | 111-5-51 New | V. 15, p. 1477 | 111-7-126 Amended | V. 15, p. 1304 |
| 111-4-873 through | | | 111-5-52 through | | 111-7-127 Amended | V. 16, p. 1479 |
| 111-4-892 New | V. 15, p. 1181-1186 | | 111-5-57 New | V. 16, p. 458, 459 | 111-7-128 New | V. 15, p. 1446 |
| 111-4-881 Amended | V. 16, p. 1505 | | 111-5-58 through | | 111-8-1 New | V. 7, p. 1633 |
| 111-4-893 through | | | 111-5-63 New | V. 16, p. 1085-1087 | 111-8-2 New | V. 7, p. 1633 |
| 111-4-910 New | V. 15, p. 1441-1445 | | 111-5-62 Amended | V. 16, p. 1511 | 111-8-3 Amended | V. 10, p. 886 |
| 111-4-911 through | | | 111-6-1 through | | 111-8-4 New | V. 7, p. 1714 |
| 111-4-918 New | V. 15, p. 1475, 1476 | | 111-6-15 New | V. 7, p. 213-217 | 111-8-4a Revoked | V. 13, p. 1406 |
| 111-4-915 Amended | V. 15, p. 1954 | | 111-6-1 Amended | V. 15, p. 1445 | 111-8-5 through | |
| 111-4-918 Amended | V. 15, p. 1954 | | 111-6-3 Amended | V. 14, p. 313 | 111-8-13 New | V. 7, p. 1634 |
| 111-4-919 through | | | 111-6-4 Amended | V. 10, p. 1413 | 111-8-14 New | V. 13, p. 881 |
| 111-4-941 New | V. 15, p. 1710-1716 | | 111-6-5 Amended | V. 15, p. 1187 | 111-8-15 New | V. 13, p. 881 |
| 111-4-942 through | | | 111-6-6 Amended | V. 11, p. 1973 | 111-9-1 through | |
| 111-4-965 New | V. 15, p. 1921-1926 | | 111-6-7 Amended | V. 11, p. 1477 | 111-9-12 New | V. 7, p. 1714-1716 |
| 111-4-946 Amended | V. 15, p. 1954 | | 111-6-7a Amended | V. 15, p. 1188 | 111-9-1 through | |
| 111-4-962 Amended | V. 16, p. 341 | | 111-6-8 Revoked | V. 12, p. 1263 | 111-9-6 Revoked | V. 9, p. 1680 |
| 111-4-963 Amended | V. 16, p. 341 | | 111-6-9 Revoked | V. 14, p. 313 | 111-9-13 through | |
| 111-4-966 through | | | 111-6-11 Revoked | V. 12, p. 1376 | 111-9-18 Revoked | V. 9, p. 1680 |
| 111-4-970 New | V. 15, p. 1954, 1955 | | 111-6-12 Amended | V. 8, p. 212 | 111-9-25 through | |
| 111-4-971 through | | | 111-6-13 Amended | V. 8, p. 299 | 111-9-30 New | V. 9, p. 699, 700 |
| 111-4-982 New | V. 16, p. 341-344 | | 111-6-15 Amended | V. 12, p. 677 | 111-9-31 through | |
| 111-4-983 through | | | 111-6-17 Revoked | V. 10, p. 1475 | 111-9-36 New | V. 10, p. 262 |
| 111-4-991 New | V. 16, p. 456, 457 | | 111-6-18 New | V. 13, p. 150 | 111-9-37 through | |
| 111-4-992 through | | | 111-6-19 New | V. 13, p. 340 | 111-9-36 New | V. 10, p. 262 |
| 111-4-1012 New | V. 16, p. 689-694 | | 111-6-20 Amended | V. 15, p. 1716 | 111-9-37 through | |
| | | | 111-6-21 New | V. 13, p. 881 | 111-9-48 New | V. 10, p. 1439, 1440 |
| | | | 111-6-22 New | V. 13, p. 881 | 111-9-49 through | |
| | | | 111-6-23 New | V. 13, p. 881 | 111-9-54 New | V. 12, p. 318, 319 |
| | | | 111-7-1 through | | 111-9-55 through | |
| | | | 111-7-10 New | V. 7, p. 1192, 1193 | 111-9-60 New | V. 12, p. 1263, 1264 |
| | | | 111-7-1 Amended | V. 8, p. 212 | 111-9-61 through | |
| | | | 111-7-3 Amended | V. 11, p. 1796 | 111-9-78 New | V. 16, p. 1087-1089 |
| | | | 111-7-3a Revoked | V. 13, p. 340 | | |
| | | | 111-7-4 Amended | V. 9, p. 1367 | | |
| | | | 111-7-5 Amended | V. 9, p. 986 | | |
| | | | 111-7-6 Amended | V. 9, p. 987 | | |

111-10-1 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 |
|-----------|---------|----------------|
| 112-3-21 | New | V. 16, p. 1151 |
| 112-4-1 | Amended | V. 16, p. 1151 |
| 112-4-26 | New | V. 16, p. 1152 |
| 112-10-6 | Amended | V. 16, p. 379 |
| 112-16-6 | Amended | V. 16, p. 1469 |
| 112-16-14 | Amended | V. 16, p. 380 |
| 112-18-3 | Amended | V. 16, p. 1152 |

AGENCY 115: DEPARTMENT OF WILDLIFE AND PARKS

| Reg. No. | Action | Register |
|-----------|---------|----------------|
| 115-1-1 | Amended | V. 16, p. 1469 |
| 115-2-1 | Amended | V. 16, p. 248 |
| 115-2-3 | Amended | V. 16, p. 1471 |
| 115-3-2 | Amended | V. 16, p. 1471 |
| 115-4-1 | Amended | V. 16, p. 823 |
| 115-4-3 | Amended | V. 16, p. 824 |
| 115-4-5 | Amended | V. 16, p. 825 |
| 115-4-6 | Amended | V. 16, p. 826 |
| 115-4-7 | Amended | V. 16, p. 828 |
| 115-4-13 | Amended | V. 16, p. 829 |
| 115-9-5 | Amended | V. 16, p. 1472 |
| 115-14-3 | Amended | V. 16, p. 1175 |
| 115-14-9 | Amended | V. 16, p. 1175 |
| 115-18-7 | Amended | V. 16, p. 1551 |
| 115-18-13 | Amended | V. 16, p. 1472 |

115-18-15 New V. 16, p. 1551
 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 |
|----------|---------|---------------|
| 117-2-2 | Amended | V. 16, p. 302 |
| 117-3-2 | Amended | V. 16, p. 303 |
| 117-4-2 | Amended | V. 16, p. 304 |

AGENCY 121: DEPARTMENT OF CREDIT UNIONS

| Reg. No. | Action | Register |
|--------------------------|--------|-----------------|
| 121-4-1 through 121-4-11 | New | V. 16, p. 72-77 |
| 121-5-1 | New | V. 16, p. 1048 |
| 121-5-2 | New | V. 16, p. 1048 |

AGENCY 123: JUVENILE JUSTICE AUTHORITY

| Reg. No. | Action | Register |
|----------|--------|----------------|
| 123-2-1 | New | V. 16, p. 1173 |



Statement of Ownership, Management, and Circulation
(Required by 39 U.S.C. 3685)

| | | | | | | | |
|---|--|---|---|---|---|-------|---|
| 1. Publication Title Kansas Register | 2. Publication No. | | | | | | 3. Filing Date |
| | 0 | 6 | 6 | 2 | - | 1 9 0 | Sept. 25, 1997 |
| 4. Issue Frequency Weekly | 5. No. of Issues Published Annually 52 plus index | | | | | | 6. Annual Subscription Price \$70.00 |

7. Complete Mailing Address of Known Office of Publication (Street, City, County, State, and ZIP+4) (Not Printer)
 Kansas Secretary of State, 2nd Floor, State Capitol, 300 S.W. 10th Ave., Topeka, Shawnee County, KS 66612-1594

8. Complete Mailing Address of Headquarters or General Business Office of Publisher (Not Printer)
 Same as above

9. Full Names and Complete Mailing Addresses of Publisher, Editor, and Managing Editor (Do Not Leave Blank)
 Publisher (Name and Complete Mailing Address)

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

Editor (Name and Complete Mailing Address)

Nancy R. Reddy, Communications Division, Kansas Secretary of State,
 Room 233-N, State Capitol, 300 S.W. 10th Ave., Topeka, KS 66612-1594

Managing Editor (Name and Complete Mailing Address)

Same as above

10. Owner (If owned by a corporation, its name and address must be stated and also immediately thereafter the names and addresses of stockholders owning or holding 1 percent or more of the total amount of stock. If not owned by a corporation, the names and addresses of the individual owners must be given. If owned by a partnership or other unincorporated firm, its name and address as well as that of each individual must be given. If the publication is published by a nonprofit organization, its name and address must be stated.) (Do Not Leave Blank.)

| Full Name | Complete Mailing Address |
|---|--|
| State of Kansas, c/o Secretary of State | 2nd Floor, State Capitol, 300 S.W. 10th Ave., Topeka, KS 66612-1594 |
| | |
| | |
| | |

11. Known Bondholders, Mortgagees, and Other Security Holders Owning or Holding 1 Percent or More of Total Amount of Bonds, Mortgages, or Other Securities. If none, check here. None

| Full Name | Complete Mailing Address |
|-----------|--------------------------|
| | |
| | |
| | |
| | |

12. For completion by nonprofit organizations authorized to mail at special rates. The purpose, function, and nonprofit status of this organization and the exempt status for federal income tax purposes: (Check one)

- Has Not Changed During Preceding 12 Months
- Has Changed During Preceding 12 Months
(If changed, publisher must submit explanation of change with this statement)

| | | |
|--|---|--|
| 13. Publication Name Kansas Register | 14. Issue Date for Circulation Data Below Sept. 25, 1997 | |
| 15. Extent and Nature of Circulation | Average No. Copies Each Issue During Preceding 12 Months | Actual No. Copies of Single Issue Published Nearest to Filing Date |
| a. Total No. Copies (Net Press Run) | 1700 | 1700 |
| b. Paid and/or Requested Circulation (1) Sales Through Dealers and Carriers, Street Vendors, and Counter Sales (Not Mailed) | 30 | 30 |
| (2) Paid or Requested Mail Subscriptions (Include Advertisers' Proof Copies/Exchange Copies) | 882 | 860 |
| c. Total Paid and/or Requested Circulation (Sum of 15b(1) and 15b(2)) | 912 | 890 |
| d. Free Distribution by Mail (Samples, Complimentary, and Other Free) | 384 | 385 |
| e. Free Distribution Outside the Mail (Carriers or Other Means) | 106 | 107 |
| f. Total Free Distribution (Sum of 15d and 15e) | 490 | 492 |
| g. Total Distribution (Sum of 15c and 15f) | 1402 | 1382 |
| h. Copies Not Distributed (1) Office Use, Leftovers, Spoiled | 298 | 318 |
| (2) Return from News Agents | 0 | 0 |
| i. Total (Sum of 15g, 15h(1), and 15h(2)) | 1700 | 1700 |
| Percent Paid and/or Requested Circulation (15c / 15g x 100) | 65% | 64% |

16. This Statement of Ownership will be printed in the Oct. 2, 1997 issue of this publication. Check box if not required to publish.

17. Signature and Title of Editor, Publisher, Business Manager, or Owner

Date

Nancy R. Reddy

Nancy R. Reddy, Editor

Sept. 25, 1997

I certify that all information furnished on this form is true and complete. I understand that anyone who furnishes false or misleading information on this form or who omits material or information requested on the form may be subject to criminal sanctions (including fines and imprisonment) and/or civil sanctions (including multiple damages and civil penalties).

Instructions to Publishers

- Complete and file one copy of this form with your postmaster on or before October 1, annually. Keep a copy of the completed form for your records.
- Include in items 10 and 11, in cases where the stockholder or security holder is a trustee, the name of the person or corporation for whom the trustee is acting. Also include the names and addresses of individuals who are stockholders who own or hold 1 percent or more of the total amount of bonds, mortgages, or other securities of the publishing corporation. In item 11, if none, check box. Use blank sheets if more space is required.
- Be sure to furnish all information called for in item 15, regarding circulation. Free circulation must be shown in items 15d, e, and f.
- If the publication had second-class authorization as a general or requester publication, this Statement of Ownership, Management, and Circulation must be published; it must be printed in any issue in October or the first printed issue after October, if the publication is not published during October.
- In item 16, indicate date of the issue in which this Statement of Ownership will be printed.
- Item 17 must be signed.

Failure to file or publish a statement of ownership may lead to suspension of second-class authorization.

PS Form 3526, October 1994 (Reverse)

**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**