

Kansas Register

Ron Thornburgh, Secretary of State

Vol. 17, No. 17 April 23, 1998 Pages 533-572

In this issue . . .	Page
Governor's Blue Ribbon Commission for the Public Health Improvement Plan	
Notice of change in meeting location.....	534
Kansas Insurance Department	
Notice of change in pharmacy network.....	534
Legislative interim committee schedule	534
Attorney General	
Notice of available grant funding.....	535
Opinions No. 98-12 through 98-22.....	536
Wildlife and Parks Commission	
Notice of hearing on proposed administrative regulations.....	535
State Board of Nursing	
Correction notice concerning permanent administrative regulation.....	536
Department of Administration—Division of Purchases	
Notice to bidders for state purchases.....	538
Department of Administration—Division of Architectural Services	
Notice of commencement of negotiations for engineering services.....	539
Notice of commencement of negotiations for architectural services.....	539
State Board of Pharmacy	
Notice of hearing on proposed administrative regulations.....	540
City of Wichita—Human Services Department	
Notice of JTPA 1998-2000 Consolidated Job Training Plan.....	540
Department of Health and Environment	
Notice of hearing on air operating permit.....	541
Requests for comments on proposed air quality permits.....	542
Notice concerning Kansas water pollution control permits.....	543
Pooled Money Investment Board	
Notice of investment rates.....	542
Kansas Council on Developmental Disabilities	
Request for proposals.....	545
Department of Transportation	
Request for proposals.....	545
Notice to contractors.....	546
Permanent Administrative Regulations	
Department of Health and Environment.....	547
Notice of Bond Sale	
City of Arkansas City.....	548
City of Manhattan.....	549
City of Lawrence.....	550
Notice of Note Sale	
City of Lawrence.....	550
Secretary of State	
Notice of corporations forfeited.....	551
Kansas Commission on Governmental Standards and Conduct	
Opinions No. 1998-7 through 1998-9.....	552
Legislative bills and resolutions introduced April 9-10	554
New State Laws	
House Bill 2607, attaching the office of the state long-term care ombudsman to the department of administration for certain purposes.....	554
Senate Bill 462, concerning the uniform consumer credit code; relating to definitions of certain terms.....	557
Senate Bill 672, concerning tax increment financing.....	560
Senate Bill 677, concerning public improvement districts; relating to certain expenditures from such districts' funds.....	562
Senate Bill 408, concerning liens and claims against real or personal property.....	562
Index to administrative regulations	563

State of Kansas

Governor's Blue Ribbon Commission for the Public Health Improvement Plan**Notice of Change in Meeting Location**

The location of the April 24 meeting of the Governor's Blue Ribbon Commission for the Public Health Improvement Plan has been moved from the Lieutenant Governor's conference room in the State Capitol to the Senate Room of the Jayhawk Tower, 700 S.W. Jackson, Topeka. Registration/coffee will be at 9 a.m., and the meeting will be from 9:30 a.m. to 3 p.m.

Dr. Rodolfo Arévalo
Chairman

Doc. No. 022311

State of Kansas

Kansas Insurance Department**Notice of Change in Pharmacy Network**

Pursuant to K.S.A. 40-2,153, the Commissioner of Insurance is publishing notice that a change has occurred in a pharmacy network in the State of Kansas. Celtic Life Insurance Company Pharmacy Network has notified the department of the revision of its agreement with CORAM Prescription Services, effective May 13, 1998, and the addition of Value RX of Plymouth, Minnesota. Questions should be directed to Rebecca Sanders at the Kansas Insurance Department, (785) 296-3071.

Kathleen Sebelius
Kansas Insurance Commissioner

Doc. No. 022304

State of Kansas

Legislature**Interim Committee Schedule**

The following committee meetings have been scheduled during the period of April 20 through May 3:

Date	Room	Time	Committee	Agenda
April 28	522-S	10:00 a.m.	Joint Committee on Administrative Rules and Regulations	Review of rules and regulations proposed by KDHE; SRS; Dept. of Administration; Insurance Department; Behavioral Sciences Regulatory Board; Real Estate Appraisal Board; and Board of Examiners in Optometry.

Jeffrey M. Russell
Director of Legislative
Administrative Services

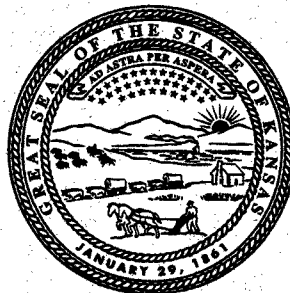
Doc. No. 022321

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 1998. 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

Attorney General

Notice of Available Grant Funding

Grant funds are available from the State Child Exchange and Visitation Center Fund pursuant to K.S.A. 75-720 and the Federal State Access and Visitation Program pursuant to P.L. 104-193 for the fiscal year July 1, 1998 through June 30, 1999. The purpose of this program is to increase, enhance, expand or initiate programs that provide services and assistance to children and families in need of supervised exchange or visitation.

It is the intention of this grant program to provide as wide a range of coverage to the citizens of the state as possible. In distributing funds among urban and rural areas of the state, priority shall be given to those areas with the greatest need. Assistance may encompass a wide range of support services. Specific services to be provided and the specific target group should reflect local needs and priorities. Activities may include on-site supervision, exchange monitoring, therapeutic supervision, recording observations of visits, referrals to other services, and educational classes for parents.

Grant applications may be obtained by contacting the Office of the Attorney General, 2nd Floor, Kansas Judicial Center, 301 S.W. 10th Ave., Topeka, 66612-1597, (785) 296-3920 or 1-800-828-9745.

All grant applications are to be postmarked by Friday, May 29. No applications will be accepted after that date.

Carla J. Stovall
Attorney General

Doc. No. 022302

State of Kansas

Wildlife and Parks Commission

Notice of Hearing on Proposed
Administrative Regulations

A public hearing will be conducted by the Wildlife and Parks Commission at 7 p.m. Thursday, June 25, at the General Education Building, Room 333, Johnson County Community College, Overland Park, to consider the approval and adoption of two proposed regulations of the Department of Wildlife and Parks.

A workshop meeting on business of the Wildlife and Parks Commission will begin at 1:30 p.m. June 25 at the same location. The meeting will recess at 5 p.m., then resume at 7 p.m. at the same location for the regulatory hearing. There will be public comment periods at the beginning of the afternoon and evening meetings for any issues not on the agenda, and additional comment periods will be available during the meeting on agenda items. Old and new business also may be discussed at this time. If necessary to complete the hearing or other business matters, the commission will reconvene at 9 a.m. June 26 at the same location.

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

in advance of the hearing by contacting Cindy Baugh, commission secretary, at (316) 672-5911. Persons with a hearing impairment may call the TDD service at 1-800-766-3777 to request special accommodations.

This 60-day notice period prior to the hearing constitutes a public comment period for the purpose of receiving written public comments on the proposed administrative regulations.

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

The regulations that will be heard during the regulatory hearing portion of the meeting are as follows:

K.A.R. 115-17-15. This regulation authorizes the sale, purchase, possession or other use of any parts of legally taken game animals, excluding flesh. The proposed changes to the regulation also would make it illegal to sell, purchase, barter, lease, or import or export for sale or lease any antler or horn that is attached to any part of the skull plate of a big game animal (antlers or horns that may have value as "trophy" mount). The regulation would specify that naturally shed antlers are not subject to this restriction.

Economic Impact Summary: The proposed amendment would prohibit the marketing of trophy mounts in Kansas, whether the mounts were legally or illegally taken. However, the size of the current market for trophy mounts in Kansas is uncertain, so the economic impact from the prohibition is uncertain. To the extent the proposed regulation would decrease the amount of trespass or poaching for trophy mounts, it may have some positive economic impact to the department and to members of the general public.

K.A.R. 115-18-12. This proposed regulation establishes a trout permit requirement for persons fishing on designated bodies of water that are stocked with trout by the department. The proposed amendment to the regulation would require that a trout permit holder sign the face of the permit in order to validate it. This requirement is intended to inhibit illegal transfer of a trout permit, and is common to many other similar department issues.

Economic Impact Summary: No economic impact from the proposed changes to the regulation is expected.

Copies of the complete text of the regulations and their respective economic impact statements may be obtained by contacting the chairman of the commission at the address above or by calling (785) 296-2281.

John R. Dykes
Chairman

Doc. No. 022320

State of Kansas

Board of Nursing**Correction Notice Concerning Permanent Administrative Regulation**

K.A.R. 60-9-105, which was published in the Kansas Register March 19, 1998, and became effective April 3, 1998, contained an error. Section (k) of the regulation should read as follows:

(k) "In-service education and on-the-job-training" means learning activities in the work setting designed to assist the individual in fulfilling job responsibilities. In-service education and on-the-job training shall not be eligible for CNE credit.

Patsy L. Johnson, R.N., M.N.
Executive Administrator

Doc. No. 022329

State of Kansas

Attorney General**Opinion No. 98-12**

Intoxicating Liquors and Beverages—Licensure and Regulation of Sale of Liquor by the Drink—Class B Club License; Definition of Guest. Representative Becky Hutchins, 50th District, Holton, March 4, 1998.

The term "registered guest," as used in K.S.A. 1997 Supp. 41-2641(d)(1) of the Club and Drinking Establishment Act, means an individual who is registered as an overnight guest of the hotel. Cited herein: K.S.A. 36-501; K.S.A. 1997 Supp. 41-2601; 41-2637; 41-2641. JLM

Opinion No. 98-13

Bonds and Warrants—Cash-Basis Law—Creating Indebtedness in Excess of Funds Unlawful; Exceptions; Trust Agreement for Landfill Closure.

Counties and County Officers—General Provisions—County as Corporation; Powers Generally; Power to Bind Future Boards of County Commissioners. Steven W. Hirsch, Decatur County Attorney, Oberlin, March 4, 1998.

Upon entering into a trust agreement that obligates Decatur County to make payments over a 40-year period, in order to comply with the cash-basis law the county should have on hand in its treasury the entire aggregate amount due over the 40-year period, unless the agreement is authorized by the electors of Decatur County. The current board of county commissioners of Decatur County may bind future boards of county commissioners by entering into a trust agreement as long as such agreement complies with the cash-basis law and any other applicable laws. Cited herein: K.S.A. 1997 Supp. 10-1101; K.S.A. 10-1113; 10-1116; 10-1116a; 10-1116b; K.S.A. 1997 Supp. 10-1116c; K.A.R. 26-29-98. DMV

Opinion No. 98-14

Counties and County Officers—Register of Deeds—Record of Plats and Index; Tax Receipt Required for Recording; Definition of "Due and Owing."

Taxation—Levy of Taxes—When Tax Due; Definition of "Due and Owing." Theresa Marcel Nuckolls, Douglas County Counselor, Lawrence, March 4, 1998.

K.S.A. 91-1207(b) requires payment of all real estate taxes that are "due and owing" on land to be platted before the plat may be recorded. The term "due and owing" means due but not yet paid. Thus, notwithstanding the option provided in K.S.A. 1997 Supp. 79-2004 to pay half of the taxes on or before December 20 and the other half the following June, real estate taxes that are due and not yet paid must be paid in full at the time a plat of the real estate is filed for recording. Attorney General Opinion No. 85-81 is reaffirmed. Cited herein: K.S.A. 19-1207; 79-1804; 79-2004. JLM

Opinion No. 98-15

Corporations—Agricultural Corporations—Restrictions; Exceptions; Penalties; Production Contracts. Representative Laura L. McClure, 119th District, Osborne, March 4, 1998.

Corporations subject to the prohibition against the corporate ownership of agricultural land may contract with farmers for the production of agricultural products without violating the prohibition. Production contracts have only those restrictions found in K.S.A. 1997 Supp. 17-5904(b). A swine nursery or a swine finishing facility are both appropriate subjects for a production contract between a corporation and a person engaged in farming as both endeavors produce agricultural products. Additionally, the definition of a family farm corporation at K.S.A. 1997 Supp. 17-5904 requires that a stockholder be actively engaged in the labor or management of the farming operation; this requirement can be met by the legislatively created presumption in the statutory definition of a family farm corporation. Once the requirements of this presumption are met, a person meeting the requirements is presumed by statute to have fulfilled the "actively engaged" requirement regardless of where the person meeting the requirements maintains an office. Cited herein: K.S.A. 1997 Supp. 17-5903; 17-5904; 40-1001. GE

Opinion No. 98-16

Elections—Election Campaign Finance; General—Kansas Commission on Governmental Standards and Conduct; Reports and Statements Required to be Filed; Investigations by Commission; Statute of Limitations.

Procedure, Civil—Limitations of Actions—Limitations Applicable to Public Bodies; Kansas Commission on Governmental Standards and Conduct. W. Charles Smithson, Legal Counsel, Kansas Commission on Governmental Standards and Conduct, Topeka, March 4, 1998.

In performing the duties required under the Campaign Finance Act and the state governmental ethics provisions, the Kansas Commission on Governmental Standards and Conduct acts in the interests of and for the benefit of the state. The functions performed by the commission under such statutory provisions are governmental in nature. Therefore, statutes of limitation are not applicable to the commission's actions. Cited herein: K.S.A. 25-4119a; 25-

4142; 25-4160; 25-4161; 25-4166; 46-215; 46-253; 46-255; 46-256; 46-260; 46-262; 60-521; K.A.R. 19-1-1. RDS

Opinion No. 98-17

State Departments; Public Officers and Employees—Private Investigative or Security Operations—Detective Business; Polygraph Examinations. Larry Welch, Director, Kansas Bureau of Investigation, Topeka, March 4, 1998.

An investigation consists of the process of inquiring into or tracking down through inquiry with systematic attention to detail and relation. A polygraph examination is a tool that may be used in the course of an investigation but does not by itself constitute an investigation. Generally a person who furnishes, makes or agrees to make an investigation for any purpose referenced in K.S.A. 75-7b01(a) is required to be licensed as a private detective whether or not such person utilizes polygraph examinations as an investigative tool. However, a person who merely conducts polygraph examinations but does not otherwise furnish, make or agree to make an investigation is not required to be licensed as a private detective. Attorney General Opinions No. 87-161, 79-40 and 74-6, to the extent inconsistent with the conclusions herein, are withdrawn. Cited herein: K.S.A. 75-7b01; 75-7b02; 75-7b03. CN

Opinion No. 98-18

Intoxicating Liquors and Beverages—Licensure and Regulation of Liquor by the Drink—Cities' Powers to Legislate in the Area. Thomas L. Toepfer, Hays City Prosecutor, Hays, March 10, 1998.

K.S.A. 41-208 does not preempt the ability of a city to enact and enforce ordinary ordinances dealing with subjects governed by the Club and Drinking Establishment Act. An ordinance that requires production of two forms of identification establishing legal age for admittance and service of alcohol in a club or drinking establishment does not conflict with K.S.A. 1997 Supp. 41-2615(c). Cited herein: K.S.A. 21-3610; 21-3610a; 41-208; K.S.A. 1997 Supp. 41-346; 41-2615. JLM

Opinion No. 98-19

District Officers and Employees—District Coroners—District Coroner; Qualifications; Nomination; Appointment, Term, Compensation; Vacancies; Oath, Deputy Coroners, Special Deputy Coroners. Representative Kenny A. Wilk, 42nd District, Lansing, March 17, 1998.

K.S.A. 22a-226(e) provides for the appointment of a special deputy coroner to fill a position of deputy coroner whenever there are not enough qualified persons available to fill all the positions of deputy coroner in a district. However, the coroner, with the approval of the board of county commissioners, must first attempt to fill all deputy coroner positions with persons who meet the qualifications for deputy coroner. Special deputy coroners may be appointed only if there are more deputy coroners needed than there are qualified persons to fill those positions. Because the appointment of special deputy coroners depends solely on the availability of persons quali-

fied as deputy coroners, special deputy coroners may not be appointed as a cost-saving measure. Cited herein: K.S.A. 22a-226; 77-201. DMV

Opinion No. 98-20

Crimes and Punishments; Kansas Criminal Code; Prohibited Conduct—Crimes Against the Public Safety—Weapons Control; Confiscation and Disposition of Weapons; Use of Confiscated Weapons by Law Enforcement Agency. Harold T. Walker, Chief Counsel, Unified Government of Wyandotte County, Kansas City, Kansas, March 27, 1998.

K.S.A. 21-4206, which addresses the disposition of confiscated weapons when no longer needed for evidentiary purposes, does not authorize the sale of confiscated weapons and the retention of sale proceeds by a law enforcement agency. Cited herein: K.S.A. 21-4206. MF

Opinion No. 98-21

Crimes and Punishments; Kansas Criminal Code; Prohibited Conduct—Crimes Affecting Business—Debt Adjusting. W. Newton Male, Bank Commissioner, Topeka, March 31, 1998.

The practice of offering biweekly mortgage payment plans falls within the statutory definition of "debt adjusting" in that the parties exchange legal consideration, and the term "creditors," as used in K.S.A. 21-2464, may also apply to one creditor. Cited herein: K.S.A. 21-2464 [repealed 1969]; 21-4402. NLU

Opinion No. 98-22

Constitution of the State of Kansas—Finance and Taxation—Internal Improvements; 1998 House Bill No. 2619; Issuance of Transition Bonds to Recover Competitive Transition Costs. Representative Don Myers, 82nd District, Deby, March 31, 1998.

1998 House Bill No. 2619 does not violate Article 11, Section 9, of the Kansas Constitution in that (1) transition bonds do not constitute a work of internal improvement, (2) the entities authorized to issue transition bonds are not state entities, and (3) the state has no monetary obligation in the repayment of transition bonds. Cited herein: Kan. Const., Art. 11, § 9; K.S.A. 74-8903; 74-8907; 1998 H.B. 2619. NLU

Carla J. Stovall
Attorney General

Doc. No. 022323

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:

Monday, May 4, 1998

33062

Department of Administration, Division of Information Systems and Communications—Unix performance monitoring and capacity planning software

7486

Department of Health and Environment—Programmable multi-gas calibrator

7487

Department of Health and Environment—Oxides of nitrogen analyzer

7488

Department of Health and Environment—Nitrogen dioxide analyzer

7490

University of Kansas—Furnish and install auditorium seating

Tuesday, May 5, 1998

33063

Department of Administration, Central Motor Pool—Daily automobile rental

7466

Kansas State University—Furnish and install modification to milk filler

7489

Department of Transportation—Set and vent two ovens, Chanute

7491

Adjutant General's Department—Furnish and install floor sealer, McConnell AFB

Wednesday, May 6, 1998

33061

Statewide—Packaging items

7464

University of Kansas Medical Center—Janitorial equipment

7468

Kansas Neurological Institute—Furnish material only for two boilers

7469

Kansas Neurological Institute—Furnish all labor and materials for removal of two boilers

7485

Kansas Highway Patrol—Firearms accessories and cleaning supplies, Salina

Thursday, May 7, 1998

7462

Lansing Correctional Facility—Building materials

7463

Department of Wildlife and Parks—Tandem disk harrow, Great Bend

7471

Department of Transportation—High-low pavement detectors, various locations

7472

Department of Health and Environment—Mobile equipment shelter

7473

El Dorado Correctional Facility—Steel

7475

Kansas Highway Patrol—30-minute fusee, Salina

Friday, May 8, 1998

7474

Rainbow Mental Health Facility—Furnish and install telecommunications cable

7484

Department of Social and Rehabilitation Services—Vending machines

Tuesday, May 12, 1998

A-8317(e)

University of Kansas—Athletic facilities enhancement, waterproofing membrane repairs, Memorial Stadium

Friday, May 15, 1998

A-8523

Fort Hays State University—Parking lot improvements, Gross Memorial Coliseum

8-8540

Fort Hays State University—Wood floor replacement, Cunningham Hall

Tuesday, May 19, 1998

A-8522

Fort Hays State University—Fire alarm improvements, various buildings

Wednesday, May 27, 1998

7494

University of Kansas—Sale of building and land, 645 New Hampshire, Lawrence

Friday, June 26, 1998

33056

Department of Administration, Central Motor Pool—Automobile physical damage insurance

Request for Proposals

Friday, May 15, 1998

33060

Visitors' hospitality centers for the Department of Corrections

Friday, May 22, 1998

33035

Space lease for Manhattan Area SRS Office for the Department of Social and Rehabilitation Services

Tuesday, May 26, 1998

33057

Privately-operated community sex offender treatment and aftercare services for the Department of Corrections

John T. Houlihan
Director of Purchases

Doc. No. 022325

State of Kansas

**Department of Administration
Division of Architectural Services**

**Notice of Commencement of
Negotiations for Engineering Services**

Notice is hereby given of the commencement of negotiations for electrical engineering services for the Kansas Department of Corrections. The selected firm will provide electrical system investigation and design at the El Dorado Correctional Facility. The scope of work for the project is as follows:

The electrical consultant shall provide as-built drawings for the main switchgear at the El Dorado Correctional Facility. This will require field research of the existing control and monitor wiring for the main electrical switchgear line-up. The consultant will then produce (using Autocad version 13) construction drawings that are traditionally provided at the time of construction.

The electrical consultant will review and update the existing incomplete electrical overcurrent coordination study to maximize the continuity of the electrical system at the El Dorado Correctional Facility. Once the study is completed and the correct settings are determined, the consultant will assist the Department of Corrections to make the required changes. The consultant will provide all technical information required for the coordination of the electrical system. The electrical design consultant will then follow up to confirm that the settings were made in accordance with the study.

The electrical consultant will review the equipment grounding methods for the main electrical switchgear, the automatic transfer switching, two transformers, two emergency generators, two chillers and two boilers. The transformers are immediately outside the "Energy Center" at the El Dorado Correctional Facility; all of the other equipment is inside the "Energy Center." Where adequate grounding has not been provided, the electrical consultant will design a grounding system and prepare construction documents for the grounding project.

The electrical consultant will provide technical assistance, as required, to install power meters on the main electrical switchgear. A preliminary study has been completed and will be implemented; however, some additional engineering is required prior to installation of the meters.

The Kansas Department of Corrections would like to review the benefits of installing an additional computer monitor for an electrical Energy Management System at the El Dorado Correctional Facility. The electrical consultant will recommend equipment to be purchased for the EMS and, if possible, write a report to show a five-year pay back on the cost of this equipment. The depth of the report will be limited to what is required to show the five-year pay back.

For information regarding the scope of services, contact Mike Gaito, Manager of Capital Improvements and Facility Maintenance, Department of Corrections, (785) 296-5187.

If interested, an original and six copies (seven total) of the SF 255 form (plus relevant attachments of information regarding similar projects) should be submitted. These submittals should be concise, relevant to the project and follow the State Building Advisory Commission guidelines for submittal. Copies of the guidelines have previously been distributed to firms; if copies of the guidelines are required, contact Gary Grimes, Division of Architectural Services, 625 Polk, Topeka, 66603, (785) 233-9367. Submittals not complying with the guidelines will be returned without consideration.

Expressions of interest and the SF 255 submittals should be received by Gary Grimes before 5 p.m. May 8.

Thaine Hoffman, AIA
Director, Division of
Architectural Services

Doc. No. 022305

State of Kansas

**Department of Administration
Division of Architectural Services**

**Notice of Commencement of
Negotiations for Architectural Services**

Notice is hereby given of the commencement of negotiations for architectural services for studies of the kitchens at the following correctional institutions: Lansing Correctional Facility - Maximum Unit; Hutchinson Correctional Facility - Maximum Unit; and Topeka Correctional Facility - Central Unit. The studies should evaluate and recommend revised layouts for the food preparation areas; survey and evaluate the existing food service equipment; and recommend the optimum size of equipment required, based on the meals served. A cost estimate for construction and equipment for each option is required. These services are for studies only.

For information regarding the scope of services, contact Mike Gaito, Manager of Capital Improvements and Facility Maintenance, Department of Corrections, (785) 296-5187.

If interested, an original and six copies (seven total) of the SF 255 form (plus relevant attachments of information regarding similar projects) should be submitted. These submittals should be concise, relevant to the project and follow the State Building Advisory Commission guidelines for submittal. Copies of the guidelines have previously been distributed to firms; if copies of the guidelines are required, contact Gary Grimes, Division of Architectural Services, 625 Polk, Topeka, 66603, (785) 233-9367. Submittals not complying with the guidelines will be returned without consideration.

Expressions of interest and the SF 255 submittals should be received by Gary Grimes before 5 p.m. May 8.

Thaine Hoffman, AIA
Director, Division of
Architectural Services

Doc. No. 022317

State of Kansas

Board of Pharmacy

Notice of Hearing on Proposed
Administrative Regulations

A public hearing will be conducted at 11 a.m. Tuesday, June 30, in Room 108, Landon State Office Building, 900 S.W. Jackson, Topeka, to consider the adoption of proposed rules and regulations of the Kansas State Board of Pharmacy.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed rules and regulations. All interested parties may submit written comments prior to the hearing to Larry Froelich, Executive Secretary, Board of Pharmacy, Room 513, 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 regulations during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request that each participant limit any oral presentation to five minutes.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulations and 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 Karen Hollon at (785) 296-4056.

These regulations are proposed for adoption on a permanent basis. A brief summary of proposed regulations and their economic impact follows.

K.A.R. 68-1-1b. Continuing educational unit. The regulation sets out in detail the requirements for continuing education for biennial pharmacist licensure.

There is no anticipated economic impact on the Board of Pharmacy, other governmental agencies, registrants or the public.

K.A.R. 68-11-1. Fees for examination and licensure as a pharmacist. The regulation sets out the fees for biennial pharmacist licensure.

There is no anticipated economic impact on the Board of Pharmacy, other governmental agencies, registrants or the public.

K.A.R. 68-20-16. Records and inventories of registrants. The regulation sets out the requirements for maintenance of records to conform to the Drug Enforcement Administration (DEA) requirements.

There is no anticipated economic impact on the Board of Pharmacy, other governmental agencies, registrants or the public.

Copies of the regulations and their economic impact statements may be obtained from the Kansas State Board of Pharmacy.

Larry Froelich
Executive Secretary

Doc. No. 022327

(Published in the Kansas Register April 23, 1998.)

City of Wichita
Human Services DepartmentNotice of JTPA 1998-2000 Consolidated
Job Training Plan

The Job Training Partnership Act (JTPA) provides funds to states to establish programs that prepare youth and adults for entry into the labor force. Under JTPA, each state is divided into service delivery areas (SDAs). Within each SDA, a governing structure is established between local elected officials and private and public sector representatives who are appointed to a Private Industry Council (PIC). This governing structure is responsible for policy, program development and oversight of programs generated within the SDA. The PIC of SDA IV, which comprises Butler, Cowley, Harper, Kingman, Sedgwick and Sumner counties in south central Kansas, has selected the City of Wichita to be the grant recipient and program administrator for Title II-A, II-B and II-C programs in SDA IV. The PIC of SDA IV also has selected the Kansas Department of Human Resources (KDHR) to be the grant recipient and program administrator for Title III programs in SDA IV.

Sections 104(a) and 313(a) of JTPA specify that no funds appropriated under Titles II or III for any fiscal year may be provided to any SDA under this Act, except pursuant to an approved job training plan. Section 105(a) of the Act mandates publishing the proposed job training plan or summary thereof and mandates the plan shall be made reasonably available to the general public for review and comment.

In accordance with Sections 104 and 105 of JTPA, the Private Industry Council of Service Delivery Area IV, Inc. hereby gives public notice of its intention to implement job training programs under JTPA Titles II-A, II-B, II-C, Title III, and the Wagner-Peyser Act in accordance with SDA IV's 1998-2000 Consolidated Job Training Plan. SDA IV's Job Training Plan provides a description of local workforce development components and the way these components will work as a system to deliver program services in compliance with JTPA. Included in the plan are descriptions of linkages and methods of local coordination to provide effective delivery of services, local program goals and objectives, methods of participant outreach and selection, procedures for selection of service providers, and methods of fiscal control. Summaries of activities, budgets and planned participants for each program follow.

Title II-A Program

The Title II-A Job Training Program prepares adults (age 22 or older), who are economically disadvantaged or face serious barriers to employment, for participation in the labor force by increasing their occupational and educational skills, resulting in improved long-term employability, increased employment and earnings, and reduced welfare dependency. The PY 1998 Title II-A Program begins July 1, 1998, with an allocation of \$602,951 to serve an estimated 188 adults in SDA IV. Program activities may include on-the-job training, academic enrichment training, classroom occupational training, work experi-

ence, supportive services, counseling and inter-agency coordination of services.

Title II-B Program

The Title II-B Job Training Program, which comprises the Summer Youth Employment and Training Programs (SYETP), enhances the basic educational skills of youth, encourages school completion or enrollment in supplementary or alternative school programs, and provides eligible youth with exposure to the world of work. The fiscal year 1998 SYETP Program began October 1, 1997, with an allocation of \$670,229 to serve an estimated 243 youth in SDA IV during the 1998 calendar year. Program activities may include work experience, classroom academic enrichment, generic employability training and supportive services.

Title II-C Program

The Title II-C Job Training Program improves the long-term employability of youth (age 14 through 21) who are economically disadvantaged or face serious barriers to employment; enhances the educational, occupational and citizenship skills of youth; encourages school completion or enrollment in alternative school programs; increases the employment and earnings of youth; reduces welfare dependency; and assists youth in addressing problems that impair their ability to make successful transitions from school to work, apprenticeship, the military, or postsecondary education and training. The PY 1998 Title II-C Program begins July 1, 1998, with an allocation of \$88,144 to serve an estimated 42 youth in SDA IV. Program activities may include on-the-job training, academic enrichment training, classroom occupational training, work experience, supportive services, counseling, and inter-agency coordination of services.

Title III Program

The Title III Economic Dislocation and Worker Adjustment Assistance Act (EDWAA) Program provides service to those individuals affected, through no fault of their own, by economic conditions such as reductions in the work force. The EDWAA Program also allows for services to be provided to dislocated area farmers and ranchers. The EDWAA Program service emphasis will be on retraining. The PY 1998 EDWAA Program begins July 1, 1998, with an allocation of \$674,460 to serve an estimated 250 program participants in SDA IV. A request for a waiver to reduce the 50 percent minimum retraining cost limitation to 40 percent, for PY 1998 funds, is included in the plan.

Wagner-Peyser Program

The Wagner-Peyser Program consists of activities performed by local employment and training offices. The Wagner-Peyser Program also identifies the state mission of the Kansas Job Service and the location of SDA IV Job Service offices. The PY 1998 Wagner-Peyser Program begins July 1, 1998, with \$849,703 available for program operation in SDA IV.

Plan Availability

Copies of SDA IV's 1998-2000 Consolidated Job Training Plan are available for review from 8 a.m. to 5 p.m. Monday through Friday at the following locations:

Human Services Department
Second Floor, City Hall
455 N. Main
Wichita, 67202
(316) 268-4691

KDHR Wichita Office
402 E. 2nd, P.O. Box 877
Wichita, 67201-0877
(316) 266-8613

Written comments and/or questions regarding the Title II-A, II-B and II-C programs should be directed to Mike Reichenberger, Planning and Administration Director, at the above Human Services Department location. Written comments and/or questions regarding the EDWAA and Wagner-Peyser programs should be directed to Fred Johnson, SDA IV area supervisor, at the KDHR location. General plan comments and/or questions may be directed to either individual.

Mike Reichenberger
Planning and Administration Director

Doc. No. 022306

State of Kansas

Department of Health and Environment

Notice of Hearing

A public hearing will be conducted at 7 p.m. Thursday, May 28, at the Kearny County Library, 101 E. Prairie, Lakin, to receive comments on the proposed issuance of an air operating permit. The Kansas Department of Health and Environment is proposing to issue the permit in accordance with the provisions of K.A.R. 28-19-540 *et seq.* (Class II operating permits; applicability) to operate the municipal power plant located at 121 N. Main St., Lakin. Emissions of nitrogen oxides, carbon monoxide, sulfur dioxide and volatile organic compounds were evaluated during the permit review process.

A copy of the proposed permit, permit application, supporting documentation and information relied upon during the permit application review process is available for public review during normal business hours at the KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, and at the KDHE southwest district office, 302 W. McArtor Road, Dodge City.

To obtain or review the proposed permit and supporting documentation, contact Connie Carreno, (785) 296-6422, at the KDHE central office, or Wayne Neese, (316) 225-0596, at the southwest district office. The standard departmental cost will be assessed for any copies requested.

Gary R. Mitchell
Secretary of Health
and Environment

Doc. No. 022328

State of Kansas

Pooled Money Investment Board

Notice of Investment Rates

The following rates are published in accordance with K.S.A. 75-4210. These rates and their uses are defined in K.S.A. 1997 Supp. 12-1675(b)(c)(d), and K.S.A. 75-4201(f) and 75-4209(a)(1)(B).

Effective 4-20-98 through 4-26-98

Term	Rate
1-89 days	5.45%
3 months	5.19%
6 months	5.48%
9 months	5.45%
12 months	5.45%
18 months	5.54%
24 months	5.54%

William E. Lewis
Chairman

Doc. No. 022301

State of Kansas

Department of Health
and Environment

Request for Comments

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

Kansas Wastewater, Inc., Wichita, owns and operates an industrial wastewater treatment facility located at the Sunflower Army Ammunition Plant, DeSoto.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during the permit application review process is available for public review during normal business hours at the KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, and at the Johnson County Environmental Department, 11180 Thompson Ave., Lenexa. To obtain or review the proposed permit and supporting documentation, contact David A. Peter, (785) 296-1615, at the KDHE central office, or Mike Boothe, (913) 492-0402, at the Johnson County Environmental Department. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to David A. Peter, KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, 66620. In order to be considered in formulating a final permit decision, written comments must be received by the close of business May 26.

A person may request a public hearing be conducted on the proposed permit. The request for a public hearing

shall be in writing and set forth the basis for the request. The written request must be submitted to Connie Carreno, Bureau of Air and Radiation, not later than the close of business May 26 in order for the Secretary of Health and Environment to consider the request.

Gary R. Mitchell
Secretary of Health
and Environment

Doc. No. 022310

State of Kansas

Department of Health
and Environment

Request for Comments

The Kansas Department of Health and Environment is soliciting comments regarding proposed air quality construction permits. KN Gas Gathering, Inc. has applied for air quality construction permits in accordance with the provisions of K.A.R. 28-19-300 to install natural gas compressor engines at three new compressor stations. Emissions of nitrogen oxides, carbon monoxides and volatile organic compounds were evaluated during the permit review process.

KN Gas Gathering, Inc., Liberal, owns and operates the stationary sources located at Section 11, Township 32S, Range 35W; Section 32, Township 32S, Range 37W; and Section 14, Township 32S, Range 37W, in Stevens County.

A copy of the proposed permits, permit applications, all supporting documentation and all information relied upon during review of the permit applications is available for public inspection during normal business hours at the KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, and at the KDHE southwest district office, 302 W. McArtor Road, Dodge City. To obtain or review the proposed permits and supporting documentation, contact Shawn A. Howell, (785) 296-1993, at the KDHE central office, or Wayne Neese, (316) 225-0596, at the KDHE southwest district office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permits to Shawn A. Howell, KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, 66620. In order to be considered in formulating a final permit decision, written comments must be received by the close of business May 26.

A person may request a public hearing be conducted on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Connie Carreno, Bureau of Air and Radiation, not later than the close of business May 26 in order for the Secretary of Health and Environment to consider the request.

Gary R. Mitchell
Secretary of Health
and Environment

Doc. No. 022318

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-98-63

Name and Address of Applicant	Legal Description	Receiving Water
North Wheatridge L.L.C. Route 1, Box 33 Long Island, KS 67467	SW/4 of Sec. 2, T1S, R20W, Phillips County	Elk Creek

Kansas Permit No. A-URPL-H005 Federal Permit No. KS-0094307
This is a new facility for 7,200 head (2,160 animal units) of swine.

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

- Compliance Schedule: 1) The waste management plan for the facility developed by Agriculture Engineering Associates and approved by this department shall be adhered to as a condition of this permit. The plan covers, but is not 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.
- 2) Written verification that the center pivot system has been installed or is available for dewatering activities on the adjacent irrigated cropland is to be received to this department within 12 months of the issuance of this permit. Any other disposal equipment available should be included within the letter.
- 3) All other conditions listed in the approval letter are to be addressed in written form from the engineering firm or the owner/operator of the facilities prior to the utilization of the pollution control system.

Public Notice No. KS-AG-98-034/042

Name and Address of Applicant	Waterway	Type of Discharge
City of Blue Mound City Hall Main St. Blue Mound, KS 66010	Little Osage River via Irish Creek	Treated domestic wastewater

Kansas Permit No. M-MC05-0001 Federal Permit No. KS0079936
Legal: SW¼, S32, T22S, R22E, Linn County

Facility Description: The proposed action is to reissue an existing permit for operation of an existing mechanical treatment system treating primarily domestic wastewater. The proposed permit contains a schedule of compliance for the permittee to replace the existing mechanical plant with a three-cell wastewater lagoon. The proposed permit provides interim limits for the mechanical plant and final limits for the lagoon system. The permit requirements are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and

federal surface water criteria, and are water quality based (mechanical plant) and technology based (lagoon).

Name and Address of Applicant	Waterway	Type of Discharge
City of Kansas City Public Works Dept. Water Pollution Control 701 N. 7th St. Kansas City, KS 66101	Kansas River via unnamed tributary	Treated domestic wastewater

Kansas Permit No. M-KS27-PO14 Federal Permit No. KS0080209
Facility Name: Kansas City Plant #14

Legal: NE¼, S28, T11S, R24E, Wyandotte County
Facility Description: The proposed action is to reissue an existing permit for operation of an existing mechanical treatment system treating primarily domestic wastewater. 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
Board of Public Utilities Kaw Power Plant c/o Marynell Hollenbeck 1211 N. 8th St. Kansas City, KS 66101	Kansas River	Process and noncontact cooling water

Kansas Permit No. I-KS27-BO01 Federal Permit No. KS0080179

Legal: NE¼, S20, T11S, R25E, Wyandotte County
Facility Description: The proposed action is to reissue an existing permit for operation of an existing wastewater discharge system. This facility generates electric power with high pressure steam produced by fossil fuel. Once-through river water used for condenser cooling and various miscellaneous functions is returned to the river. Coal pile runoff, boiler blowdown and miscellaneous drains wastewater are treated and released to the river. Domestic wastewater and demineralizer regenerate are directed to the municipal sanitary sewer. 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
Board of Public Utilities Quindaro Power Plant c/o Maryell Hollenbeck 1211 N. 8th St. Kansas City, KS 66101	Missouri River	Process and noncontact cooling water

Kansas Permit No. I-MO25-BO02 Federal Permit No. KS0080942

Legal: S28, T10S, R25E, Wyandotte County
Facility Description: The proposed action is to reissue an existing permit for operation of an existing wastewater discharge system. This facility generates electric power with high pressure steam produced by fossil fuel. Once-through river water used for condenser cooling and various miscellaneous functions is returned to the river. Coal pile runoff, boiler blowdown, demineralizer regenerate and miscellaneous wastewater streams are treated and released to the river. Domestic wastewater is directed to the municipal sanitary sewer. 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
Hills Pet Nutrition P.O. Box 3508 320 E. Crane Topeka, KS 66601-3508	Kansas River via storm sewer	Noncontact cooling water

Kansas Permit No. I-KS72-CO05 Federal Permit No. KS0003077

Legal: 320 E. Crane, Topeka, Kansas
Facility Description: The proposed action is to reissue an existing permit for operation of an existing wastewater discharge system. This facility manufactures canned pet foods. The discharges consist of

(continued)

steam condensation and noncontact city/well water used in heat exchangers. All floor drains, process wastewater and other cooling water are pretreated and, along with domestic wastewater, are routed to the sanitary sewer system. The permit requirements are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria.

Name and Address of Applicant	Waterway	Type of Discharge
Trinity United Methodist 1602 N. Main St. Hutchinson, KS 67501	Arkansas River via Cow Creek via storm sewer	Noncontact cooling water
Kansas Permit No. I-AR49-CO19	Federal Permit No. KS0091065	

Legal: NE¼, S12, T23S, R6W, Reno County

Facility Description: The proposed action is to reissue an existing permit for a discharge of noncontact cooling water. Once-through noncontact cooling water from the water cooled chiller is discharged into the city storm sewer from April to October. No chemical additives are used in the water. The cooling water discharge rate is about 25,050 gpd. 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
Koch Sulfur Products P.O. Box U DeSoto, KS 66018	Kansas River via Kill Creek via Pyotts Pond	Process wastewater
Kansas Permit No. I-KS12-PO02	Federal Permit No. KS0089052	

Legal: NE¼, S17, T13S, R22E, Johnson County

Facility Description: The proposed action is to reissue an existing permit for operation of an existing wastewater treatment system. This facility manufactures commercial grade sulfuric acid by oxidation of elemental sulfur and thermal decomposition of industrial spent sulfuric acids. Wastewater discharge consists of cooling tower blowdown, boiler blowdown, water softener regenerate, floor washings and fire hydrant discharge. Wastewater treatment consists of lime neutralization and sedimentation of chemical precipitates. Daily average discharge, excluding stormwater run-off, is about 69,700 gpd. 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
Raytheon Aircraft Co. 9709 E. Central Wichita, KS 67206	Arkansas River via Gypsum Creek via unnamed tributary	Process wastewater
Kansas Permit No. I-AR94-PO04	Federal Permit No. KS0000183	

Legal: 9709 E. Central, Wichita, Kansas

Facility Description: The proposed action is to reissue an existing permit for operation of an existing wastewater treatment system. This facility manufactures aircraft and missile targets. Metal finishing process and domestic wastewaters are discharged into the sanitary sewer. Municipal water, used for noncontact cooling, steam condensate and fire protection test water, is treated in an oil/water separator and discharged, along with stormwater run-off, at outfalls 001 and 002. Total daily discharge, excluding stormwater, is about 0.203 million gallons. 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 c/o Tom Brown 818 Kansas Ave. Topeka, KS 66612	Little Arkansas River via unnamed tributary	Process wastewater
Kansas Permit No. I-LA22-PO01	Federal Permit No. KS0079723	

Legal: Hutchinson Energy Center, SE¼, S33, T22S, R5W, Reno County

Facility Description: The proposed action is to reissue an existing permit for operation of an existing wastewater treatment system. This facility is a peaking plant that generates electric power using combustion turbines and high pressure steam generators. Domestic waste-

water is discharged to a septic tank/lateral field. Boiler blowdown, fireside boiler wash treatment wastewater, cooling tower blowdowns, demineralizer regenerate and other miscellaneous wastewaters are treated and discharged, along with stormwater run-off, to the receiving stream. Total daily discharge, excluding stormwater, is about 0.099 million gallons. 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.

Public Notice No. KS-ND-98-012/014

Name and Address of Applicant	Legal Location	Type of Discharge
City of Burlingame Burlingame Ind. Park 101 E. Santa Fe Burlingame, KS 66413	SW¼, S23, T15S, R14E, Osage County	Nonoverflowing
Kansas Permit No. M-MC07-NO01		

Facility Description: The proposed action is to issue a new permit for operation of two-cell wastewater treatment lagoon system. The proposed permit limits the wastewater treated in the lagoon system to domestic and noncontact cooling wastewater and requires the permittee to conduct and report to KDHE the results of an annual survey of all companies connected to the wastewater treatment facility.

Name and Address of Applicant	Legal Location	Type of Discharge
Reflection Ridge Golf Corp. Bldg. 1026, Suite C 7570 W. 21st Wichita, KS 67205	SE¼, S21, T26S, R1W, Sedgwick County	Nonoverflowing
Kansas Permit No. C-AR58-NO01		

Facility Description: The proposed action is to issue a new permit for operation of a new two-cell wastewater treatment lagoon system treating domestic wastewater.

Name and Address of Applicant	Legal Location	Type of Discharge
Kansas Dept. of Wildlife and Parks 26001 W. 255 St. Paola, KS 66071	SE¼, S13, T16S, R22E, Miami County	Nonoverflowing
Kansas Permit No. M-MC60-NO02		

Facility Description: The proposed action is to issue an existing permit for operation of existing wastewater lagoon system treating domestic wastewater. The proposed permit is for a modification to add an additional cell to the existing two-cell facility.

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, Kansas Department of Health and Environment, Division of Environment, Bureau of Water, J Street and 2 North, Forbes Field, Building 283, Topeka, 66620. All comments postmarked or received on or before May 23 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate public notice number (KS-AG-98-63, KS-98-034/042, KS-ND-98-012/014) 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

Doc. No. 022319

State of Kansas

Kansas Council on Developmental Disabilities

Request for Proposals

The Kansas Council on Developmental Disabilities (KCDD) announces the availability of developmental disabilities funding to be distributed for state plan goal activities that focus on employment in the area of small business initiatives (several projects up to \$20,000 each). Individuals with developmental disabilities and their families are eligible. The projected duration of these projects is one year.

Application Process

To receive an application containing forms, instructions and information, contact the KCDD, Room 141, Docking State Office Building, 915 S.W. Harrison, Topeka, (785) 296-2608, or e-mail at craig@idir.net.

The maximum KCDD contribution cannot exceed 75 percent of the annual project budget. Successful applicants must contribute at least 25 percent of the actual annual project budget.

Evaluation and Selection

Completed applications will be given a project number, analyzed by a review committee and evaluated based on the following content: narrative, methodology, budget, quality of business plan, qualifications of the applicant, and adherence to specific criteria included in the application. Additionally, applicants should be aware that the KCDD and the review committee will note whether the application addresses the needs of diverse populations and/or rural Kansans with developmental disabilities. Final decisions for grant project awards will be made by the KCDD.

Deadline

Completed applications will be accepted at the KCDD office on an ongoing basis beginning May 1 until the project money is fully distributed. No handwritten, faxed or single-spaced documents will be accepted. Applicants will be notified of the KCDD decision within 45 days of receipt of grant application.

Jane Rhys, Ph.D.
Executive Director

Doc. No. 022315

State of Kansas

Department of Transportation

Request for Proposals

The Kansas Department of Transportation is seeking to develop its right-of-way assets for the building of a fiber optic infrastructure, providing KDOT with means for meeting current and future Intelligent Transportation System (ITS) needs. The goal of the project is to provide a fiber optic infrastructure that can be used to support the various aspects of ITS deployments within the state.

KDOT is offering the use of its right-of-way to interested companies with the intention of allowing these companies to install and operate communication networks along the right-of-way in exchange for dedicated channel capacity within the network for KDOT's ITS use, communication services for ITS, and dedicated infrastructure components (a passive network of conduit and hand-holes) to support ITS deployment.

It is not the intention of KDOT to pay for the installation of or the provision of services and systems defined herein.

KDOT is specifically seeking to develop its interstate and other access controlled right-of-way assets throughout Kansas. This does not include the Kansas Turnpike Authority right-of-way.

Although there is no minimum route proposal specified, it is desirable to have long, contiguous installations of infrastructure provided to KDOT. Specific system operation requirements for the portion of the fiber optic network built for contractor use only are at the direction of the contractor. All construction methods, placement and operations within KDOT right-of-way shall conform to KDOT construction standards, the KDOT Utility Accommodation Policy, and any applicable codes.

Interested companies may contact Matthew Volz, KDOT ITS Coordinator, (785) 296-6356, for more information.

KDOT will accept proposals from qualified companies until 4 p.m. April 30, with evaluations to be performed May 1. Please deliver or return proposals by the deadline to Dean Testa, KDOT Bureau of Construction and Maintenance, 8th Floor, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612-1568.

The proposal must state the company name, address, telephone number and responsible individual to contact. The proposal must specify the routes and begin and end points on those routes for which infrastructure and service is being proposed. The proposal also must specify the type of infrastructure and service being offered to KDOT. The proposal form may be no longer than three pages.

Proposals received will be evaluated based on the routes identified, the offer of services to KDOT, and the qualifications of the company to perform this work in a timely manner. The company chosen will be invited to submit a detailed proposal at a later date for further evaluation by KDOT.

E. Dean Carlson
Secretary of Transportation

Doc. No. 022322

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 Construction and Maintenance, KDOT, Topeka, or at the Ramada Inn Downtown, Topeka, until 2 p.m. May 20, 1998, and then publicly opened:

District One—Northeast

Douglas—10-23 U-1691-01—K-10 (23rd Street) and Naismith Drive in Lawrence, traffic signals. (Federal Funds)

Douglas—40-23 U-1692-01—U.S. 40/U.S. 59 (6th Street) and Vermont Street in Lawrence, traffic signals. (Federal Funds)

Jackson—43 C-3029-01—County road, 6 miles (9.7 kilometers) west of Hoyt, 0.15 mile, (0.241 kilometer), grading and bridge. (Federal Funds)

Nemaha—9-63 K-7151-01—K-9, Illinois Creek Bridge, 3.9 miles (6.2 kilometers) east of K-187, bridge repair. (State Funds)

Shawnee—89 K-5930-01—U.S. 75a, Topeka Avenue Bridge 116 over the Kansas River, bridge repair. (State Funds)

Riley—77-81 K-7186-01—U.S. 77, Bridge 015 (Fancy Creek) 2.1 miles (3.4 kilometers) north of K-16, bridge overlay. (State Funds)

District Two—Northcentral

McPherson—61-59 K-5386-01—K-61, from the junction of K-153 northeast to U.S. 81b, 2 miles (3.2 kilometers), grading, bridge and surfacing. (Federal Funds)

McPherson—81b-059 K-5386-02—U.S. 81b, junction of I-135 west to the junction of K-61, 2.6 miles (4.2 kilometers), grading, bridge and surfacing. (Federal Funds)

Morris—57-64 K-5879-01—K-57, from the north city limits of Council Grove south to the east junction of U.S. 56, 0.43 mile (0.7 kilometer), pavement reconstruction. (State Funds)

Salina—85 U-1693-01—Intersections of Broadway and South, Ninth and Claflin, Ninth and Walnut, Ninth and Republic, and Broadway and Cloud in Salina, traffic signals. (Federal Funds)

District Three—Northwest

Norton—383-69 K-5652-01—K-383, Bridge 029, Wildcat Creek and Bridge 032, south fork Prairie drainage, bridge replacement. (Federal Funds)

Sherman—70-91 K-6465-01—I-70, from the junction of K-27, east 10 miles (16.1 kilometers), overlay. (State Funds)

Sherman—70-91 K-7183-01—I-70, from the K-253 junction east to the Sherman-Thomas county line, 7.9 miles (12.7 kilometers), slurry seal. (State Funds)

District Four—Southeast

Crawford—69a-19 K-5884-01—U.S. 69a, from the south city limits of Arma north to Washington Street, 0.3 mile (0.5 kilometer), pavement reconstruction. (State Funds)

Miami—169-61 K-6632-01—U.S. 169, Bridge 055, Pottawatomie Creek, bridge overlay. (State Funds)

Montgomery—75-63 K-5492-01—Pennsylvania and Chestnut Streets in Independence, 0.13 mile (0.20 kilometer), intersection improvement. (State Funds)

Montgomery—160-63 K-6627-01—U.S. 160, Bridge 020, Verdigris River, bridge overlay. (State Funds)

Montgomery—75-63 K-6628-01—U.S. 75, Bridge 008 over the Union Pacific Railroad and 20th Street in Independence, bridge overlay. (State Funds)

District Five—Southcentral

Pratt—76 C-3438-01—Countywide pavement marking. (Federal Funds)

Reno-Kingman—106 K-1802-07—Various locations in Cheney State Park, surfacing. (State Funds)

Sedgwick—87 N-0100-1—North 13th Street and Waco in Wichita, intersection improvement. (State Funds)

Sumner—96 U-1554-01—Fourth Street over Beaver Creek in Wellington, 0.03 mile (0.06 kilometer), grading, bridge and surfacing. (Federal Funds)

District Six—Southwest

Clark—94-13 K-6938-01—K-94, Clark State Lake north to the Clark-Ford county line, 6.9 miles (11.1 kilometers), sealing. (State Funds)

Districtwide—106 K-5929-98—Various locations in District Six, 127.4 miles (205.1 kilometers), signing. (State Funds)

Ford—94-29 K-6937-01—K-94, from the Clark-Ford county line north to the junction of U.S. 54, 3.9 miles (6.3 kilometers), sealing. (State Funds)

Finney—50-28 K-6935-01—U.S. 50, from the east junction of U.S. 83, east 2.7 miles (4.3 kilometers), crack repair. (State Funds)

Gray—23-35 K-6934-01—K-23, from the Meade-Gray county line north to the junction of U.S. 56, 10.5 miles (17.0 kilometers), sealing. (State Funds)

Kearny—50-47 K-6936-01—U.S. 50, from the east city limits of Lakin east to the Kearny-Finney county line, 9.5 miles (15.2 kilometers), crack repair. (State Funds)

Lane—4-51 K-6450-01—K-4, from the west edge to the east edge of Healy, 0.43 mile (0.7 kilometer), grading and surfacing. (State Funds)

Meade—23-60 K-6933-01—K-23, from the north city limits of Meade north to the Meade-Gray county line, 12.6 miles (20.3 kilometers), sealing. (State Funds)

Seward—54-88 M-1884-01—U.S. 54, safety rest area southwest of Kismet, safety rest area improvement. (State Funds)

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

Each bidder shall file a sworn statement executed by or on behalf of the person, firm, association or corpora-

tion 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. 022316

State of Kansas

Department of Health and Environment

Permanent Administrative Regulations

Article 68.—KANSAS DRYCLEANER ENVIRONMENTAL RESPONSE ACT

28-68-3. Performance standards. (a) Storage and disposal of drycleaning wastes.

(1) Each drycleaning facility that generates hazardous waste shall comply with the provisions of K.A.R. 28-31-1 through K.A.R. 28-31-4 with the following changes.

(A) Except as provided in paragraph (a)(2), each drycleaning facility that is a small quantity generator as defined by K.A.R. 28-31-2, subsection (e), and that accumulates up to 25 kilograms of hazardous waste, shall treat the waste as follows:

(i) Either treat or dispose of the hazardous waste in an acceptable on-site facility, or ensure delivery to an off-site hazardous waste treatment, storage, or disposal facility, or to some other waste management facility approved by the department;

(ii) comply with 40 C.F.R. 265, subpart I, as in effect on July 1, 1995, except §265.176 and §265.178;

(iii) label or clearly mark each container and each tank in which hazardous waste is accumulated or stored with the words "Hazardous Waste"; and

(iv) clearly mark each container and each tank in which hazardous waste will be accumulated and stored for more than 72 hours with the date on which each period of accumulation begins. The date marking shall be in a place visible for inspection.

(B) Drycleaning wastewater shall not be stored at a drycleaning facility for more than 60 days.

(2) Each existing drycleaning facility that is a small quantity generator and accumulates up to 25 kilograms of hazardous waste shall comply with paragraphs (a)(1)(A)(ii) through (a)(1)(A)(iv) of this regulation not later than six months after January 3, 1997.

(b) Prohibition of the discharge of drycleaning solvents and drycleaning waste.

(1) Drycleaning facilities shall not discharge drycleaning solvents, drycleaning wastewater, or both, either directly or indirectly, into any sanitary sewer, storm sewer, or septic tank, or to the soil or waters of the state. Drycleaning facilities shall not discharge drycleaning waste into any underground tank.

(2) Drycleaning facilities shall not locate floor drains within any secondary containment structure required by paragraph (e)(1) of this regulation.

(3) Each existing drycleaning facility shall comply with paragraph (b)(1) of this regulation not later than six months after January 3, 1997.

(4) Each existing drycleaning facility shall comply with paragraph (b)(2) of this regulation not later than two years after January 3, 1997.

(c) Any drycleaning facility may evaporate drycleaning wastewater at the drycleaning facility at which it was generated if both of the following conditions are met:

(1) The evaporation unit is a heated unit or a nonthermal unit utilizing air atomization or misting, made of materials compatible with and impervious to the drycleaning wastewater being evaporated.

(2) The drycleaning wastewater contains no free-phase drycleaning solvent. For the purposes of this paragraph, "free-phase drycleaning solvent" means drycleaning solvent that is not suspended or dissolved in the drycleaning wastewater.

(d) Air emission standards. Each drycleaning facility using chlorinated drycleaning solvents shall comply with the provisions of K.A.R. 28-19-720, and K.A.R. 28-19-750 through K.A.R. 28-19-753.

(e) Dikes and secondary containment structures.

(1) Installation. Each drycleaning facility shall install a dike or other secondary containment structure around each drycleaning unit and around each storage area for drycleaning solvent, drycleaning waste, or both. Each secondary containment structure shall be maintained in good condition.

(2) Construction materials.

(A) The materials used to construct each secondary containment structure shall be impervious to and compatible with the drycleaning solvents and drycleaning wastes used or stored within the secondary containment structure.

(B) For any drycleaning unit using chlorinated drycleaning solvents, and any storage area for chlorinated drycleaning solvents, chlorinated solvent drycleaning wastes, or both, materials other than epoxy or steel may be used for the construction of the secondary containment structure only upon approval by the department. Departmental approval for use of a material other than epoxy or steel shall be granted upon demonstration to the department that the material is as compatible with and impervious to drycleaning solvent as epoxy or steel.

(C) For any drycleaning unit using petroleum drycleaning solvents, and any storage area for petroleum drycleaning solvents, petroleum drycleaning solvent wastes, or both, materials other than epoxy, steel, or concrete may be used for the construction of the secondary containment structure only upon approval by the de-

(continued)

partment. Departmental approval for use of a material other than epoxy, steel, or concrete shall be granted upon demonstration to the department that the material is as compatible with and impervious to drycleaning solvent as epoxy, steel, or concrete.

(D) All sealant and all caulk used on each secondary containment structure shall be impervious to and compatible with the drycleaning solvent and drycleaning waste used or stored within the secondary containment structure.

(3) Storage capacity. Each secondary containment structure shall be capable of containing any leak, spill, or release of drycleaning solvents, drycleaning wastes, or both.

(4) Inspections. The owner or operator of each drycleaning facility shall inspect each secondary containment structure weekly.

(A) The owner or operator of each drycleaning facility shall repair each deficiency detected during an inspection not later than five calendar days after the deficiency is detected. The owner or operator may request an extension of this five-day time limit from the department.

(B) The owner or operator of each drycleaning facility shall keep a log of the following information and provide it to the department upon request:

(i) The dates of inspection for each secondary containment structure;

(ii) a brief description of each deficiency that is detected;

(iii) the date of repair of each deficiency; and

(iv) a brief description of each repair.

(C) Each inspection and repair log shall be kept at the drycleaning facility for not less than five years after the log has been completed.

(5) Compliance date. Each existing drycleaning facility shall comply with paragraphs (e)(1) through (4) of this regulation not later than two years after January 3, 1997.

(f) Delivery of solvents.

(1) Chlorinated drycleaning solvents. Within two years after January 3, 1997, all chlorinated drycleaning solvents shall be delivered to drycleaning units and drycleaning solvent storage containers by means of the following:

(A) A direct-coupled delivery system; or

(B) A technology determined by the department to provide protection of human health and the environment equivalent to or greater than that provided by direct-coupled delivery systems. This two-year compliance period may be extended by the secretary if direct-coupled delivery systems are not readily available within two years after January 3, 1997.

(2) Petroleum-based solvent. All petroleum-based solvents shall be delivered to drycleaning units and drycleaning solvent storage containers according to the requirements of K.A.R. 22-7-9 and local fire codes.

(g) Each new drycleaning facility shall comply with this regulation at the time operations begin. (Authorized by and implementing K.S.A. 1996 Supp. 65-34,143; effective Jan. 3, 1997; amended May 8, 1998.)

Gary R. Mitchell
Secretary of Health
and Environment

Doc. No. 022303

(Published in the Kansas Register April 23, 1998.)

Summary Notice of Bond Sale \$1,200,000

City of Arkansas City, Kansas General Obligation Bonds, Series 1998

(General obligation bonds payable from
unlimited ad valorem taxes)

Sealed Bids

Subject to the notice of bond sale dated April 7, 1998, sealed bids will be received by the clerk of the City of Arkansas City, Kansas (the issuer), on behalf of the governing body at 118 W. Central, Arkansas City, KS 67005, until 6:30 p.m. May 5, 1998, for the purchase of \$1,200,000 principal amount of General Obligation Bonds, Series 1998. No bid of less than 100 percent of the principal amount of the bonds and accrued interest thereon to the date of delivery will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated May 1, 1998, and will become due on December 1 in the years as follows:

Year	Principal Amount
1999	\$120,000
2000	120,000
2001	120,000
2002	120,000
2003	120,000
2004	120,000
2005	120,000
2006	120,000
2007	120,000
2008	120,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on June 1 and December 1 in each year, beginning June 1, 1999.

Optional Book-Entry-Only System

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

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a good faith deposit in the form of a cashier's or certified check drawn on a bank located in the United States or a qualified financial surety bond in the amount of \$24,000 (2 percent of the principal amount of the bonds).

Delivery

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or before June 9, 1998, at DTC for the account of the successful bidder or 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 1997 is \$42,816,263. The total general obligation indebtedness of the issuer as of the date of delivery of the bonds, including the bonds being sold, is \$7,735,000.

Approval of Bonds

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

Additional Information

Additional information regarding the bonds may be obtained from the clerk, (316) 441-4400, or from the financial advisor, George K. Baum & Company, 100 N. Main, Suite 810, Wichita, KS 67202, Attention: Charles M. Bouilly, (316) 264-9351.

Dated April 7, 1998.

City of Arkansas City, Kansas

Doc. No. 022314

(Published in the Kansas Register April 23, 1998.)

Summary Notice of Bond Sale

\$4,730,000

City of Manhattan, Kansas

General Obligation Bonds, Series 205

(General obligation bonds payable from unlimited ad valorem taxes)

Sealed Bids

Subject to the notice of bond sale dated April 21, 1998, sealed bids will be received by the clerk of the City of Manhattan, Kansas (the issuer), on behalf of the governing body at 100 Manhattan Town Center, Manhattan, KS 66502, until 11 a.m. May 5, 1998, for the purchase of \$4,730,000 principal amount of General Obligation Bonds, Series 205. No bid of less than 98.5 percent of the principal amount of the bonds and accrued interest thereon to the date of delivery will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated June 1, 1998, and will become due on November 1 in the years as follows:

Year	Principal Amount
1999	\$125,000
2000	220,000
2001	230,000
2002	240,000
2003	250,000
2004	265,000
2005	275,000
2006	285,000
2007	300,000
2008	310,000
2009	330,000
2010	345,000
2011	355,000

2012	380,000
2013	400,000
2014	60,000
2015	65,000
2016	70,000
2017	70,000
2018	75,000
2019	80,000

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

Book-Entry-Only System

The bonds will be registered under a book-entry-only system administered through DTC.

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a good faith deposit in the form of a cashier's or certified check drawn on a bank located in the United States or a qualified financial surety bond in the amount of \$94,600 (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 June 11, 1998, at DTC for the account of the successful bidder.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 1997 is \$192,851,659. The total general obligation indebtedness of the issuer as of the date of delivery of the bonds, including the bonds being sold but excluding temporary notes to be retired in conjunction therewith, is \$43,367,000.

Approval of Bonds

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

Additional Information

Additional information regarding the bonds may be obtained from the director of finance, (785) 587-2465, or from the financial advisor, Springsted Incorporated, 85 E. 7th Place, Suite 100, St. Paul, MN 55101, Attention: Alan J. Erickson, (612) 223-3096.

Dated April 15, 1998.

City of Manhattan, Kansas

Doc. No. 022313

(Published in the Kansas Register April 23, 1998.)

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

\$6,355,000*

**General Obligation
Temporary Notes
Series 1998-I**

\$5,325,000*

**General Obligation Bonds
Series 1998-A**

**(General obligations payable from
unlimited ad valorem taxes)**

Sealed Bids

Subject to the notice of sale and preliminary official statement, sealed bids will be received by the city clerk of the City of Lawrence, Kansas, on behalf of the governing body at City Hall, 6 E. 6th, Lawrence, KS 66044, until 11 a.m. Tuesday, May 5, 1998, for the purchase of \$6,355,000* General Obligation Temporary Notes, Series 1998-I, and \$5,325,000* General Obligation Bonds, Series 1998-A. No bid of less than the entire principal amount of the bonds or less than 99.50 percent of the entire principal amount of the notes, as applicable, and accrued interest to the date of delivery will be considered.

Note Details

The notes will consist of fully registered notes in the denomination of \$5,000 or any integral multiple thereof. Notes shall initially be registered in the name of Cede & Co., as nominee of the Depository Trust Company, New York, New York, to which payment of principal of and interest on the notes will be made. Individual purchases of notes will be made in book-entry form only. Purchasers will not receive certificates representing their interest in notes purchased. The notes will be dated May 1, 1998, and will become due on June 1, 1999, subject to redemption as set forth in the preliminary official statement. The notes will bear interest from the dated date at rates to be determined when the notes are sold, and interest will be payable semiannually on December 1, 1998, and June 1, 1999 (or earlier redemption date). The city treasurer will be the paying agent and note registrar for the notes.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds shall initially be registered in the name of Cede & Co., as nominee of the Depository Trust Company, New York, New York, to which payment of principal of and interest on the 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 May 1, 1998, and will become due on September 1 in the years as follows, subject to redemption as set forth in the preliminary official statement:

Year	Principal Amount*
1998	\$600,000
1999	445,000
2000	460,000

2001	475,000
2002	495,000
2003	520,000
2004	540,000
2005	570,000
2006	595,000
2007	625,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold, and interest will be payable semiannually on March 1 and September 1 in each year, beginning September 1, 1998. The Kansas State Treasurer, Topeka, Kansas, will be the paying agent and bond registrar for the bonds.

Good Faith Deposit

Each bid for the notes shall be accompanied by a good faith deposit in the form of a cashier's or certified check or a financial surety bond in the amount of 1 percent of the principal amount of the notes. Each bid for the bonds shall be accompanied by a good faith cashier's or certified check or financial surety bond in the amount of 2 percent of the principal amount of the bonds.

Delivery

The city will pay for the preparation of the notes and the bonds. The city will deliver the notes and the bonds in book-entry form only through the facilities of the Depository Trust Company, New York, New York.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 1997 is \$482,263,717. The total general obligation indebtedness of the city as of the date of the bonds, including the bonds and notes being sold, is \$63,675,000.

Approval of Bonds

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

Additional Information

Additional information regarding the bonds and notes may be obtained from the city clerk or the city's director of finance, (785) 832-3214, or from bond counsel, Gilmore & Bell, P.C., 700 W. 47th, Suite 400, Kansas City, MO 64112, (816) 931-7500.

Dated April 14, 1998.

City of Lawrence, Kansas
By Raymond J. Hummert
Lawrence City Clerk
Lawrence City Hall
6 E. 6th
Lawrence, KS 66044
(785) 832-3000

*Preliminary, subject to change.
Doc. No. 022324

State of Kansas

Secretary of State

Notice of Corporations Forfeited

In accordance with K.S.A. 17-7510, the articles of incorporation of the following corporations organized under the laws of Kansas and the authority of the following foreign corporations authorized to do business in Kansas were forfeited during the month of March 1998 for failure to timely file an annual report and pay the annual franchise tax as required by the Kansas general corporation code:

Domestic Corporations

A-Bail Bail Bonds, L.L.C., Parsons, KS.
 Advantage 1, Inc., Hudson, KS.
 Alpha XI Delta Building Corporation of Lawrence, Kansas, Inc., Overland Park, KS.
 Alpha-Omega Productions, Inc., Wichita, KS.
 Architectural Interiors, Inc., Garden City, KS.
 Atchison Pre-School Association, Atchison, KS.
 Blue Valley Middle School P.T.O. Inc., Overland Park, KS.
 Boxner Enterprises, Inc., Wichita, KS.
 Building Material Distributors of Wichita, Inc., Wichita, KS.
 Central Pump and Supply, Inc., Humboldt, KS.
 Chemicals Consolidated, Inc., El Dorado, KS.
 China, Inc., Hutchinson, KS.
 Christ Temple Apostolic Church, Wichita, KS.
 Clothes Vault, Inc., Atchison, KS.
 Coffeyville Transportation Service, Inc., Coffeyville, KS.
 Community Development Institute, Raytown, MO.
 CONQ Athletic Booster Association, Dodge City, KS.
 Corbin Custom Siding Inc., Wichita, KS.
 Crawford Door Sales, Inc., Wichita, KS.
 DL & Company of Wichita, Inc., Cheney, KS.
 Domann Drug, Inc., Atchison, KS.
 Dr. G. F. Copeland, Optometrist, P.A., Larned, KS.
 Ed Tech Academy, Inc., Olathe, KS.
 Eileen's Inc., Hutchinson, KS.
 Felix Camera Stores, Inc., Overland Park, KS.
 Ford Lions Club, Ford, KS.
 Gamma Theta Chapter of Delta Tau Delta, Inc., Lawrence, KS.
 Gamma XI Chapter House Corporation Board of Alpha Phi International, Wichita, KS.
 Happy Hearts, Inc., Atchison, KS.
 Hughes Realty, Inc., Lyons, KS.
 International Petroleum Services, Inc., El Dorado, KS.
 J & B Insurance Adjustment, Inc., Osage City, KS.
 Johnson County Bar Association, Overland Park, KS.
 Juan Padilla Academy, Inc., Wichita, KS.
 K & K Custom Hauling, Inc., Colby, KS.
 Kamen-Schnyder Industrial Supply, Inc., Wichita, KS.
 Kansas City Figure Skating Club, Incorporated, Shawnee Mission, KS.
 Kansas Opera Theatre, Incorporated, Prairie Village, KS.
 Kansas Texas Longhorn Association, Inc., Salina, KS.
 Kansas University Gynecological & Obstetrical Foundation, Kansas City, MO.
 Kids University, Inc., Marysville, KS.
 Lear Trucking, Inc., Waldron, KS.
 Loren Glenn Agee, M.D., P.A., Overland Park, KS.
 Mark Elliott Enterprises, Inc., Lenexa, KS.
 Martin Transport Co., Inc., Wichita, KS.
 Matrix Computer Group, Inc., Overland Park, KS.
 Midwest Chapter AINA, Inc., Olathe, KS.

Mountain-Plains Business Education Association, Emporia, KS.
 Nall Development Company, Inc., Overland Park, KS.
 Nelson Investment Company, Inc., Kansas City, KS.
 New Community Church of the Nazarene, Gardner, KS.
 North Central Hose Inc., Downs, KS.
 Northwest High School Booster Club, Inc., Wichita, KS.
 Oak Leaf Club, Inc., Iola, KS.
 Oak Valley Homes Association, Shawnee Mission, KS.
 Olathe National Education Association, Shawnee Mission, KS.
 Overmiller Stock Farms, Inc., Smith Center, KS.
 Pageant Creek, Limited, Medicine Lodge, KS.
 Performing Arts Dance Center, Inc., Overland Park, KS.
 PFM Kansas, Inc., Charlotte, NC.
 Planned Parenthood Action Fund of Kansas, Inc., Wichita, KS.
 Porter, Inc., Reading, KS.
 PSS Canada, Inc., Topeka, KS.
 PSS Labor Leasing, Inc., Topeka, KS.
 Quindaro Development Corporation, Kansas City, KS.
 R & A Construction Co., Inc., Merriam, KS.
 S. P. Enterprises, P.A., Liberal, KS.
 Salesmark, Inc., Little Rock, AR.
 Sandpoint, Incorporated, St. Paul, KS.
 Schreiner's, Inc., Ogallah, KS.
 Servicemaster of Topeka, Inc., Salina, KS.
 Sheridan 4-H Club of Cherokee County, Kansas, Inc., Columbus, KS.
 Snell Corporation, Overland Park, KS.
 Sunseekers, Inc., Overland Park, KS.
 Support Solutions Corp., Wichita, KS.
 Suzuki Talent Education of Topeka, Inc., Topeka, KS.
 Swing 'n' Twirl Square Dance Club, Altamont, KS.
 The Abraham and Clarice Weinlood Memorial Foundation, Hutchinson, KS.
 The Alliance for Behavioral Health, Inc., Kansas City, MO.
 The Alumni Association of Dodge City Community College, Dodge City, KS.
 The Harper Advocate, Inc., Harper, KS.
 The Horton Community Hospital, Inc., Horton, KS.
 The Inland Corporation, Wichita, KS.
 The International Center of Topeka, Inc., Topeka, KS.
 The Kansas Crime Stoppers Association, Kansas City, MO.
 The Regent Corporation, Overland Park, KS.
 Topeka West Rotary Endowment, Inc., Topeka, KS.
 Valley Hope Association, Norton, KS.
 Vanderbilt's No. 9, Inc., Wamego, KS.
 Wichita Audubon Society, Incorporated, Wichita, KS.
 Zeta Beta Tau, Epsilon Mu Chapter Corp., Clayton, MO.
 Zurich Football Club, Lenexa, KS.

Foreign Corporations

A.R.W., Ltd., Kansas City, MO.
 America's Heartland, Kansas City, MO.
 America's Loan Source, Inc., Alpharetta, GA.
 American Institute for Paralegal Studies, Inc., Southfield, MI.
 Boston Concessions Group, Inc., Cambridge, MA.
 Cinnamonster Franchise Group Inc., Englewood, CO.
 Claim Services Resource Group, Inc., Dallas, TX.
 Continental Contractors, Inc., Kansas City, MO.
 Cornbelt Chemical Company, McCook, NE.
 Dana Larson Roubal and Associates, Inc., Omaha, NE.
 Dunkin' Donuts Incorporated, Randolph, MA.
 Ernst & Young Technologists, Inc., Chantilly, VA.
 Essential Extras, Inc., Kansas City, MO.
 First Portland Corporation, Portland, OR.
 Fitness Group of Overland Park, Inc., Merriam, KS.
 Fryetech, Inc., Des Moines, IA.

(continued)

G.N.C. Enterprises, Inc., Overland Park, KS.
 GAC Kansas-Chicago-Springville, Inc., Tampa, FL.
 Gary Co. of Lynd, Lynd, MN.
 Health Fair of Greater Kansas City, Inc., Kansas City, MO.
 Horizon Mental Health Management, Inc., Lewisville, TX.
 ILM II Lease Corporation, Boston, MA.
 Kim Management & Investment Co., Inc., Tulsa, OK.
 Laidlaw Environmental Services (Lone and Grassy Mountain),
 Inc., Columbia, SC.
 Laidlaw Environmental Services (Tulsa), Inc., Columbia, SC.
 Metalizing & Protective Coatings of America, Inc.,
 Texas City, TX.
 Metroplex Promotions, Inc., Midwest City, OK.
 National Quick Weight Loss Centers, Inc., Kansas City, MO.
 Oneok Exploration Company, Tulsa, OK.
 Organ Transplant Fund, Inc., Memphis, TN.
 Paradigm Communications Corporation, Santa Monica, CA.
 Parkinson's Disease Foundation, Inc., New York, NY.
 Partners in Crude, Incorporated, Ponca City, OK.
 Paychex Business Solutions, Inc., St. Petersburg, FL.
 Perryton Equity Exchange, Perryton, TX.
 Safe Ride Services, Inc., Scottsdale, AZ.
 Sodexo Services, Inc., Trumbull, CT.
 Supermarket Communication Systems, Inc., Norwalk, CT.
 Teco, Inc., Kansas City, KS.
 Telco Systems, Inc., Norwood, MA.
 The Swanson Corporation, Omaha, NE.
 Third Dunkin' Donuts Realty, Inc., Randolph, MA.
 Visiting Nurse Services of Clinicare, Kansas City, MO.

Ron Thornburgh
 Secretary of State

Doc. No. 022266

State of Kansas

Kansas Commission on Governmental Standards and Conduct

Opinion No. 1998-7

Written April 2, 1998, to Joe Fund, c/o Lisa J. Lewis, Staff Attorney, Department of Administration, Division of Personnel Services, Topeka.

This opinion is in response to your letter on behalf of Joe Fund dated March 16, 1998, 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 legal counsel to the Department of Administration's Division of Personnel Services and on behalf of Joe Fund, a Human Resource Professional I in the Human Resource Management and Diversity Section of your division. You advise us that Mr. Fund assists with delivering services to various state agencies and employees in the areas of human resource management, the Kansas Civil Service Act and related Kansas administrative regulations. He also serves as an agency resource in technical

matters on compliance and interpretation of federal employment laws.

You further advise us that Mr. Fund wants to provide consulting services to a construction contractor in Manhattan, Kansas, during his non-state time.

Question

Is it permissible, under the state level conflict of interest laws, for a Department of Administration human resource professional to provide consulting services to a construction contractor during non-state time?

Opinion

We have reviewed the state level conflict of interest laws in their entirety and two sections may apply to your question. 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. 46-235 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. . . .

In applying these sections, Mr. Fund would be prohibited from participating, on behalf of the Department of Administration, in the making of contracts with the construction contractor if he holds a "substantial interest" in the contractor (see K.S.A. 46-229 for the definition of "substantial interest").

Under K.S.A. 46-235, he would be prohibited from accepting payment from entities other than your agency for doing his official state duties. Therefore, if it is part of his official state duties to provide the kind of work he proposes to provide to the contractor, then he would be prohibited from accepting compensation from that entity. If it is not part of his official state duties to provide such services to the contractor, then he would be permitted to receive compensation for those services.

Opinion No. 1998-8

Written April 2, 1998, to Joan Bayens, c/o Lisa J. Lewis, Staff Attorney, Department of Administration, Division of Personnel Services, Topeka.

This opinion is in response to your letter on behalf of Joan Bayens dated March 16, 1998, 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 legal counsel to the Department of Administration's Division of Personnel Services and on behalf of Joan Bayens, a Staff Development Specialist I for the Management Staff Services Section of your division. You advise us that Ms. Bayens provides training to state managers, supervisors and employees on various topics relating to managerial, supervisory and technical areas.

Prior to her current service with the state, Ms. Bayens was the staff development manager for the Department of Corrections, where she provided training to various law enforcement agencies. She now desires, on non-state time, to do consulting work for various city, county and federal law enforcement agencies by providing a complete range of services from basic supervisory training to writing lesson plans.

Question

Is it permissible, under the state level conflict of interest laws, for a Department of Administration staff development specialist to provide consulting services to various city, county and federal law enforcement agencies during non-state time?

Opinion

We have reviewed the state level conflict of interest laws in their entirety and two sections may apply to your question. 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. 46-235 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. . . .

In applying these sections, Ms. Bayens would be prohibited from participating, on behalf of the Department of Administration, in the making of contracts with any city, county or federal law enforcement agency with which she provides consulting services (see K.S.A. 46-229 for the definition of "substantial interest").

Under K.S.A. 46-235, she would be prohibited from accepting payment from entities other than your agency for doing her official state duties. Therefore, if it is not part of her official state duties to provide the kind of work that she proposes to provide to the city, county and federal law enforcement agencies, she would be permitted to accept compensation from those entities. However, if it is part of her official state duties to provide such services to those entities, then she would not be permitted to receive compensation for those services.

Opinion No. 1998-9

Written April 2, 1998, to all interested persons:

Pursuant to K.S.A. 46-254, the Kansas Commission on Governmental Standards and Conduct takes the opportunity to issue its opinion concerning the application of the state level conflict of interest laws (K.S.A. 46-215 *et seq.*) to the question of state officers and employees receiving items of value from organizations of which they are members or participate in the programs the organizations offer.

Question

May a state officer or employee receive an item of value from an organization of which the officer or employee is a member or participates in a program the organization offers?

Opinion

K.S.A. 46-237a (K.S.A. 1997 Supp. Vol. 3-3A) prohibits classified employees and unclassified employees whose salaries are subject to direct approval by the Governor from accepting gifts and other items of value except under certain circumstances.

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

. . . (b) No person subject to the provisions of this section shall solicit or accept any gift, economic opportunity, loan, gratuity, special discount or service provided because of such person's official position. . . .

The acceptance of gifts and other things of value by those state officers and employees in the unclassified service whose salaries are not subject to direct approval by the Governor falls under the provisions of K.S.A. 46-237. That section in pertinent part states:

No state officer or employee . . . shall accept, or agree to accept any economic opportunity, gift, loan, gratuity, special discount, favor, hospitality, or service having an aggregate value of \$40 or more in any calendar year from any one person known to have a special interest, under circumstances where such person knows or should know that a major purpose of the donor is to influence such person in the performance of their official duties or prospective official duties.

In applying K.S.A. 46-237a(b), so long as the items are being provided to the officer or employee solely due to his or her membership in the organization or participation in a program, and not because of the officer or employee's "official position," the items could be accepted. Similarly, under K.S.A. 46-237(a), so long as the item is being provided due to the membership or participation in a program and not "under circumstances where such person knows or should know that a major purpose of the donor is to influence such person in the performance of their official duties," the item could be accepted.

Therefore, such items as calendars, coffee mugs and pens/pencils given by an organization to its members could be accepted.

Diane Gaede
Chairwoman

Doc. No. 022274

State of Kansas

Legislature

Legislative Bills and Resolutions Introduced

The following numbers and titles of bills and resolutions were recently introduced by the 1998 Legislature. Copies of bills and resolutions are available free of charge from the Legislative Document Room, 145-N, State Capitol, 300 S.W. 10th Ave., Topeka, 66612, (785) 296-4096.

Bills/Resolutions introduced April 9-11:

Senate Resolutions

SR 1854, A resolution congratulating and commending David Moody upon becoming an eagle scout.

SR 1855, A resolution proclaiming Ellinwood as the home of the Wheat Bowl.

SR 1856, A resolution congratulating and commending Kristi Garber.

SR 1857, A resolution congratulating and commending the surviving Kansas real sons and daughters of Civil War union soldiers.

Doc. No. 022300

State of Kansas

Secretary of State

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

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

Ron Thornburgh
Secretary of State

(Published in the Kansas Register April 23, 1998.)

HOUSE BILL No. 2607

AN ACT concerning the state long-term care ombudsman; attaching the office of the state long-term care ombudsman to the department of administration for certain purposes; prescribing certain powers, duties and functions; amending K.S.A. 75-5914, 75-5916, 75-5917, 75-5917a, 75-5918, 75-5918a, 75-5919, 75-5920, 75-5921, 75-5922, 75-5922a, 75-5922b and 75-5922c and repealing the existing sections.

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

New Section 1. (a) The office of the state long-term care ombudsman is hereby attached to the department of administration. The office of the state long-term care ombudsman shall be in Topeka, Kansas. The secretary of administration shall provide such technical assistance and advice as the secretary deems reasonable and necessary to assist the state long-term care ombudsman office to function as an independent state agency. The secretary of administration and the department of administration shall have no authority over the state long-term care ombudsman, any regional long-term care ombudsman, any other ombudsman, including any volunteer ombudsman, or any other officer, employee or volunteer of the office of the state long-term care ombudsman with respect to the performance of any power, duty or function of the office or the exercise of any other authority of the office or the state long-term care ombudsman.

(b) For the fiscal year ending June 30, 2000, and for each fiscal year thereafter, the secretary of administration shall include the budget estimate of the office of the state long-term care ombudsman, as prepared and approved by the state long-term care ombudsman, along with the budget estimate prepared and submitted to the division of the budget for the department of administration under K.S.A. 75-3717 and amendments thereto. The budget estimate of the office of the state long-term care ombudsman for each such fiscal year shall be prepared at the direction and under the supervision of the state long-term care ombudsman. Expenditures from appropriations to the department of administration for

the office of the state long-term care ombudsman, made pursuant to budget estimates for the office, shall be made on vouchers approved by the state long-term care ombudsman or the state long-term care ombudsman's designee. All vouchers for expenditures and all payrolls of the office of the state long-term care ombudsman shall be approved by the state long-term care ombudsman or the state long-term care ombudsman's designee.

New Sec. 2. (a) The secretary of aging and the state long-term care ombudsman shall enter into agreements for the provision of financial assistance to the office by the department on aging from available state and federal funds of the department on aging. This financial assistance shall be to assist the office of the state long-term care ombudsman to provide ombudsman services in accordance with the long-term care ombudsman act, applicable federal programs and the provisions of this section.

(b) Subject to the provisions of appropriation acts, the secretary of aging and the department on aging shall continue to provide financial assistance for the office of the state long-term care ombudsman in an aggregate amount of not less than the aggregate of the amounts provided during the fiscal year ending June 30, 1998, appropriately adjusted for increases attributable to inflation and other applicable factors.

(c) For the fiscal year ending June 30, 2000, and for each fiscal year thereafter, the secretary of aging shall include in the budget estimate prepared and submitted to the division of the budget for the department on aging under K.S.A. 75-3717 and amendments thereto, in addition to other amounts included in such budget estimate for the department on aging, amounts to be provided to the office of the state long-term care ombudsman during such fiscal year pursuant to this section. The amounts included in each such budget estimate to be provided to the office of the state long-term care ombudsman shall include amounts to be appropriated from moneys provided to the department on aging under the federal older Americans act, 42 U.S.C. 3001 *et seq.*, and amendments thereto, or other federal programs for the aging or from other moneys of the department on aging. In no case shall the aggregate of the amounts included in any such budget estimate of the department on aging, that are to be provided to the office of the state long-term care ombudsman, be less than the aggregate of all moneys provided during the fiscal year ending June 30, 1998, by the department on aging for the office of the state long-term care ombudsman from appropriations to the department on aging, including moneys received under the federal older Americans act, 42 U.S.C. 3001 *et seq.*, and amendments thereto, or under any other federal programs for the aging. The aggregate amounts included in each such budget estimate of the department on aging, that are to be provided to the office of the state long-term care ombudsman, shall be adjusted appropriately for increases attributable to inflation and other applicable factors.

Sec. 3. K.S.A. 75-5914 is hereby amended to read as follows: 75-5914. The advisory council on aging shall have the following powers and duties:

(a) Provide advocacy for the aging in the affairs of the department, the governor's office and other public and private, state and local agencies affecting the aging;

(b) review and comment upon reports of the department to the governor and the legislature;

(c) prepare and submit to the governor, the legislature and the secretary an annual report evaluating the level and quality of all programs, services and facilities provided to the aging by state agencies;

(d) review and comment upon the comprehensive state plan prepared by the department;

(e) review and comment upon disbursements by the department of public funds to public and private agencies;

(f) recommend candidates to the governor for appointment as secretary of aging for the department on aging;

(g) consult with the secretary regarding the operations of the department;

(h) serve as the advisory committee to the governor and the department on aging as required and defined in the rules and regulations, part 903.50(c), issued under the federal older Americans act of 1965 (public law 89-73) and amendments thereto;

(i) review and comment to the state long-term care ombudsman upon the policies and procedures of the office of long-term care ombudsman; and

(j) consult with the state long-term care ombudsman regarding needs for ombudsman services for aged Kansas residents.

Sec. 4. K.S.A. 75-5916 is hereby amended to read as follows: 75-5916. As used in the long-term care ombudsman act:

(a) "Ombudsman" means the state long-term care ombudsman, any regional long-term care ombudsman or any individual designated as an ombudsman under subsection (h) of K.S.A. 75-5918 and amendments thereto who has received the training required under subsection (f) of K.S.A. 75-5918 and amendments thereto and who has been designated by the state long-term care ombudsman to carry out the powers, duties and functions of the office of the state long-term care ombudsman.

(b) "Secretary" means the secretary of aging "Volunteer ombudsman" means an individual who has satisfactorily completed the training prescribed by the state long-term care ombudsman under subsection (f) of K.S.A. 75-5918 and amendments thereto, who is a volunteer assisting in providing ombudsman services and who receives no payment for such service other than reimbursement for expenses incurred in accordance with guidelines adopted therefor by the state long-term care ombudsman.

(c) "Facility" means an adult care home as such term is defined in K.S.A. 39-923 and amendments thereto, except that facility does not include any nursing facility for mental health or any intermediate care facility for the mentally retarded, as such terms are defined in K.S.A. 39-923 and amendments thereto.

(d) "Resident" means a resident as such term is defined in K.S.A. 39-923 and amendments thereto.

(e) "State long-term care ombudsman" means the individual appointed by the secretary governor to administer the office of the state long-term care ombudsman.

(f) "Regional long-term care ombudsman" means an individual appointed by the secretary state long-term care ombudsman under K.S.A. 75-5917 and amendments thereto.

(g) "Office" means the office of the state long-term care ombudsman.

(h) "Conflict of interest" means (1) having a pecuniary or other interest in a facility, but not including interests that result only from having a relative who is a resident or from being the guardian of a resident, (2) being actively employed or otherwise having active involvement in representation of or advocacy for any facility or group of facilities, whether or not such representation or advocacy is individual or through an association or other entity, but not including any such active involvement that results only from having a relative who is a resident or from being the guardian of a resident, or (3) being employed by or having an active association with any entity that represents any resident or group of residents, including any area agency on aging, but not including any such active association that results only from having a relative who is a resident or from being the guardian of a resident.

Sec. 5. K.S.A. 75-5917 is hereby amended to read as follows: 75-5917. (a) On the effective date of this act, the office of the state long-term care ombudsman in existence on the day preceding such effective date is hereby abolished and there is hereby established under the supervision of the secretary of aging within and as a part of the department on aging the office of the state long-term care ombudsman, the head of which shall be the state long-term care ombudsman. In performance of the powers, duties and functions prescribed by law, the office shall be an independent state agency. The state long-term care ombudsman shall be appointed by the secretary of aging and shall be in the classified service of the Kansas civil service act governor, subject to confirmation by the senate as provided in K.S.A. 75-4315b and amendments thereto. The term of office of the first person appointed as the state long-term care ombudsman on or after the effective date of this act shall expire on January 15, 2000, and such state long-term care ombudsman shall serve until a successor is appointed and confirmed. Thereafter, each person appointed as the state long-term care ombudsman shall have a term of office of four years and shall serve until a successor is appointed and confirmed.

(b) The secretary of aging long-term care ombudsman shall appoint each regional long-term care ombudsman and all officers and employees of the office of state long-term care ombudsman within the department on aging. Each regional long-term care ombudsman and all such officers and employees shall be within the classified service under the Kansas civil service act. Under the supervision of the secretary of aging

(c) In accordance with the provisions of this act, the state long-term care ombudsman shall administer the office of the state long-term care ombudsman.

(d) No person shall be eligible to be appointed to, or to hold, the office

of state long-term care ombudsman if such person is subject to a conflict of interest. No person shall be eligible for appointment as the state long-term care ombudsman unless such person has:

(1) A baccalaureate or higher degree from an accredited college or university;

(2) demonstrated abilities to analyze problems of law, administration and public policy; and

(3) experience in investigation and conflict resolution procedures.

(e) (1) On the effective date of this act, all of the powers, duties, functions, records and property of the office of the state long-term care ombudsman abolished by this section, which are prescribed for the office of the state long-term care ombudsman by this act, are hereby transferred to and conferred and imposed upon the office of the state long-term care ombudsman that is established by this section, except as is otherwise specifically provided by this act. On the effective date of this act, all of the powers, duties, functions, records and property of the secretary of aging or the department on aging, which relate to or are required for the performance of powers, duties or functions which are prescribed for the office of the state long-term care ombudsman or the state long-term care ombudsman by this act, including the power to expend funds now or hereafter made available in accordance with appropriation acts, are hereby transferred to and conferred and imposed upon the office of the state long-term care ombudsman and the state long-term care ombudsman that are established by this section, except as is otherwise specifically provided by this act.

(2) The office of the state long-term care ombudsman established by this section shall be the successor in every way to the powers, duties and functions of the office of the state long-term care ombudsman, the secretary of aging, or the department on aging in which such powers, duties and functions were vested prior to the effective date of this act, except as otherwise specifically provided by this act. Every act performed under the authority of the office of the state long-term care ombudsman established by this act shall be deemed to have the same force and effect as if performed by the office of the state long-term care ombudsman, the secretary of aging or the department on aging in which such powers, duties and functions were vested prior to the effective date of this act.

(3) Subject to the provisions of this act, whenever the office of the state long-term care ombudsman that is abolished by this act or the secretary on aging or the department on aging, or words of like effect, is referred to or designated by a statute, contract, or other document, and such reference or designation relates to a power, duty or function which is transferred to and conferred and imposed upon the office of the state long-term care ombudsman that is established by this act, such reference or designation shall be deemed to apply to the office of the state long-term care ombudsman established by this act.

(4) All policies, orders or directives of the office of the state long-term care ombudsman that is abolished by this act and all policies, orders or directives of the secretary of aging, which are in existence on the effective date of this act and which relate to powers, duties and functions that were vested in such office of the state long-term care ombudsman or the secretary of aging prior to such date, shall continue to be effective and shall be deemed to be the policies, orders or directives of the state long-term care ombudsman established by this act, until revised, amended or revoked or nullified pursuant to law. The office of the state long-term care ombudsman established by this act shall be deemed to be a continuation of the office of the state long-term care ombudsman abolished by this act.

(5) (A) The state long-term care ombudsman and the secretary of administration shall provide that all officers and employees of the department on aging, who are engaged in the exercise and performance of the powers, duties and functions of the programs of the office of the state long-term care ombudsman that are transferred by this act, are transferred to the office of the state long-term care ombudsman established by this section.

(B) Officers and employees of the department on aging transferred under this act shall retain all retirement benefits and leave rights which had accrued or vested prior to each date of transfer. The service of each officer or employee so transferred shall be deemed to be continuous. All transfers, layoffs and abolition of classified service positions under the Kansas civil service act which may result from program transfers under this act shall be made in accordance with the civil service laws and any rules and regulations adopted thereunder. Nothing in this act shall affect the classified status of any transferred person employed by the department on aging prior to the date of transfer.

(continued)

(C) If the state long-term care ombudsman and the secretary of aging cannot agree as to how any transfer of an officer or employee is to take place under this section, the state long-term care ombudsman and the secretary of administration shall be responsible for administering any lay-off that is part of the transfer in accordance with this act.

(D) Notwithstanding the effective date of this act, the provisions of this act prescribing the transfer of officers and employees between the office of the state long-term care ombudsman established by this section and the department on aging, the date of transfer of each such officer or employee shall commence at the start of a payroll period.

Sec. 6. K.S.A. 75-5917a is hereby amended to read as follows: 75-5917a. (a) The secretary state long-term care ombudsman shall ensure that:

(a) (1) No individual involved in the designation authorization of any individual to represent the office as an ombudsman or a volunteer ombudsman is subject to a conflict of interest;

(b) (2) no officer, employee or other representative of the office is subject to a conflict of interest;

(c) (3) policies and procedures are in place to identify and remedy all conflicts of interest specified under paragraphs (a) (1) and (b) (2);

(d) (4) legal counsel is available to the office for advice and consultation and that legal representation is provided to any ombudsman against whom suit or other legal action is brought in connection with the performance of the ombudsman's official duties; and

(e) (5) the office has the ability to pursue administrative, legal and other appropriate remedies on behalf of residents of facilities.

(b) The state long-term care ombudsman may enter into contracts with service providers to provide investigative, legal, public education, training or other services as may be required to assist the state long-term care ombudsman in providing ombudsman services to residents of facilities or as otherwise required to carry out the powers, duties and functions of the office. Contracts entered into under this subsection shall not be subject to the competitive bidding requirements of K.S.A. 75-3739 and amendments thereto. No contract may be entered into by the state long-term care ombudsman to privatize the office or to otherwise provide that all or substantially all of the ombudsman services or functions of the office are to be performed by one or more service providers.

(c) For the purposes of carrying out the powers and duties of the office of the state long-term care ombudsman, the state long-term care ombudsman may request and accept a grant or donation from any person, firm, association or corporation or from any federal, state or local governmental agency and may enter into contracts or other transactions with any such person or entity in connection with the grant or donation.

Sec. 7. K.S.A. 75-5918 is hereby amended to read as follows: 75-5918. The state long-term care ombudsman shall be an advocate of residents in facilities throughout the state. The state long-term care ombudsman shall:

(a) Investigate and resolve complaints made by or on behalf of the residents relating to action, inaction or decisions of facilities or the representatives of facilities, or both, except that all complaints of abuse, neglect or exploitation of a resident shall be referred to the secretary of health and environment in accordance with provisions of K.S.A. 39-1401 et seq. and amendments thereto;

(b) develop continuing programs to inform residents, their family members or other persons responsible for residents regarding the rights and responsibilities of residents and such other persons;

(c) provide the legislature, and the governor and the secretary with an annual report containing data and findings and outcomes regarding the types of problems experienced and complaints received by or on behalf of residents and containing policy, regulatory and legislative recommendations to solve such problems, resolve such complaints and improve the quality of care and life in facilities and shall present such report and other appropriate information and recommendations to the senate committee on public health and welfare, the senate committee on ways and means, the house of representatives committee on health and human services and the house of representatives committee on appropriations during each regular session of the legislature;

(d) analyze and monitor the development and implementation of federal, state and local government laws, rules and regulations, resolutions, ordinances and policies with respect to long-term care facilities and services provided in this state, and recommend any changes in such laws,

regulations, resolutions, ordinances and policies deemed by the office to be appropriate;

(e) provide information and recommendations directly to news media representatives, public agencies, legislators and others, as deemed necessary by the office, regarding the problems and concerns of older individuals residing in facilities, including recommendations related thereto, except that the state long-term care ombudsman shall give the information or recommendations to any directly affected parties or their representatives before providing such information or recommendations to news media representatives;

(f) prescribe and provide for the training of the state long-term care ombudsman, each regional long-term care ombudsman and any individual designated as an ombudsman under subsection (h) of K.S.A. 75-5918 and amendments thereto this section, and any individual who is an ombudsman volunteer in (1) federal, state and local laws, rules and regulations, resolutions, ordinances and policies with respect to facilities located in Kansas, (2) investigative techniques, and (3) such other matters as the secretary state long-term care ombudsman deems appropriate;

(g) coordinate ombudsman services provided by the office with the protection and advocacy systems for individuals with developmental disabilities and mental illness established under part A of the federal developmental disabilities assistance and bill of rights act, 42 U.S.C.A. 6001 et seq., and under the federal protection and advocacy for mentally ill individuals act of 1986, public law 99-316;

(h) consider authorize an individual, who is an employee of an area agency on aging which provides ombudsman services the office and who has been designated as satisfactorily completed the training prescribed by the state long-term care ombudsman under subsection (f), to be an ombudsman by the state long-term care ombudsman or a volunteer ombudsman and to be a representative of the office and such an authorized individual shall be deemed to be a representative of the office for the purposes of this and subject to the provisions of the long-term care ombudsman act;

(i) establish and maintain a system to recruit and train individuals to become volunteer ombudsmen;

(j) develop and implement procedures for authorizing and for withdrawing the authorization of individuals to be ombudsmen or volunteer ombudsmen to represent the office in providing ombudsman services;

(k) provide services to residents of facilities throughout the state directly or through service providers to meet needs for ombudsman services;

(l) collaborate with the department of health and environment and the department of social and rehabilitation services to establish a statewide system to collect and analyze information on complaints and conditions in facilities; and

(m) perform such other duties and functions as may be provided by law or as may be directed by the secretary of aging.

Sec. 8. K.S.A. 75-5918a is hereby amended to read as follows: 75-5918a. No individual shall investigate any complaint filed with the office of the state long-term care ombudsman unless the individual has received the training required under subsection (f) of K.S.A. 75-5918 and amendments thereto and has been designated by the state long-term care ombudsman as an ombudsman or a voluntary ombudsman qualified to investigate such complaints.

Sec. 9. K.S.A. 75-5919 is hereby amended to read as follows: 75-5919. (a) An ombudsman or a volunteer ombudsman is hereby authorized to enter any facility and any area within such facility at any time with or without prior notice and shall have access to the residents of a facility at all times.

(b) An ombudsman or a volunteer ombudsman shall notify immediately the person in charge of a facility upon arrival and shall present appropriate identification.

(c) Residents shall have the right to request, deny or terminate visits with an ombudsman or a volunteer ombudsman.

Sec. 10. K.S.A. 75-5920 is hereby amended to read as follows: 75-5920. (a) With the written consent of the resident of the facility, guardian of the resident or next of kin of a deceased resident, an ombudsman shall have access to all records and documents kept for or concerning the resident.

(b) An ombudsman shall have access to all records and documents kept for or concerning a resident (1) in any case in which the resident is unable to consent and has no guardian, and (2) in a case in which (A) access to the records and documents is necessary to investigate a com-

(Published in the Kansas Register April 23, 1998.)

SENATE BILL No. 462

plaint, (B) the resident is unable to consent and the guardian of the resident refuses to give permission for such access, (C) the investigating ombudsman has reasonable cause to believe that the guardian is not acting in the best interests of the resident, and (D) the state long-term care ombudsman has approved such access by the investigating ombudsman.

(c) In addition, in assisting a resident of a facility, an ombudsman shall have access to all records and documents of the facility which are relevant to such assistance to the extent necessary to carry out the provisions of the long-term care ombudsman act.

(d) A volunteer ombudsman shall have access to the plan of care and other records or documents kept for or concerning the resident to the same extent and under the same circumstances as an ombudsman under this section, except that a volunteer ombudsman shall not have access to any such other records and documents that are privileged medical records.

Sec. 11. K.S.A. 75-5921 is hereby amended to read as follows: 75-5921. All information, records and reports received by or developed by an ombudsman or a volunteer ombudsman which relate to a resident of a facility, including written material identifying a resident or other complainant, are confidential and not subject to the provisions of K.S.A. 45-201 to 45-203, inclusive, and amendments thereto, and shall not be disclosed or released by an ombudsman or a volunteer ombudsman, either by name of the resident or other complainant or of facts which allow the identity of the resident or other complainant to be inferred, except upon the order of a court or unless the resident or the resident's legal representative or other complainant consents in writing to such disclosure or release by an ombudsman or a volunteer ombudsman, except the state long-term care ombudsman shall forward to the secretary of health and environment and the secretary of social and rehabilitation services copies of reports received by the state long-term care ombudsman relating to the health and safety of residents and except as provided in subsection (a) of K.S.A. 75-5918 and amendments thereto. A summary report and findings shall be forwarded to the facility, exclusive of information or material that identifies residents or any other individuals.

Sec. 12. K.S.A. 75-5922 is hereby amended to read as follows: 75-5922. An ombudsman shall have access to all records and documents kept by the department of health and environment and the department of social and rehabilitation services and the department on aging which relate to facilities and concern the following matters: (a) Licensure of facilities; (b) certification of facilities; (c) public funding reimbursement for care of residents of facilities; (d) utilization and medical review records; and (e) complaints regarding care of residents of facilities. The provisions of this sections shall not apply to a volunteer ombudsman.

Sec. 13. K.S.A. 75-5922a is hereby amended to read as follows: 75-5922a. No ombudsman or volunteer ombudsman shall be liable for the good faith performance of official duties.

Sec. 14. K.S.A. 75-5922b is hereby amended to read as follows: 75-5922b. (a) No person shall willfully interfere with any lawful action or activity of an ombudsman or a volunteer ombudsman, including the request for immediate entry into a facility.

(b) No person shall take any discriminatory, disciplinary or retaliatory action against any officer or employee of a facility or against any resident or any guardian or family member thereof for any communication by any such individual with an ombudsman or a volunteer ombudsman or for any information given or disclosed by such individual in good faith to aid the office in carrying out its duties and responsibilities.

(c) Any person that violates the provisions of subsection (a) or the provisions of subsection (b) shall be guilty of a class C misdemeanor.

Sec. 15. K.S.A. 75-5922c is hereby amended to read as follows: 75-5922c. The provisions of sections 1 and 2 and K.S.A. 75-5916 through 75-5922c and amendments thereto shall be known and may be cited as the long-term care ombudsman act.

Sec. 16. K.S.A. 75-5914, 75-5916, 75-5917, 75-5917a, 75-5918, 75-5918a, 75-5919, 75-05920, 75-5921, 75-5922, 75-5922a, 75-5922b and 75-5922c are hereby repealed.

Sec. 17. This act shall take effect and be in force from and after June 14, 1998, and its publication in the Kansas register.

AN ACT concerning the uniform consumer credit code; relating to definitions of certain terms; amending K.S.A. 16a-2-304 and 16a-2-309 and K.S.A. 1997 Supp. 16a-1-301 and repealing the existing sections.

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

Section 1. K.S.A. 1997 Supp. 16a-1-301 is hereby amended to read as follows: 16a-1-301. In addition to definitions appearing in subsequent articles, in K.S.A. 16a-1-101 through 16a-9-102, and amendments thereto:

(1) "Actuarial method" means the method, defined by rules and regulations adopted by the administrator, of allocating payments made on a debt between the amount financed and the finance charge pursuant to which a payment is applied first to the accumulated finance charge and the balance is applied to the unpaid amount financed.

(2) "Administrator" means the consumer credit commissioner appointed pursuant to K.S.A. 16-403, and amendments thereto.

(3) "Agreement" means the bargain of the parties in fact as found in their language or by implication from other circumstances including course of dealing or usage of trade or course of performance.

(4) "Amount financed" means the total of the following items:

(a) In the case of a sale, the cash price of the goods, services, or interest in land, less the amount of any down payment whether made in cash or in property traded in, and the amount actually paid or to be paid by the seller pursuant to an agreement with the buyer to discharge a security interest in, a lien on, or a debt with respect to property traded in;

(b) in the case of a loan, the net amount paid to, receivable by, or paid or payable for the account of the debtor, plus the amount of any discount excluded from the finance charge (paragraph (b) of subsection (18) of K.S.A. 16a-1-301); and

(c) in the case of a sale or loan, to the extent that payment is deferred and the amount is not otherwise included and is authorized and disclosed to the customer:

(i) Amounts actually paid or to be paid by the creditor for registration, certificate of title, or license fees, and

(ii) permitted additional charges (K.S.A. 16a-2-501).

(5) "Billing cycle" means the time interval between periodic billing statement dates.

(6) "Cash price" of goods, services, or an interest in land means the price at which they are offered for sale by the seller to cash buyers in the ordinary course of business and may include (a) the cash price of accessories or services related to the sale, such as delivery, installation, alterations, modifications, and improvements, and (b) taxes to the extent imposed on a cash sale of the goods, services, or interest in land. The cash price stated by the seller to the buyer in a disclosure statement is presumed to be the cash price.

(7) "Closing costs" with respect to a debt secured by an interest in land includes:

(a) The actual fees paid a public official or agency of the state or federal government, for filing, recording or releasing any instrument relating to the debt; and

(b) reasonable expenses not included in the origination fee or payable to an assignee incurred by the lender in connection with the making, closing, disbursing, extending, readjusting or renewing the debt which are payable to third parties not related to the lender, except that reasonable fees for an appraisal made by the lender or related party are permissible.

(8) "Conspicuous": A term or clause is conspicuous when it is so written that a reasonable person against whom it is to operate ought to have noticed it. Whether a term or clause is conspicuous or not is for decision by the trier of fact.

(9) "Consumer" means the buyer, lessee, or debtor to whom credit is granted in a consumer credit transaction.

(10) "Consumer credit sale":

(a) Except as provided in paragraph (b), a "consumer credit sale" is a sale of goods, services, or an interest in land in which:

(i) Credit is granted either by a seller who regularly engages as a seller in credit transactions of the same kind or pursuant to a credit card other than a lender credit card,

(ii) the buyer is a person other than an organization,

(iii) the goods, services, or interest in land are purchased primarily for a personal, family or household purpose.

(continued)

(iv) either the debt is by written agreement payable in installments or a finance charge is made, and

(v) with respect to a sale of goods or services, the amount financed does not exceed \$25,000.

(b) A "consumer credit sale" does not include:

(i) A sale in which the seller allows the buyer to purchase goods or services pursuant to a lender credit card; or

(ii) unless the sale is made subject to K.S.A. 16a-1-101 through 16a-9-102, and amendments thereto, by agreement (K.S.A. 16a-1-109), a sale of an interest in land, other than sales governed by subsection (10)(b)(iii) of this section, if the finance charge does not exceed 12% per year calculated according to the actuarial method on the unpaid balances of the amount financed on the assumption that the debt will be paid according to the agreed terms and will not be paid before the end of the agreed term; or

(iii) a sale by contract for deed of real estate the interest rate of which is governed by subsection (b) or (h) of K.S.A. 16-207, and amendments thereto.

(11) "Consumer credit transaction" means a consumer credit sale, consumer lease, or consumer loan or a modification thereof including a refinancing, consolidation, or deferral.

(12) "Consumer lease" means a lease of goods:

(a) Which a lessor regularly engaged in the business of leasing makes to a person, other than an organization, who takes under the lease primarily for a personal, family or household purpose;

(b) in which the amount payable under the lease does not exceed \$25,000;

(c) which is for a term exceeding four months; and

(d) which is not made pursuant to a lender credit card.

(13) "Consumer loan":

(a) Except as provided in paragraph (b), a "consumer loan" is a loan made by a person regularly engaged in the business of making loans in which:

(i) The debtor is a person other than an organization;

(ii) the debt is incurred primarily for a personal, family or household purpose;

(iii) either the debt is payable in installments or a finance charge is made; and

(iv) either the amount financed does not exceed \$25,000 or the debt is secured by an interest in land.

(b) Unless the loan is made subject to K.S.A. 16a-1-101 through 16a-9-102, and amendments thereto, by agreement (K.S.A. 16a-1-109), a "consumer loan" does not include:

(i) A loan secured by a first real estate mortgage; or

(ii) a loan secured by a second or other subordinate mortgage if the second or other subordinate mortgage is granted to the same lender as the first mortgage; or

(iii) a loan made by a qualified plan, as defined in section 401 of the internal revenue code, to an individual participant in such plan or to a member of the family of such individual participant.

(14) "Credit" means the right granted by a creditor to a debtor to defer payment of debt or to incur debt and defer its payment.

(15) "Credit card" means any card, plate or other single credit device that may be used from time to time to obtain credit. Since this involves the possibility of repeated use of a single device, checks and similar instruments that can be used only once to obtain a single credit extension are not credit cards.

(16) "Creditor" means a person who regularly extends credit in a consumer credit transaction which is payable by a written agreement in more than four installments or for which the payment of a finance charge is or may be required and is the person to whom the debt arising from the consumer credit transaction is initially payable on the face of the evidence of indebtedness or, if there is no such evidence of indebtedness, by written agreement. In the case of credit extended pursuant to a credit card, the creditor is the card issuer and not another person honoring the credit card.

(17) "Earnings" means compensation paid or payable to an individual or for such individual's account for personal services rendered or to be rendered by such individual, whether denominated as wages, salary, commission, bonus, or otherwise, and includes periodic payments pursuant to a pension, retirement, or disability program.

(18) "Finance charge":

(a) "Finance charge" means the sum of:

(i) All charges payable directly or indirectly by the consumer and

imposed directly or indirectly by the creditor as an incident to or as a condition of the extension of credit, including any of the following types of charges which are applicable; interest or any amount payable under a point, discount or other system of charges, however denominated; time price differential, service, carrying or other charge, however denominated; premium or other charge for any guarantee or insurance protecting the creditor against the consumer's default or other credit loss; and

(ii) charges incurred for investigating, the collateral or credit-worthiness of the consumer.

(b) The term does not include:

(i) Charges as a result of default, additional charges (K.S.A. 16a-2-501) or delinquency charges (K.S.A. 16a-2-502), or

(ii) if a lender makes a loan to a debtor by purchasing or satisfying obligations of the debtor pursuant to a lender credit card and the purchase or satisfaction is made at less than the face amount of the obligation, the discount, or

(iii) closing costs as defined in K.S.A. 16a-1-301(7), and amendments thereto.

(19) "Goods" includes goods not in existence at the time the transaction is entered into and merchandise certificates, but excludes money, chattel paper, documents of title, and instruments.

(20) Except as otherwise provided, "lender" includes an assignee of the lender's right to payment but use of the term does not in itself impose on an assignee any obligation of the lender with respect to events occurring before the assignment.

(21) "Interest bearing" means the finance charge on a consumer credit transaction is computed on the unpaid principal balances by the actuarial method.

(22) "Lender credit card" means a credit card issued by a supervised lender.

(23) "Loan":

(a) Except as provided in paragraph (b), a "loan" includes:

(i) The creation of debt by the lender's payment of or agreement to pay money to the debtor or to a third party for the account of the debtor;

(ii) the creation of debt either pursuant to a lender credit card or by a cash advance to a debtor pursuant to a credit card other than a lender credit card;

(iii) the creation of debt by a credit to an account with the lender upon which the debtor is entitled to draw immediately; and

(iv) the forbearance of debt arising from a loan.

(b) A "loan" does not include the payment or agreement to pay money to a third party for the account of a debtor if the debt of the debtor arises from a sale or lease and results from use of either a credit card issued by a person primarily in the business of selling or leasing goods or services or any other credit card which may be used for the purchase of goods or services and which is not a lender credit card.

(24) "Merchandise certificate" means a writing issued by a seller not redeemable in cash and usable in its face amount in lieu of cash in exchange for goods or services.

(25) "Official fees" means:

(a) Fees and charges prescribed by law which actually are or will be paid to public officials for determining the existence of or for perfecting, releasing, or satisfying a security interest related to a consumer credit sale, consumer lease, or consumer loan; or

(b) premiums payable for insurance in lieu of perfecting a security interest otherwise required by the creditor in connection with the sale, lease, or loan, if the premium does not exceed the fees and charges described in paragraph (a) which would otherwise be payable.

(26) "Open end credit" means an arrangement pursuant to which:

(a) A creditor may permit a consumer, from time to time, to purchase goods or services on credit from the creditor or pursuant to a credit card, or to obtain loans from the creditor or pursuant to a credit card;

(b) the unpaid balance of amounts financed and the finance and other appropriate charges are debited to an account;

(c) the finance charge, if made, is computed on the outstanding unpaid balances of the consumer's account from time to time; and

(d) the consumer has the privilege of paying the balances in installments.

(27) "Organization" means a corporation, government or governmental subdivision or agency, trust, estate, partnership, cooperative, or association.

(28) "Origination fee" means a fee associated with the making, closing or disbursing of a consumer credit transaction by a lender or assignee of the lender which is intended to compensate the lender or assignee of the

lender for all costs incurred in making, closing or disbursing a consumer credit transaction, exclusive of: Closing costs defined in K.S.A. 16a-1-301(7) and amendments thereto, interest rate reduction charges paid by the consumer at closing and broker fees paid to third parties not related to the lender or assignee of the lender.

(28) (29) "Payable in installments" means that payment is required or permitted by agreement to be made in (a) two or more periodic payments, excluding a down payment, with respect to a debt arising from a consumer credit sale pursuant to which a finance charge is made, (b) four or more periodic payments, excluding a down payment, with respect to a debt arising from a consumer credit sale pursuant to which no finance charge is made, or (c) two or more periodic payments with respect to a debt arising from a consumer loan. If any periodic payment other than the down payment under an agreement requiring or permitting two or more periodic payments is more than twice the amount of any other periodic payment, excluding the down payment, the consumer credit transaction is "payable in installments."

(29) (30) "Person" includes a natural person or an individual, and an organization.

(30) (31) "Person related to" with respect to an individual means (a) the spouse of the individual, (b) a brother, brother-in-law, sister, sister-in-law of the individual, (c) an ancestor or lineal descendant of the individual or the individual's spouse, and (d) any other relative, by blood, adoption or marriage, of the individual or such individual's spouse who shares the same home with the individual. "Person related to" with respect to an organization means (a) a person directly or indirectly controlling, controlled by or under common control with the organization, (b) an officer or director of the organization or a person performing similar functions with respect to the organization or to a person related to the organization, (c) the spouse of a person related to the organization, and (d) a relative by blood, adoption or marriage of a person related to the organization who shares the same home with such person.

(31) (32) "Presumed" or "presumption" means that the trier of fact must find the existence of the fact presumed unless and until evidence is introduced which would support a finding of its nonexistence.

(32) (33) "Principal" means the total of the amount financed and the prepaid finance charges as authorized by subsection (9) of K.S.A. 16a-2-401, and amendments thereto.

(33) (34) "Sale of goods" includes any agreement in the form of a bailment or lease of goods if the bailee or lessee agrees to pay as compensation for use a sum substantially equivalent to or in excess of the aggregate value of the goods involved and it is agreed that the bailee or lessee will become, or for no other or a nominal consideration has the option to become, the owner of the goods upon full compliance with such bailee's or lessee's obligations under the agreements.

(34) (35) "Sale of an interest in land" includes a lease in which the lessee has an option to purchase the interest and all or a substantial part of the rental or other payments previously made by the lessee are applied to the purchase price.

(35) (36) "Sale of services" means furnishing or agreeing to furnish services and includes making arrangements to have services furnished by another.

(36) (37) "Seller": Except as otherwise provided, "seller" includes an assignee of the seller's right to payment but use of the term does not in itself impose on an assignee any obligation of the seller with respect to events occurring before the assignment.

(37) (38) "Services" includes (a) work, labor, and other personal services, (b) privileges with respect to transportation, hotel and restaurant accommodations, education, entertainment, recreation, physical culture, hospital accommodations, funerals, cemetery accommodations, and the like, and (c) insurance.

(38) (39) "Supervised financial organization" means a person, other than an insurance company or other organization primarily engaged in an insurance business:

(a) Organized, chartered, or holding an authorization certificate under the laws of this state or of the United States which authorize the person to make loans and to receive deposits, including a savings, share, certificate or deposit account; and

(b) subject to supervision by an official or agency of this state or of the United States.

(39) (40) "Supervised lender" means a person authorized to make or take assignments of supervised loans, either under a license issued by the administrator (K.S.A. 16a-2-301 and amendments thereto) or as a super-

vised financial organization (K.S.A. 16a-1-301(38)(39) and amendments thereto).

(40) (41) "Supervised loan" means a consumer loan, including a loan made pursuant to open end credit, in which the rate of the finance charge, calculated according to the actuarial method, exceeds 12% per year.

(41) (42) "Written agreement" means an agreement such as a promissory note, contract or lease that is evidence of the indebtedness. A letter that merely confirms an oral agreement does not constitute a written agreement for purposes of this subsection.

(42) (43) "Written administrative interpretation" means any written communication from the consumer credit commissioner which is the official interpretation as so stated in said written communication by the consumer credit commissioner of the Kansas uniform consumer credit code and rules and regulations pertaining thereto.

Sec. 2. K.S.A. 16a-2-304 is hereby amended to read as follows: 16a-2-304. (1) Every licensee and any assignee or servicer of a consumer credit transaction shall maintain records in conformity with generally accepted accounting principles and practices in a manner that will enable the administrator and, in the case of a supervised financial organization its supervisory official or agency, to determine whether the licensee, assignee or servicer is complying with the provisions of K.S.A. 16a-1-101 through 16a-9-102, and amendments thereto. The record keeping system of a licensee, assignee or servicer shall be sufficient if the licensee, assignee or servicer makes the required information reasonably available. The records need not be kept in the place of business where supervised loans are made, if the administrator or supervisory official or agency is given free access to the records wherever located. Every licensee and any assignee of a consumer credit transaction shall provide the administrator with the name, address, telephone number, contact person and any other reasonable information regarding the location and availability of current records of a consumer credit transaction. The records pertaining to any loan need not be preserved for more than two years after making the final entry relating to the loan, but in the case of a revolving loan account the two years is measured from the date of each entry.

(2) On or before April 15 of each year every licensee shall file with the administrator and, in the case of a supervised financial organization with its supervisory official or agency, a composite annual report in the form prescribed by the administrator relating to all supervised loans made by such licensee. The administrator shall consult with comparable officials in other states for the purpose of making the kinds of information required in annual reports uniform among the states. Information contained in annual reports shall be confidential and may be published only in composite form.

Sec. 3. K.S.A. 16a-2-309 is hereby amended to read as follows: 16a-2-309. (a) A licensee may conduct the business of making loans under K.S.A. 16a-1-101 through 16a-9-102 within any office, room or place of business in which any other business is solicited or engaged in, or in association or conjunction therewith, unless the commissioner shall find, after a hearing, that the other business is of such nature that such conduct tends to conceal evasion of such portion of this act or of the rules and regulations made thereunder and shall order such licensee in writing to desist from such conduct.

(b) (1) Except as provided in subsection (2), no licensee authorized to make supervised loans pursuant to section 16a-2-301 may engage in the business of selling or leasing of goods, at a location where supervised loans are made. In this section, "location" means the entire space in which supervised loans are made and must be separated from any space where goods are sold, leased, or displayed by walls which may be broken only by a passageway to which the public is not admitted.

(2) This section does not apply to

(a) sales or leases of goods or services pursuant to a lender credit card made at a place of business other than that of a licensee;

(b) occasional sales of property used in the ordinary course of business of the licensee;

(c) sales of items of collateral of which the licensee has taken possession; or

(d) sales of items by a licensee who is also authorized by law to operate as a pawnbroker.

Sec. 4. K.S.A. 16a-2-304 and 16a-2-309 and K.S.A. 1997 Supp. 16a-1-301 are hereby repealed.

Sec. 5. This act shall take effect and be in force from and after its publication in the Kansas register.

(Published in the Kansas Register April 23, 1998.)

SENATE BILL No. 672

AN ACT concerning tax increment financing; relating to the period of time by which a project shall be completed and the determination of the assessed value of the property located in a redevelopment district; amending K.S.A. 12-1776 and K.S.A. 1997 Supp. 12-1771 and 12-1775 and repealing the existing sections.

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

Section 1. K.S.A. 1997 Supp. 12-1771 is hereby amended to read as follows: 12-1771. (a) No city shall exercise any of the powers conferred by K.S.A. 12-1770 *et seq.*, and amendments thereto, unless the governing body of such city has adopted a resolution finding that the specific project area sought to be redeveloped is a blighted area, a conservation area, a major tourism area as defined in K.S.A. 12-1774 12-1774 and amendments thereto, or was designated prior to July 1, 1992, as an enterprise zone pursuant to K.S.A. 12-17,110 prior to its repeal, and the conservation, development or redevelopment of such area is necessary to promote the general and economic welfare of such city. Enterprise zones designated prior to July 1, 1992, may be enlarged by the city to an area not exceeding 25% of the city's land area upon a finding by the secretary of the department of commerce and housing that a redevelopment project proposed by the city which requires the enlargement is of statewide importance and that it will meet the criteria specified in K.S.A. 12-1774 (a)(1)(D), and amendments thereto. For the purpose of this subsection, the term "blighted area" means an area which: (1) Because of the presence of a majority of the following factors, substantially impairs or arrests the sound development and growth of the municipality or constitutes an economic or social liability or is a menace to the public health, safety, morals or welfare in its present condition and use: (A) A substantial number of deteriorated or deteriorating structures; (B) predominance of defective or inadequate street layout; (C) unsanitary or unsafe conditions; (D) deterioration of site improvements; (E) diversity of ownership; (F) tax or special assessment delinquency exceeding the fair value of the land; (G) defective or unusual conditions of title; (H) improper subdivision or obsolete platting or land uses; (I) the existence of conditions which endanger life or property by fire and other causes; or (J) conditions which create economic obsolescence; or (2) has been identified by any state or federal environmental agency as being environmentally contaminated to an extent that requires a remedial investigation, feasibility study and remediation or other similar state or federal action; or (3) previously was found by resolution of the governing body to be a slum or a blighted area under K.S.A. 17-4742 *et seq.*, and amendments thereto.

For the purpose of this subsection, conservation area means any improved area within the corporate limits of a city in which 50% or more of the structures in the area have an age of 35 years or more, which area is not yet blighted, but may become a blighted area due to the existence of a combination of two or more of the following factors: (i) Dilapidation, obsolescence or deterioration of the structures; (ii) illegal use of individual structures; (iii) the presence of structures below minimum code standards; (iv) building abandonment; (v) excessive vacancies; (vi) overcrowding of structures and community facilities; or (vii) inadequate utilities and infrastructure. Not more than 15% of the land area of a city may be found to be a conservation area.

(b) The powers conferred upon cities under the provisions of K.S.A. 12-1770 *et seq.*, and amendments thereto, shall be exercised by cities, as determined by resolution adopted pursuant to K.S.A. 12-1772, and amendments thereto, (1) in enterprise zones designated prior to July 1, 1992, including any area added to such enterprise zone after July 1, 1992, pursuant to subsection (a), (2) in blighted areas of cities and counties described by subsection (a)(2), (3) in conservation areas of cities, (4) in major tourism areas as defined in K.S.A. 12-1774 and amendments thereto or (5) in blighted areas of cities, as determined by resolution adopted pursuant to K.S.A. 17-4742 *et seq.*, and amendments thereto.

(c) Within that portion of the city described in subsection (b), the governing body of a city may establish a district to be known as a "redevelopment district". Within that portion of a city and county described in subsection (b) excluding paragraph (3) of subsection (b), the governing body of the city, upon written consent of the board of county commissioners, may establish a district inclusive of land outside the boundaries of the city to be known as a redevelopment district. In all such cases, the board of county commissioners, prior to providing written consent, shall be subject to the same procedure for public notice and hearing as is required of a city pursuant to subsection (d) for the establishment of a redevelopment district. One or more redevelopment projects may be un-

dertaken by a city within a redevelopment district after such redevelopment district has been established in the manner provided by subsection (d).

(d) Any city proposing to establish a redevelopment district shall adopt a resolution stating that the city is considering the establishment of a redevelopment district. Such resolution shall:

(1) Give notice that a public hearing will be held to consider the establishment of a redevelopment district and fix the date, hour and place of such public hearing;

(2) describe the proposed boundaries of the redevelopment district;

(3) describe a proposed comprehensive plan that identifies all of the proposed redevelopment project areas and that identifies in a general manner all of the buildings and facilities that are proposed to be constructed or improved in each redevelopment project area;

(4) state that a description and map of the proposed redevelopment district are available for inspection at a time and place designated;

(5) state that the governing body will consider findings necessary for the establishment of a redevelopment district.

Notice shall be given as provided in subsection (c) of K.S.A. 12-1772, and amendments thereto.

(e) Upon the conclusion of the public hearing, the governing body may adopt a resolution to make any findings required by subsection (a) and may establish the redevelopment district by ordinance. Such resolution shall contain a comprehensive plan that identifies all of the proposed redevelopment project areas and identifies in a general manner all of the buildings and facilities that are proposed to be constructed or improved in each redevelopment project area. The boundaries of such district shall not include any area not designated in the notice required by subsection (d). Subject to the provisions of section 4 of this act, any addition of area to the redevelopment district or any substantial change to the comprehensive plan shall be subject to the same procedure for public notice and hearing as is required for the establishment of the district.

(f) No privately owned property subject to ad valorem taxes shall be acquired and redeveloped under the provisions of K.S.A. 12-1770 *et seq.*, and amendments thereto, if the board of county commissioners or the board of education levying taxes on such property determines by resolution adopted within 30 days following the conclusion of the hearing for the establishment of the redevelopment district required by subsection (d) that the proposed redevelopment district will have an adverse effect on such county or school district.

(g) Any redevelopment plan undertaken within the redevelopment district may be in separate development stages. Each plan shall be adopted according to the provisions of K.S.A. 12-1772, and amendments thereto, and shall fix a date for completion. Except as provided herein, any project shall be completed within 20 years from the date of the establishment of the redevelopment district of transmittal of the redevelopment plan or a revision of the plan, as authorized by section 4, to the county pursuant to K.S.A. 12-1776, and amendments thereto. Projects relating to environmental investigation and remediation under subsection (i) shall be completed within 20 years from the date a city enters into a consent decree agreement with the Kansas department of health and environment or the United States environmental protection agency.

(h) Any increment in ad valorem property taxes resulting from a redevelopment district undertaken in accordance with the provisions of this act, shall be apportioned to a special fund for the payment of the cost of the redevelopment project, including the payment of principal and interest on any special obligation bonds or full faith and credit tax increment bonds issued to finance such project pursuant to this act and may be pledged to the payment of principal and interest on such bonds. The maximum maturity on bonds issued to finance projects pursuant to this act shall not exceed 20 years. For the purposes of this act, "increment" means that amount of ad valorem taxes collected from real property located within the redevelopment district that is in excess of the amount which is produced from such property and attributable to the assessed valuation of such property prior to the date the redevelopment district was established, as determined under the provisions of K.S.A. 12-1775 redevelopment plan or a revision of the plan, as authorized by section 4, is transmitted to the county pursuant to K.S.A. 12-1776, and amendments thereto.

(i) The governing body of a city, in contracts entered into with the Kansas department of health and environment or the United States environmental protection agency, may pledge increments receivable in future years to pay costs directly relating to the investigation and remediation of environmentally contaminated areas. The provisions in such

contracts pertaining to pledging increments in future years shall not be subject to K.S.A. 10-1101 *et seq.* or 79-2925 *et seq.*, and amendments thereto.

(j) Before any redevelopment project is undertaken, a comprehensive feasibility study, which shows the benefits derived from such project will exceed the costs and that the income therefrom will be sufficient to pay for the project shall be prepared. Such feasibility study shall be an open public record.

Sec. 2. K.S.A. 1997 Supp. 12-1775 is hereby amended to read as follows: 12-1775. (a) For the purposes of this act, the term "taxing subdivision" shall include the county, the city, the unified school district and any other taxing subdivision levying real property taxes, the territory or jurisdiction of which includes any currently existing or subsequently created redevelopment district. The term "real property taxes" includes all taxes levied on an ad valorem basis upon land and improvements thereon.

(b) All tangible taxable property located within a redevelopment district shall be assessed and taxed for ad valorem tax purposes pursuant to law in the same manner that such property would be assessed and taxed if located outside such district, and all ad valorem taxes levied on such property shall be paid to and collected by the county treasurer in the same manner as other taxes are paid and collected. Except as otherwise provided in this section, the county treasurer shall distribute such taxes as may be collected in the same manner as if such property were located outside a redevelopment district. Each redevelopment district established under the provisions of this act shall constitute a separate taxing unit for the purpose of the computation and levy of taxes.

(c) Beginning with the first payment of taxes which are levied following the date of approval of any redevelopment district established the redevelopment plan or revision of the plan, as authorized by section 4, to the county pursuant to K.S.A. 12-1771 12-1776, and amendments thereto, real property taxes received by the county treasurer resulting from taxes which are levied subject to the provisions of this act by and for the benefit of a taxing subdivision, as herein defined, on property located within such redevelopment district constituting a separate taxing unit under the provisions of this section, shall be divided as follows:

(1) From the taxes levied each year subject to the provisions of this act by or for each of the taxing subdivisions upon property located within a redevelopment district constituting a separate taxing unit under the provisions of this act, the county treasurer first shall allocate and pay to each such taxing subdivision all of the real property taxes collected which are produced from that portion of the current assessed valuation of such real property located within such separate taxing unit which is equal to the total assessed value of such real property on the date of the establishment of the redevelopment district.

(2) Any real property taxes produced from that portion of the current assessed valuation of real property within the redevelopment district constituting a separate taxing unit under the provisions of this section in excess of an amount equal to the total assessed value of such real property on the effective date of the establishment of the district January 1 in the year preceding transmittal of the redevelopment plan or a revision of the plan, as authorized by section 4, to the county pursuant to K.S.A. 12-1776, and amendments thereto, shall be allocated and paid by the county treasurer to the treasurer of the city and deposited in a special fund of the city to pay the cost of redevelopment projects including the payment of principal of and interest on any special obligation bonds or full faith and credit tax increment bonds issued by such city to finance, in whole or in part, such redevelopment project. When such obligation bonds and interest thereon have been paid, all moneys thereafter received from real property taxes within such redevelopment district shall be allocated and paid to the respective taxing subdivisions in the same manner as are other ad valorem taxes. If such obligation bonds and interest thereon have been paid before the completion of a project, the city may continue to use such moneys for any purpose authorized by this act until such time as the project is completed, but for not to exceed 20 years from the date of the establishment of the redevelopment district transmittal to the county of the redevelopment plan or a revision of the plan as authorized pursuant to section 4.

(d) In any redevelopment plan or in the proceedings for the issuing of any special obligation bonds or full faith and credit tax increment bonds by the city to finance a redevelopment project, the property tax increment portion of taxes provided for in paragraph (2) of subsection (c) may be irrevocably pledged for the payment of the principal of and interest on such obligation bonds, subject to the provisions of subsection (h) of K.S.A.

12-1771, and amendments thereto. A city may adopt a redevelopment plan in which only a specified percentage of the tax increment realized from taxpayers in the redevelopment district are pledged to the redevelopment project. The county treasurer shall allocate the specified percentage of the tax increment to the treasurer of the city for deposit in the special fund of the city to finance the cost of redevelopment projects if the city has other available revenues and pledges the revenues to the redevelopment project in lieu of the tax increment. Any portion of such tax increment not allocated to the city for the redevelopment project shall be allocated and paid in the same manner as other ad valorem taxes.

Sec. 3. K.S.A. 12-1776 is hereby amended to read as follows: 12-1776. (a) After the adoption by the city governing body of a redevelopment plan which contains the provisions authorized by K.S.A. 12-1775, and amendments thereto, the clerk of the city shall transmit a copy of the description of the land within the redevelopment district, a copy of the ordinance adopting the plan and a map or plat indicating the boundaries of the district to the clerk, assessor and treasurer of the county in which the district is located and to the governing bodies of the county and school district which levy taxes upon any property in the district. Such documents shall be transmitted as promptly as practicable following the adoption or modification of the plan or a revision of the plan, as authorized by section 4, but in any event, on or before the January 1st 1 next following the adoption or modification of the plan of the year in which the increment is first allocated to the taxing subdivision pursuant to K.S.A. 12-1775, and amendments thereto.

(b) For any year in which taxes are to be paid to the special fund established under subsection (c)(2) of K.S.A. 12-1775, and amendments thereto, any increase in assessed valuation of taxable tangible real property within the redevelopment district in excess of an amount equal to the total assessed value of such real property on the date of the establishment of the redevelopment district shall not be considered by any taxing subdivision in computing any debt limitation or for any other purpose except for the levy of taxes and in determining the amount to be paid to such special fund.

(c) The appraiser of any county in which a redevelopment district is authorized by a city shall certify the amount of such increase in assessed valuation of real and personal property within the redevelopment district to the county clerk on or before July 1 of each year.

New Sec. 4. (a) The provisions of this section shall apply to all cities in which a redevelopment plan has been dormant and a tax increment has not been received within three years or more following adoption of the ordinance establishing a redevelopment plan pursuant to subsection (e) of K.S.A. 12-1772, and amendments thereto, and the boundaries of such plan include a portion of the land subject to the jurisdiction of the capitol area plaza authority established under the provisions of K.S.A. 75-2237, and amendments thereto.

(b) Such city may, by ordinance of the governing body, passed by a two-thirds vote, revise the project areas of a previously approved but dormant redevelopment plan into separate stages. Such an ordinance establishing one or more separate stages shall fix a date of completion and shall adopt, by reference, a revised plan which shall include: (1) a summary of a new comprehensive feasibility study, required by K.S.A. 12-1771, and amendments thereto; (2) a description and map of the project area; (3) a detailed description of the buildings and facilities proposed to be constructed or improved in such project area; and (4) any other information the governing body deems necessary to advise the public. A certified copy of such revised plan shall be transmitted to the county pursuant to K.S.A. 12-1776 and amendments thereto and to the capitol area plaza authority. The revised plan shall be an open public record.

Sec. 5. K.S.A. 12-1776 and K.S.A. 1997 Supp. 12-1771 and 12-1775 are hereby repealed.

Sec. 6. This act shall take effect and be in force from and after its publication in the Kansas register.

(Published in the Kansas Register April 23, 1998.)

SENATE BILL No. 677

AN ACT concerning public improvement districts; relating to certain expenditures from such districts' funds.

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

Section 1. The board of directors of Oaklawn Improvement District located in Sedgwick county is authorized during calendar year 1998 to expend for public improvement purposes funds being held in any bond and interest fund of the improvement district that do not exceed the balance of funds remaining in such fund after payment of principal and interest from such fund during calendar year 1998 has been credited and after applications for refunds of taxes against such fund filed under K.S.A. 79-1702, and amendments thereto, have been unanimously recommended to be refunded by such board of county commissioners on or before February 15, 1998, have been credited. The improvement district may authorize the expenditure of such excess funds during calendar year 1998 by adopting a resolution that identifies the public improvement for which such funds are to be expended and that prescribes the amount to be expended from such fund.

Sec. 2. (a) The board of directors of Crestview Country Club Improvement District located in Sedgwick county is authorized to disburse all moneys in the district's treasury that are in excess of those necessary to pay the expenses and obligations of the district, including the costs of retiring any outstanding bonded indebtedness of the district, as follows: The total amount of property tax paid to the district on each parcel of real property within the district from the date of the creation of the district shall be divided by the total amount of property tax paid to the district on all real property within the district from the date of inception of the district. The resulting percentage shall be multiplied by the total excess moneys to be disbursed and the amount arrived at shall be paid to the owner of record of each parcel.

(b) Payments authorized by this section shall be distributed before July 1, 2003.

(c) The provisions of this section shall expire on July 1, 2003.

Sec. 3. This act shall take effect and be in force from and after its publication in the Kansas register.

(Published in the Kansas Register April 23, 1998.)

SENATE BILL No. 408

AN ACT concerning liens and claims against real or personal property; relating to expedited process to review and determine validity of such.

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

Section 1. (a) (1) Any person who owns real or personal property or an interest in real or personal property or who is the purported debtor or obligor and who has reason to believe that any document or instrument purporting to create a lien or claim against the real or personal property or an interest in real or personal property previously filed or submitted for filing and recording is fraudulent as defined in subsection (e) may complete and file, at any time without any time limitation, with the district court of the county in which such lien or claim has been filed or submitted for filing a motion for judicial review of the status of documentation or instrument purporting to create a lien or claim as provided in this section. Such motion shall be supported by the affidavit of the movant or the movant's attorney setting forth a concise statement of the facts upon which the claim for relief is based. Such motion shall be in substantially the following form:

MISC. DOCKET No. _____
In Re: A Purported Lien or Claim Against _____ In the _____ Judicial District
(Name of Purported Debtor) In and For _____ County, Kansas
Motion for Judicial Review of Documentation or Instrument Purporting to Create a Lien or Claim
Now Comes _____ (name)

and files this motion requesting a judicial determination of the status of documentation or an instrument purporting to create an interest in real or personal property or a lien or claim on real or personal property or an interest in real or personal property filed in the office of

the _____ and in support of the motion would show (filing office and location thereof) the court as follows:

I. _____ (Name), movant herein, is the purported obligor or debtor or person who owns the real or personal property or the interest in real or personal property described in the documentation or instrument.

II. On _____ (date), in the exercise of the filing officer's official duties as _____ the filing officer received and filed and recorded the documentation or instrument attached hereto and containing _____ pages. Such documentation or instrument purports to have created a lien on real or personal property or an interest in real or personal property against _____, the purported debtor.

III. Movant alleges that the documentation or instrument attached hereto is fraudulent, as defined by subsection (e) of section 1 and amendments thereto, and that the documentation or instrument should therefore not be accorded lien status.

IV. Movant attests that assertions herein are true and correct.

V. Movant does not request the court to make a finding as to any underlying claim of the parties involved and acknowledges that this motion does not seek to invalidate a legitimate lien. Movant further acknowledges that movant may be subject to sanctions if this motion is determined to be frivolous.

PRAYER

Movant requests the court to review the attached documentation or instrument and enter an order determining whether it should be accorded lien status, together with such other orders as the court deems appropriate.

Respectfully submitted,

(Signature and typed name and address)

(b) The completed form for ordinary certificate of acknowledgment must be as follows:

AFFIDAVIT

THE STATE OF KANSAS)

COUNTY OF _____)

BEFORE ME, the undersigned authority, personally appeared _____ who, being by me duly sworn, deposed as follows:

"My name is _____ I am over 18 years of age, of sound mind, with personal knowledge of the following facts, and fully competent to testify.

I further attest that the assertions contained in the accompanying motion are true and correct."

Further affiant sayeth not.

SUBSCRIBED and SWORN TO before me, this _____ day of _____

NOTARY PUBLIC, State of Kansas

Notary's printed name: _____ My commission expires: _____

(2) The clerk of the district court shall not collect a filing fee for filing a motion as provided in this section.

(b) The court's finding may be made solely on a review of the documentation or instrument attached to the motion and without hearing any testimonial evidence. The district court's review may be made ex parte without delay or notice of any kind. An appellate court shall expedite review of a district court's finding as provided in this section.

(c) After review, the district court shall enter an appropriate finding of fact and conclusion of law in a form as provided in subsection (d) regarding the documentation or instrument purporting to create a lien or claim, which shall be filed and indexed in the same filing office in the appropriate class of records in which the original documentation or instrument in question was filed. The filing officer shall not collect a filing fee for filing a district court's finding of fact and conclusion of law as provided in this section. A copy of the finding of fact and conclusion of law shall be mailed to the movant and the person who filed the lien or claim at the last known address of each person within seven days of the date that the finding of fact and conclusion of law is issued by the district court.

(d) The findings of fact and conclusion of law shall be in substantially the following form:

MISC. DOCKET No. _____
In Re: A Purported Lien or Claim Against _____ In the _____ Judicial District
(Name of Purported Debtor) In and For _____ County, Kansas

Judicial Finding of Fact and Conclusion of Law Regarding a Documentation or Instrument purporting to Create a Lien or Claim.

On the (number) day of (month), (year), in the above entitled and numbered cause, this court reviewed a motion, verified by affidavit, of (name) and the documentation or instrument attached thereto. No testimony was taken from any party, nor was there any notice of the court's review, the court having made the determination that a decision could be made solely on review of the documentation or instrument as provided in section 1 and amendments thereto.

The court finds as follows (only an item checked and initialed is a valid court ruling):
 The documentation or instrument attached to the motion IS asserted against real or personal property or an interest in real or personal property and:

- (1) IS provided for by specific state or federal statutes or constitutional provisions;
- (2) IS created by implied or express consent or agreement of the obligor, debtor or the owner of the real or personal property or an interest in the real or personal property, if required under the laws of this state, or by consent of an agent, fiduciary or other representative of that person; or
- (3) IS an equitable, constructive or other lien imposed by a court of competent jurisdiction created or established under the constitution or laws of this state or of the United States.

The documentation or instrument attached to the motion herein:

- (1) IS NOT provided for by specific state or federal statutes or constitutional provisions;
- (2) IS NOT created by implied or express consent or agreement of the obligor, debtor or the owner of the real or personal property or an interest in the real or personal property, if required under the law of this state or by implied or express consent or agreement of an agent, fiduciary or other representative of that person;
- (3) IS NOT an equitable, constructive or other lien imposed by a court of competent jurisdiction created by or established under the constitution or laws of this state or of the United States; or
- (4) IS NOT asserted against real or personal property or an interest in real or personal property. There is no valid lien or claim created by this documentation or instrument.

This court makes no finding as to any underlying claims of the parties involved and expressly limits its finding of fact and conclusion of law to the review of a ministerial act. The filing officer shall file this finding of fact and conclusion of law in the same class of records as the subject documentation or instrument was originally filed, and the court directs the filing officer to index it using the same names that were used in indexing the subject documentation or instrument.

SIGNED ON THIS THE ____ DAY OF _____

 District Judge

 Judicial District

 County, Kansas

(e) As used in this section, a document or instrument is presumed to be fraudulent if the document or instrument purports to create a lien or assert a claim against real or personal property or an interest in real or personal property and:

- (1) Is not a document or instrument provided for by the constitution or laws of this state or of the United States;
- (2) is not created by implied or express consent or agreement of the obligor, debtor or the owner of the real or personal property or an interest in the real or personal property, if required under the laws of this state, or by implied or express consent or agreement of an agent, fiduciary or other representative of that person; or
- (3) is not an equitable, constructive or other lien imposed by a court with jurisdiction created or established under the constitution or laws of this state or of the United States.

(f) As used in this subsection, filing office or filing officer refers to the officer and office where a document or instrument as described in this section is appropriately filed as provided by law, including, but not limited to the register of deeds, the secretary of state and the district court and filing officers related thereto.

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

INDEX TO ADMINISTRATIVE REGULATIONS

This index lists in numerical order the new, amended and revoked administrative regulations and the volume and page number of the *Kansas Register* issue in which more information can be found. This cumulative index supplements the index to the 1997 Volumes of the *Kansas Administrative Regulations*.

AGENCY 1: DEPARTMENT OF ADMINISTRATION

Reg. No.	Action	Register
1-2-8	Amended	V. 16, p. 1178
1-2-14	Amended	V. 16, p. 1178
1-2-35	Amended	V. 16, p. 1178
1-2-68	Revoked	V. 16, p. 1178
1-5-7	Amended	V. 16, p. 1665
1-5-8	Amended	V. 16, p. 1665
1-5-12	Revoked	V. 16, p. 1666
1-5-13	Amended	V. 16, p. 1666
1-5-19c	Amended	V. 16, p. 1666
1-6-2	Amended	V. 16, p. 1178
1-6-8	Amended	V. 16, p. 1179
1-6-21	Amended	V. 16, p. 1179
1-6-22	Revoked	V. 16, p. 1179
1-6-27	Amended	V. 16, p. 1179
1-6-29	Amended	V. 16, p. 1666
1-6-33	Amended	V. 16, p. 973
1-7-11	Amended	V. 16, p. 1667
1-9-2	Amended	V. 16, p. 973
1-9-7b	Amended	V. 16, p. 1668
1-9-7c	Amended	V. 16, p. 974
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
1-10-7	Amended	V. 16, p. 1667
1-13-1a	Amended	V. 16, p. 977
1-14-12a	New	V. 16, p. 170
1-16-2a	Amended	V. 16, p. 1210
1-16-2b	Amended	V. 16, p. 1210

1-16-2d	Revoked	V. 16, p. 1211
1-16-2e	Amended	V. 16, p. 1211
1-16-18	Amended	V. 16, p. 1211
1-18-1a	Amended	V. 16, p. 1212
1-63-2	Amended	V. 16, p. 978

AGENCY 4: DEPARTMENT OF AGRICULTURE

Reg. No.	Action	Register
4-7-213	New	V. 17, p. 171
4-7-213a	New	V. 17, p. 171
4-16-1a	Amended	V. 16, p. 1356
4-16-1c	Amended	V. 16, p. 1356
4-17-1a	Amended	V. 16, p. 1357
4-17-1c	Amended	V. 16, p. 1357

AGENCY 7: SECRETARY OF STATE

Reg. No.	Action	Register
7-19-1	Amended	V. 16, p. 821
7-19-2	Amended	V. 16, p. 821
7-19-3	Amended	V. 16, p. 822
7-19-4	Amended	V. 16, p. 822
7-19-7	New	V. 16, p. 822

AGENCY 9: ANIMAL HEALTH DEPARTMENT

Reg. No.	Action	Register
9-2-1	Amended	V. 17, p. 36
9-2-32	Amended	V. 17, p. 36
9-7-3	Amended	V. 17, p. 37
9-7-10	Amended	V. 17, p. 364
9-7-12	Amended	V. 17, p. 37
9-7-14	Amended	V. 17, p. 37
9-7-15	New	V. 17, p. 37
9-7-16	New	V. 17, p. 38
9-7-17	New	V. 17, p. 38
9-7-18	New	V. 17, p. 38
9-10-33	through	
9-10-39	New	V. 17, p. 364, 365
9-11-10	Amended	V. 17, p. 38
9-27-1	New	V. 17, p. 38
9-28-1	New	V. 17, p. 39
9-28-2	New	V. 17, p. 39
9-29-1	through	
9-29-11	New	V. 17, p. 39-41
9-30-1	New	V. 17, p. 41
9-30-2	New	V. 17, p. 41
9-30-3	New	V. 17, p. 41

AGENCY 10: KANSAS BUREAU OF INVESTIGATION

Reg. No.	Action	Register
10-20-2	Amended	V. 16, p. 1049
10-20-3	Revoked	V. 16, p. 1049
10-20-4	Amended	V. 16, p. 1049

AGENCY 16: ATTORNEY GENERAL

Reg. No.	Action	Register
16-9-1	New	V. 16, p. 1078

AGENCY 17: STATE BANKING DEPARTMENT

Reg. No.	Action	Register
17-22-1	Amended	V. 16, p. 1775

AGENCY 26: DEPARTMENT ON AGING

Reg. No.	Action	Register
26-1-7	Amended	V. 16, p. 1775
26-3-4	Amended	V. 16, p. 1776
26-3-7	Revoked	V. 16, p. 1776
26-4-1	Amended	V. 16, p. 1776
26-4-2	Revoked	V. 16, p. 1777
26-4-3	Revoked	V. 16, p. 1777
26-4-4	Revoked	V. 16, p. 1777
26-4-5	through	
26-4-15	New	V. 16, p. 1777-1780
26-4a-1	New	V. 16, p. 1780
26-5-3	Amended	V. 16, p. 1780
26-5-6	Amended	V. 16, p. 1780
26-8-8	Amended	V. 16, p. 1781
26-8-9	Amended	V. 16, p. 1782
26-8-10	Revoked	V. 16, p. 1782
26-8-11	Revoked	V. 16, p. 1782
26-10-1	New	V. 16, p. 1782

AGENCY 28: DEPARTMENT OF HEALTH AND ENVIRONMENT

Reg. No.	Action	Register
28-1-2	Amended	V. 16, p. 1848
28-1-6	Amended	V. 16, p. 1354
28-1-8	Revoked	V. 16, p. 1355
28-1-13	Amended	V. 17, p. 461
28-1-18	Amended	V. 16, p. 1848
28-4-400	Amended	V. 16, p. 1420
28-4-401	Amended	V. 16, p. 1421
28-4-403	Amended	V. 16, p. 1421
28-4-404	Amended	V. 16, p. 1422

(continued)

28-4-405	Amended	V. 16, p. 1422	28-39-162a	Amended	V. 16, p. 194	30-5-58	Amended	V. 16, p. 1003
28-4-405a	Amended	V. 16, p. 1424	28-39-162b	Amended	V. 16, p. 199	30-5-64	Amended	V. 16, p. 1008
28-4-405b	Amended	V. 16, p. 1424	28-39-162c	Amended	V. 16, p. 200	30-5-80	Revoked	V. 16, p. 1010
28-4-406	Amended	V. 16, p. 1424	28-39-163	Amended	V. 16, p. 204	30-5-94	Amended	V. 16, p. 1520
28-4-407	Amended	V. 16, p. 1424	28-39-240	Amended		30-5-101	Amended	V. 16, p. 1010
28-4-408	Amended	V. 16, p. 1425	through			30-5-107	Amended	V. 16, p. 1520
28-4-410	Amended	V. 16, p. 1425	28-39-256	New	V. 16, p. 206-213	30-5-109	Amended	V. 16, p. 1010
28-4-411	Amended	V. 16, p. 1425	28-52-2	New	V. 17, p. 168	30-5-118a	Amended	V. 16, p. 1010
28-4-413	Amended	V. 16, p. 1426	28-52-3	New	V. 17, p. 168	30-5-300	Amended	V. 17, p. 300
28-4-414	Amended	V. 16, p. 1426	28-52-4	New	V. 17, p. 168	30-5-307	Amended	V. 16, p. 1016
28-4-415	Amended	V. 16, p. 1427	28-70-1	New	V. 17, p. 168	30-5-309	New	V. 16, p. 1016
28-4-416	Amended	V. 16, p. 1427	28-70-2	New	V. 17, p. 168	30-5-310	New	V. 17, p. 302
28-4-550	Amended	V. 16, p. 1247	28-70-3	New	V. 17, p. 169	30-6-34	Amended	V. 16, p. 268
28-4-551	Revoked	V. 16, p. 1248	AGENCY 30: SOCIAL AND REHABILITATION SERVICES			30-6-35	Amended	V. 16, p. 1017
28-4-552	Amended	V. 16, p. 1248	Reg. No.	Action	Register	30-6-35w	Revoked	V. 16, p. 268
28-4-553	Revoked	V. 16, p. 1248	30-2-17	New	V. 16, p. 1174, 1553	30-6-41	Amended	V. 16, p. 268
28-4-554	Revoked	V. 16, p. 1248	30-4-34	Amended	V. 16, p. 251	30-6-41w	Revoked	V. 16, p. 269
28-4-555	Revoked	V. 16, p. 1248	30-4-35	Amended	V. 16, p. 1001	30-6-50w	Revoked	V. 16, p. 269
28-4-556	Amended	V. 16, p. 1248	30-4-35w	Revoked	V. 16, p. 251	30-6-52	Amended	V. 16, p. 1521
28-4-557	through		30-4-39	Amended	V. 16, p. 1513	30-6-52w	Revoked	V. 16, p. 269
28-4-563	Revoked	V. 16, p. 1249	30-4-39	Amended	V. 16, p. 1513	30-6-53w	Revoked	V. 16, p. 269
28-4-565	Amended	V. 16, p. 1249	30-4-40	Amended	V. 16, p. 1513	30-6-54	Amended	V. 16, p. 688
28-4-566	Revoked	V. 16, p. 1249	30-4-41	Amended	V. 16, p. 251	30-6-54w	Revoked	V. 16, p. 270
28-4-567	Revoked	V. 16, p. 1249	30-4-41w	Revoked	V. 16, p. 252	30-6-55	Amended	V. 16, p. 270
28-4-569	Amended	V. 16, p. 1249	30-4-50	Amended	V. 16, p. 252	30-6-55w	Revoked	V. 16, p. 270
28-4-570	Revoked	V. 16, p. 1250	30-4-50w	Revoked	V. 16, p. 252	30-6-56w	Revoked	V. 16, p. 270
28-4-571	Revoked	V. 16, p. 1250	30-4-52	Amended	V. 16, p. 1513	30-6-59	Amended	V. 16, p. 270
28-4-572	Revoked	V. 16, p. 1250	30-4-52w	Revoked	V. 16, p. 252	30-6-59w	Revoked	V. 16, p. 270
28-5-2	Amended	V. 16, p. 1355	30-4-53	Revoked	V. 16, p. 252	30-6-60w	Revoked	V. 16, p. 270
28-5-6	Amended	V. 16, p. 1355	30-4-53w	Revoked	V. 16, p. 252	30-6-65	Amended	V. 16, p. 270
28-5-7	Amended	V. 16, p. 1355	30-4-54	Amended	V. 16, p. 688	30-6-65w	Revoked	V. 16, p. 271
28-5-9	Amended	V. 16, p. 1355	30-4-54w	Revoked	V. 16, p. 252	30-6-70	Amended	V. 16, p. 271
28-15-50	through		30-4-55	Amended	V. 16, p. 252	30-6-70w	Revoked	V. 16, p. 271
28-15-65	New	V. 16, p. 1596-1599	30-4-55w	Revoked	V. 16, p. 253	30-6-72	Revoked	V. 16, p. 271
28-19-7	Revoked	V. 16, p. 1599	30-4-58	Revoked	V. 16, p. 253	30-6-72w	Revoked	V. 16, p. 271
28-19-16a	Amended	V. 16, p. 1599	30-4-58w	Revoked	V. 16, p. 253	30-6-73	Revoked	V. 16, p. 271
28-19-79	New	V. 16, p. 584	30-4-59	Amended	V. 16, p. 253	30-6-77	Amended	V. 16, p. 1521
28-19-200	New	V. 16, p. 1601	30-4-59w	Revoked	V. 16, p. 253	30-6-77w	Revoked	V. 16, p. 272
28-19-201	New	V. 16, p. 1605	30-4-60w	Revoked	V. 16, p. 253	30-6-78w	Revoked	V. 16, p. 272
28-19-202	Amended	V. 17, p. 122	30-4-61	Amended	V. 16, p. 253	30-6-79	Revoked	V. 16, p. 272
28-19-517	Amended	V. 17, p. 144	30-4-61w	Revoked	V. 16, p. 253	30-6-81w	Revoked	V. 16, p. 272
28-19-546	Amended	V. 17, p. 144	30-4-63	Revoked	V. 16, p. 253	30-6-82	Amended	V. 16, p. 1522
28-19-561	Amended	V. 17, p. 144	30-4-63w	Revoked	V. 16, p. 254	30-6-82w	Revoked	V. 16, p. 272
28-19-562	Amended	V. 17, p. 145	30-4-64	Amended	V. 16, p. 254	30-6-85w	Revoked	V. 16, p. 272
28-19-563	Amended	V. 17, p. 146	30-4-64w	Revoked	V. 16, p. 255	30-6-86w	Revoked	V. 16, p. 272
28-19-720	Amended	V. 16, p. 823	30-4-65w	Revoked	V. 16, p. 255	30-6-87w	Revoked	V. 16, p. 272
28-19-721	through		30-4-70	Amended	V. 16, p. 1513	30-6-94w	Revoked	V. 16, p. 272
28-19-727	New	V. 16, p. 1773, 1774	30-4-70w	Revoked	V. 16, p. 256	30-6-103w	Revoked	V. 16, p. 272
28-19-735	Amended	V. 16, p. 823	30-4-71	Revoked	V. 16, p. 256	30-6-105	Revoked	V. 16, p. 272
28-19-750	Amended	V. 16, p. 823	30-4-71w	Revoked	V. 16, p. 256	30-6-105w	Revoked	V. 16, p. 272
28-24-2	Amended	V. 16, p. 2024	30-4-72	Revoked	V. 16, p. 256	30-6-106	Amended	V. 16, p. 1522
28-24-4	Amended	V. 16, p. 2024	30-4-72w	Revoked	V. 16, p. 256	30-6-106w	Revoked	V. 16, p. 274
28-24-10	Amended	V. 16, p. 2024	30-4-73	Revoked	V. 16, p. 256	30-6-107w	Revoked	V. 16, p. 274
28-24-13	Amended	V. 16, p. 2024	30-4-74	Revoked	V. 16, p. 256	30-6-108	Amended	V. 16, p. 274
28-24-14	Amended	V. 16, p. 2024	30-4-74w	Revoked	V. 16, p. 256	30-6-109	Amended	V. 16, p. 1524
28-29-28	Amended	V. 16, p. 1427	30-4-78	Revoked	V. 16, p. 256	30-6-109w	Revoked	V. 16, p. 276
28-29-28a	New	V. 16, p. 1427	30-4-78	Revoked	V. 16, p. 256	30-6-110	Amended	V. 16, p. 276
28-29-29	Amended	V. 16, p. 1427	30-4-80	Amended	V. 16, p. 256	30-6-110w	Revoked	V. 16, p. 277
28-29-29a	New	V. 16, p. 1428	30-4-85a	Revoked	V. 16, p. 256	30-6-111	Amended	V. 16, p. 277
28-29-30	Amended	V. 16, p. 1428	30-4-90	Amended	V. 16, p. 1514	30-6-111w	Revoked	V. 16, p. 278
28-29-31	Amended	V. 16, p. 1429	30-4-90w	Revoked	V. 16, p. 259	30-6-112	Amended	V. 16, p. 1326
28-29-32	Amended	V. 16, p. 1431	30-4-95	Amended	V. 16, p. 259	30-6-112w	Revoked	V. 16, p. 278
28-29-33	Amended	V. 16, p. 1431	30-4-96	Amended	V. 16, p. 1517	30-6-113	Amended	V. 16, p. 1527
28-29-34	through		30-4-100	Amended	V. 16, p. 260	30-6-113w	Revoked	V. 16, p. 279
28-29-36	Revoked	V. 16, p. 1432	30-4-100w	Revoked	V. 16, p. 260	30-6-140	Amended	V. 16, p. 279
28-31-10a	Amended	V. 16, p. 1048	30-4-101	Amended	V. 16, p. 260	30-6-150w	Revoked	V. 16, p. 280
28-33-12	Amended	V. 16, p. 1608	30-4-102	Amended	V. 16, p. 261	30-7-65	Amended	V. 16, p. 280
28-39-144	Amended	V. 16, p. 177	30-4-105	Revoked	V. 16, p. 261	30-7-100	Amended	V. 16, p. 280
28-39-145	Amended	V. 16, p. 179	30-4-105w	Revoked	V. 16, p. 261	30-26-1	Revoked	V. 16, p. 899
28-39-146	Amended	V. 16, p. 181	30-4-106	Amended	V. 16, p. 1517	30-26-1a	New	V. 16, p. 899
28-39-147	Amended	V. 16, p. 181	30-4-106w	Revoked	V. 16, p. 262	30-26-2	Revoked	V. 16, p. 899
28-39-148	Amended	V. 16, p. 182	30-4-107	Amended	V. 16, p. 1518	30-26-4	Revoked	V. 16, p. 899
28-39-149	Amended	V. 16, p. 183	30-4-108	Amended	V. 16, p. 262	30-26-7	Revoked	V. 16, p. 899
28-39-150	Amended	V. 16, p. 184	30-4-109	Amended	V. 16, p. 1518	30-46-10	Amended	V. 16, p. 1553
28-39-151	Amended	V. 16, p. 184	30-4-109w	Revoked	V. 16, p. 263	AGENCY 36: DEPARTMENT OF TRANSPORTATION		
28-39-152	Amended	V. 16, p. 185	30-4-110	Amended	V. 16, p. 1001	Reg. No.	Action	Register
28-39-153	Amended	V. 16, p. 187	30-4-110w	Revoked	V. 16, p. 264	36-1-1	Revoked	V. 16, p. 1250
28-39-154	Amended	V. 16, p. 187	30-4-111	Amended	V. 16, p. 1002	36-1-1a	Revoked	V. 16, p. 1251
28-39-155	Amended	V. 16, p. 188	30-4-111w	Revoked	V. 16, p. 265	36-1-2	Revoked	V. 16, p. 1251
28-39-156	Amended	V. 16, p. 188	30-4-112	Amended	V. 16, p. 1519	36-1-3	Revoked	V. 16, p. 1251
28-39-157	Amended	V. 16, p. 189	30-4-112w	Revoked	V. 16, p. 266	36-1-8	Revoked	V. 16, p. 1251
28-39-158	Amended	V. 16, p. 190	30-4-113	Amended	V. 16, p. 266	36-1-9	Revoked	V. 16, p. 1251
28-39-159	Amended	V. 16, p. 192	30-4-113w	Revoked	V. 16, p. 266	36-1-10	Revoked	V. 16, p. 1251
28-39-160	Amended	V. 16, p. 192	30-4-120	Amended	V. 16, p. 266	36-1-26	Revoked	V. 16, p. 1251
28-39-161	Amended	V. 16, p. 192	30-4-120w	Revoked	V. 16, p. 266	36-1-27	Revoked	V. 16, p. 1251
28-39-162	Amended	V. 16, p. 193	30-4-122a	Revoked	V. 16, p. 266	36-1-35	Revoked	V. 16, p. 1251
			30-4-130	Amended	V. 16, p. 268	through		
			30-4-130w	Revoked	V. 16, p. 268	36-1-38	New	V. 16, p. 1251-1255
			30-4-140	Amended	V. 16, p. 268			
			30-4-140w	Revoked	V. 16, p. 268			

36-35-1	Revoked	V. 16, p. 1256
36-39-1	Amended	V. 16, p. 1078
36-39-2	Amended	V. 16, p. 1078
36-39-3	Amended	V. 16, p. 1078
36-39-6	Amended	V. 16, p. 1080

AGENCY 40: KANSAS INSURANCE DEPARTMENT

Reg. No.	Action	Register
40-1-19	Amended	V. 16, p. 685
40-2-21	Revoked	V. 16, p. 972
40-2-24	New	V. 16, p. 482
40-2-25	New	V. 16, p. 1988
40-2-26	New	V. 16, p. 1988
40-3-5	Amended	V. 16, p. 686
40-3-26	Amended	V. 16, p. 686
40-3-27	Amended	V. 16, p. 686
40-3-49	Amended	V. 16, p. 686
40-4-41c	Amended	V. 16, p. 686
40-7-20a	Amended	V. 16, p. 483
40-7-21	Amended	V. 16, p. 484
40-8-7	Amended	V. 16, p. 687
40-10-2	Amended	V. 16, p. 1626
40-10-10	Amended	V. 16, p. 1626

AGENCY 44: DEPARTMENT OF CORRECTIONS

Reg. No.	Action	Register
44-12-601	Amended	V. 17, p. 424

AGENCY 45: KANSAS PAROLE BOARD

Reg. No.	Action	Register
45-9-2	Amended	V. 17, p. 143

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

Reg. No.	Action	Register
47-1-1	Revoked	V. 16, p. 585
47-1-3	Amended	V. 16, p. 585
47-1-4	Revoked	V. 16, p. 585
47-1-8	Amended	V. 16, p. 585
47-1-9	Amended	V. 16, p. 586
47-1-10	Revoked	V. 16, p. 586
47-1-11	Amended	V. 16, p. 586
47-2-14	Revoked	V. 16, p. 586
47-2-21	Amended	V. 16, p. 586
47-2-53	Amended	V. 16, p. 586
47-2-53a	Amended	V. 16, p. 586
47-2-58	Amended	V. 16, p. 586
47-2-64	Amended	V. 16, p. 586
47-2-67	Amended	V. 16, p. 587
47-2-74	Amended	V. 16, p. 587
47-2-75	Amended	V. 16, p. 587
47-3-1	Amended	V. 16, p. 587
47-3-2	Amended	V. 16, p. 588
47-3-3a	Amended	V. 16, p. 588
47-3-42	Amended	V. 16, p. 588
47-4-14a	Amended	V. 16, p. 590
47-4-15	Amended	V. 16, p. 595
47-4-16	Amended	V. 16, p. 598
47-4-17	Amended	V. 16, p. 598
47-5-5a	Amended	V. 16, p. 599
47-5-16	Amended	V. 16, p. 601
47-6-1	Amended	V. 16, p. 601
47-6-2	Amended	V. 16, p. 601
47-6-3	Amended	V. 16, p. 601
47-6-4	Amended	V. 16, p. 602
47-6-6	Amended	V. 16, p. 602
47-6-7	Amended	V. 16, p. 602
47-6-8	Amended	V. 16, p. 603
47-6-9	Amended	V. 16, p. 603
47-6-10	Amended	V. 16, p. 603
47-7-2	Amended	V. 16, p. 603
47-8-9	Amended	V. 16, p. 604
47-8-11	Amended	V. 16, p. 604
47-9-1	Amended	V. 16, p. 604
47-9-2	Amended	V. 16, p. 607
47-9-4	Amended	V. 16, p. 607
47-10-1	Amended	V. 16, p. 608
47-11-8	Amended	V. 16, p. 608
47-12-4	Amended	V. 16, p. 608
47-13-4	Amended	V. 16, p. 609
47-13-5	Amended	V. 16, p. 609
47-13-6	Amended	V. 16, p. 610
47-14-7	Amended	V. 16, p. 610
47-15-1a	Amended	V. 16, p. 610
47-15-3	Amended	V. 16, p. 611
47-15-4	Amended	V. 16, p. 611

47-15-7	Amended	V. 16, p. 611
47-15-8	Amended	V. 16, p. 611
47-15-15	Amended	V. 16, p. 612
47-15-17	Amended	V. 16, p. 612
47-16-1	through	
47-16-8	Amended	V. 16, p. 612-614
47-16-9	New	V. 16, p. 614
47-16-10	New	V. 16, p. 614
47-16-11	New	V. 16, p. 614

AGENCY 49: DEPARTMENT OF HUMAN RESOURCES

Reg. No.	Action	Register
49-49-1	Amended	V. 16, p. 1120

AGENCY 50: DEPARTMENT OF HUMAN RESOURCES—DIVISION OF EMPLOYMENT

Reg. No.	Action	Register
50-2-25a	through	
50-2-25e	New	V. 16, p. 1047

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

Reg. No.	Action	Register
51-9-7	Amended	V. 16, p. 1329

AGENCY 60: BOARD OF NURSING

Reg. No.	Action	Register
60-1-104	New	V. 16, p. 436
60-2-101	Amended	V. 16, p. 437
60-2-102	through	
60-2-108	New	V. 16, p. 437-440
60-3-106	Amended	V. 16, p. 440
60-3-106a	Amended	V. 17, p. 357
60-3-107	Amended	V. 17, p. 357
60-3-112	New	V. 17, p. 357
60-4-101	Amended	V. 17, p. 358
60-7-109	New	V. 17, p. 358
60-7-110	New	V. 17, p. 358
60-8-101	Amended	V. 17, p. 358
60-9-105	Amended	V. 17, p. 358
60-9-106	Amended	V. 17, p. 359
60-9-107	Amended	V. 17, p. 360
60-11-119	Amended	V. 17, p. 361
60-11-120	New	V. 17, p. 361
60-11-121	New	V. 17, p. 361

AGENCY 63: BOARD OF MORTUARY ARTS

Reg. No.	Action	Register
63-3-10	Amended	V. 16, p. 1250

AGENCY 65: BOARD OF EXAMINERS IN OPTOMETRY

Reg. No.	Action	Register
65-5-6	Amended	V. 16, p. 300
65-5-9	New	V. 16, p. 249
65-5-10	New	V. 16, p. 250
65-10-1	Amended	V. 16, p. 1176

AGENCY 66: BOARD OF TECHNICAL PROFESSIONS

Reg. No.	Action	Register
66-6-1	Amended	V. 17, p. 102
66-10-1	Amended	V. 17, p. 102

AGENCY 68: BOARD OF PHARMACY

Reg. No.	Action	Register
68-1-1f	Amended	V. 16, p. 1176
68-1-2a	New	V. 16, p. 1176
68-2-5	Amended	V. 16, p. 1177
68-2-9	Amended	V. 16, p. 1177
68-7-12	Amended	V. 17, p. 170
68-20-15a	Amended	V. 16, p. 1177

AGENCY 69: BOARD OF COSMETOLOGY

Reg. No.	Action	Register
69-15-1	through	
69-15-30	New	V. 16, p. 1281-1288

AGENCY 70: BOARD OF VETERINARY MEDICAL EXAMINERS

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

70-2-1	Revoked	V. 16, p. 173
70-2-2	Revoked	V. 16, p. 173
70-2-3	Revoked	V. 16, p. 173
70-4-1	through	
70-4-7	Revoked	V. 16, p. 173
70-4-8	New	V. 16, p. 441
70-4-9	New	V. 16, p. 443
70-4-10	New	V. 16, p. 443
70-5-1	Amended	V. 16, p. 173
70-7-1	New	V. 16, p. 173
70-8-1	New	V. 16, p. 174
70-9-1	New	V. 16, p. 1289
70-10-1	New	V. 16, p. 175

AGENCY 71: KANSAS DENTAL BOARD

Reg. No.	Action	Register
71-1-3	Amended	V. 16, p. 1742
71-1-16	Revoked	V. 16, p. 1742
71-1-17	Revoked	V. 16, p. 1742
71-1-19	New	V. 16, p. 1742
71-3-3	Revoked	V. 16, p. 1742
71-5-3	Amended	V. 16, p. 1742
71-5-4	Amended	V. 16, p. 1742

AGENCY 74: BOARD OF ACCOUNTANCY

Reg. No.	Action	Register
74-1-5	Revoked	V. 16, p. 1119
74-1-6	New	V. 16, p. 1119
74-2-1	Amended	V. 16, p. 1119
74-12-1	Amended	V. 16, p. 1120

AGENCY 75: CONSUMER CREDIT COMMISSIONER

Reg. No.	Action	Register
75-6-26	Amended	V. 16, p. 1912

AGENCY 81: OFFICE OF THE SECURITIES COMMISSIONER

Reg. No.	Action	Register
81-2-1	Amended	V. 16, p. 1938
81-3-2	Amended	V. 16, p. 1939
81-5-8	Amended	V. 16, p. 1939
81-5-9	Revoked	V. 16, p. 1939
81-5-13	New	V. 16, p. 1939
81-5-14	New	V. 16, p. 1940

AGENCY 82: STATE CORPORATION COMMISSION

Reg. No.	Action	Register
82-3-103a	Amended	V. 16, p. 1332
82-3-120	Amended	V. 16, p. 1332
82-3-120a	New	V. 16, p. 1332
82-3-123	Amended	V. 16, p. 1333
82-3-129	Revoked	V. 16, p. 1333
82-3-130	Amended	V. 16, p. 1333
82-3-136	Amended	V. 16, p. 1333
82-3-141	Revoked	V. 16, p. 1333
82-3-304	Amended	V. 16, p. 1333
82-3-308	Revoked	V. 16, p. 1334
82-3-309	Revoked	V. 16, p. 1334
82-3-312	Amended	V. 16, p. 1334
82-3-313	Revoked	V. 16, p. 1334
82-3-500	through	
82-3-504	Revoked	V. 16, p. 1334
82-3-800	through	
82-3-804	New	V. 17, p. 362, 363

AGENCY 86: REAL ESTATE COMMISSION

Reg. No.	Action	Register
86-1-3	Amended	V. 16, p. 1669, 1704
86-1-5	Amended	V. 17, p. 246
86-1-11	Amended	V. 16, p. 1669, 1705
86-2-8	Amended	V. 16, p. 1670, 1706
86-3-25	Revoked	V. 16, p. 1670, 1706
86-3-26	New	V. 16, p. 1670, 1706
86-3-27	New	V. 16, p. 1672, 1707
86-3-28	New	V. 16, p. 1672, 1707

AGENCY 88: BOARD OF REGENTS

Reg. No.	Action	Register
88-3-9	Amended	V. 17, p. 208

AGENCY 91: DEPARTMENT OF EDUCATION

Reg. No.	Action	Register
91-5-14	Amended	V. 17, p. 35
91-10-2	Amended	V. 16, p. 409

(continued)

**AGENCY 93: DEPARTMENT OF REVENUE—
DIVISION OF PROPERTY VALUATION**

Reg. No.	Action	Register
93-6-1 through 93-6-6	New	V. 16, p. 1552, 1892

AGENCY 94: BOARD OF TAX APPEALS

Reg. No.	Action	Register
94-2-1 through 94-2-12	Amended	V. 16, p. 1242-1245
94-2-13 through 94-2-18	New	V. 16, p. 1245, 1246
94-3-1	Amended	V. 16, p. 1246
94-3-2	Amended	V. 16, p. 1246

AGENCY 99: DEPARTMENT OF AGRICULTURE—DIVISION OF WEIGHTS AND MEASURES

Reg. No.	Action	Register
99-25-1	Amended	V. 17, p. 209
99-25-2	Revoked	V. 17, p. 209
99-25-4 through 99-25-8	New	V. 17, p. 209, 210
99-27-1 through 99-27-5	New	V. 17, p. 210-212
99-30-5	Amended	V. 17, p. 212
99-30-6	Amended	V. 17, p. 212
99-31-5	Amended	V. 17, p. 212
99-31-6	Amended	V. 17, p. 213
99-40-7	New	V. 17, p. 213

AGENCY 100: BOARD OF HEALING ARTS

Reg. No.	Action	Register
100-6-2	Amended	V. 16, p. 737
100-11-1	Amended	V. 17, p. 509
100-15-1	Amended	V. 16, p. 1176
100-23-1	Amended	V. 17, p. 299
100-29-1 through 100-29-14	New	V. 16, p. 380-384
100-29-7	Amended	V. 17, p. 510
100-34-3	Revoked	V. 16, p. 384
100-34-4	Revoked	V. 16, p. 384
100-35-1	Revoked	V. 16, p. 384
100-35-3	Revoked	V. 16, p. 384
100-35-6	Revoked	V. 16, p. 384
100-35-7	Revoked	V. 16, p. 384
100-36-1	Revoked	V. 16, p. 384
100-37-1	Revoked	V. 16, p. 384
100-37-2	Revoked	V. 16, p. 384
100-38-1	Revoked	V. 16, p. 385
100-39-1	Revoked	V. 16, p. 385
100-40-2	Revoked	V. 16, p. 385
100-42-2	Revoked	V. 16, p. 385
100-46-1	Revoked	V. 16, p. 385
100-46-2	Revoked	V. 16, p. 385
100-46-3	Revoked	V. 16, p. 385
100-46-5	Revoked	V. 16, p. 385
100-46-6	Revoked	V. 16, p. 385
100-47-1	Revoked	V. 16, p. 385
100-49-4	Amended	V. 17, p. 510
100-49-5	Amended	V. 16, p. 1176
100-54-4	Amended	V. 17, p. 510
100-54-7	Amended	V. 16, p. 142
100-55-4	Amended	V. 17, p. 510
100-55-10	Revoked	V. 17, p. 510
100-60-1	Amended	V. 17, p. 510
100-67-1	New	V. 16, p. 1174, 1549
100-69-5	Amended	V. 17, p. 510
100-69-10	New	V. 16, p. 2061

AGENCY 102: BEHAVIORAL SCIENCES REGULATORY BOARD

Reg. No.	Action	Register
102-1-13	Amended	V. 16, p. 1672
102-2-2a	Amended	V. 16, p. 1672
102-2-4a	Amended	V. 16, p. 1673
102-2-4b	Amended	V. 16, p. 1674
102-2-5	Amended	V. 16, p. 1675
102-2-6	Amended	V. 16, p. 1675
102-2-8	Amended	V. 16, p. 1676
102-2-9	Amended	V. 16, p. 1678
102-2-10	Amended	V. 16, p. 1678

102-2-11	Amended	V. 16, p. 1678
102-2-12	Amended	V. 16, p. 1679
102-3-1	Revoked	V. 16, p. 1941
102-3-1a	New	V. 16, p. 1941
102-3-2	Amended	V. 16, p. 1680
102-3-3	Revoked	V. 16, p. 1942
102-3-3a	New	V. 16, p. 1942
102-3-4	Revoked	V. 16, p. 1943
102-3-4a	New	V. 16, p. 1943
102-3-5	Revoked	V. 16, p. 1944
102-3-5a	New	V. 16, p. 1944
102-3-6	Revoked	V. 16, p. 1944
102-3-6a	New	V. 16, p. 1944
102-3-7	Revoked	V. 17, p. 426
102-3-7a	New	V. 17, p. 426
102-3-8	Revoked	V. 16, p. 1945
102-3-8a	New	V. 16, p. 1945
102-3-9	Revoked	V. 16, p. 1945
102-3-9a	New	V. 16, p. 1945
102-3-10	Revoked	V. 16, p. 1946
102-3-10a	New	V. 16, p. 1946
102-3-11	Revoked	V. 16, p. 1947
102-3-11a	New	V. 16, p. 1947
102-3-12	Revoked	V. 16, p. 1948
103-3-12a	New	V. 16, p. 1948
102-3-13	Revoked	V. 16, p. 1950
102-4-1	Revoked	V. 16, p. 1950
102-4-1a	New	V. 16, p. 1950
102-4-2	Amended	V. 16, p. 1680
102-4-3	Revoked	V. 16, p. 1951
102-4-3a	New	V. 16, p. 1951
102-4-4	Revoked	V. 16, p. 1953
102-4-4a	New	V. 16, p. 1953
102-4-5	Revoked	V. 16, p. 1954
102-4-5a	New	V. 16, p. 1954
102-4-6	Revoked	V. 16, p. 1954
102-4-6a	New	V. 16, p. 1954
102-4-7a	New	V. 17, p. 318
102-4-8	Revoked	V. 16, p. 1955
102-4-8a	New	V. 16, p. 1955
102-4-9	Revoked	V. 16, p. 1955
102-4-9a	New	V. 16, p. 1955
102-4-10	Revoked	V. 16, p. 1956
102-4-10a	New	V. 16, p. 1956
102-4-11	Revoked	V. 16, p. 1958
102-4-11a	New	V. 16, p. 1958
102-4-12	New	V. 16, p. 1958
102-4-13	New	V. 16, p. 1960
102-5-1	Amended	V. 16, p. 1961
102-5-2	Amended	V. 16, p. 1680
102-5-3	Amended	V. 16, p. 1962
102-5-4	Revoked	V. 16, p. 1963
102-5-4a	New	V. 16, p. 1963
102-5-5	Amended	V. 16, p. 1964
102-5-6	Revoked	V. 16, p. 1964
102-5-6a	New	V. 16, p. 1964
102-5-7	Revoked	V. 17, p. 427
102-5-7a	New	V. 17, p. 427
102-5-8	Amended	V. 16, p. 1965
102-5-9	Amended	V. 16, p. 1965
102-5-10	Amended	V. 16, p. 1966
102-5-11	Amended	V. 16, p. 1967
102-5-12	Amended	V. 16, p. 1967

AGENCY 108: STATE EMPLOYEES HEALTH CARE COMMISSION

Reg. No.	Action	Register
108-1-1	Amended	V. 16, p. 651
108-1-2	New	V. 17, p. 462

AGENCY 109: BOARD OF EMERGENCY MEDICAL SERVICES

Reg. No.	Action	Register
109-2-15	New	V. 16, p. 2063
109-6-2	Amended	V. 16, p. 1708
109-8-1	Amended	V. 16, p. 685

AGENCY 110: DEPARTMENT OF COMMERCE AND HOUSING

Reg. No.	Action	Register
110-4-1 through 110-4-4	Amended	V. 16, p. 1329-1331
110-4-5	New	V. 16, p. 1331

AGENCY 111: KANSAS LOTTERY

Reg. No.	Action	Register
111-1-2	Amended	V. 7, p. 1190
111-1-3	Amended	V. 17, p. 386

111-1-5	Amended	V. 15, p. 1304
111-2-1	Amended	V. 17, p. 387
111-2-2	Amended	V. 17, p. 387
111-2-2a through 111-2-2e	New	V. 14, p. 1633, 1634
111-2-4	Amended	V. 17, p. 429
111-2-6	Revoked	V. 13, p. 149
111-2-7	Revoked	V. 10, p. 1210
111-2-13	Revoked	V. 10, p. 881
111-2-14	Amended	V. 14, p. 1634
111-2-15	Revoked	V. 10, p. 881
111-2-16	Revoked	V. 10, p. 1210
111-2-17	Revoked	V. 10, p. 1210
111-2-18	Revoked	V. 11, p. 413
111-2-19	Revoked	V. 11, p. 413
111-2-20 through 111-2-26	Revoked	V. 13, p. 1401
111-2-27	Revoked	V. 14, p. 972
111-2-28	New	V. 12, p. 1844
111-2-29	Revoked	V. 14, p. 972
111-2-30	Amended	V. 17, p. 429
111-2-31	New	V. 14, p. 170
111-2-32 through 111-2-42	Revoked	V. 16, p. 448, 449
111-2-43	Amended	V. 16, p. 1807
111-2-44	New	V. 15, p. 288
111-2-45	New	V. 15, p. 288
111-2-46	New	V. 15, p. 624
111-2-47	Amended	V. 16, p. 449
111-2-48	New	V. 15, p. 1055
111-2-49	New	V. 15, p. 1055
111-2-50	New	V. 15, p. 1056
111-2-51	New	V. 15, p. 1440
111-2-52	New	V. 15, p. 1441
111-2-53	New	V. 15, p. 1710
111-2-54	New	V. 15, p. 1920
111-2-55	New	V. 15, p. 1953
111-2-56	New	V. 16, p. 449
111-2-57	New	V. 16, p. 449
111-2-58	New	V. 16, p. 689
111-2-59	New	V. 16, p. 1043
111-2-60	New	V. 16, p. 1209
111-2-61	New	V. 16, p. 1473
111-2-62	New	V. 16, p. 1209
111-2-63	New	V. 16, p. 1808
111-2-64	New	V. 16, p. 1808
111-2-65	New	V. 16, p. 1883
111-2-66	Amended	V. 17, p. 467
111-2-67	Amended	V. 17, p. 387
111-2-68	New	V. 16, p. 2069
111-2-69	New	V. 16, p. 2070
111-2-70	New	V. 17, p. 388
111-2-71	New	V. 17, p. 389
111-2-72	New	V. 17, p. 430
111-2-73	New	V. 17, p. 467
111-3-1	Amended	V. 17, p. 389
111-3-6	Amended	V. 12, p. 677
111-3-9	Revoked	V. 11, p. 1793
111-3-10 through 111-3-31	New	V. 7, p. 201-206
111-3-11	Amended	V. 13, p. 35
111-3-12	Amended	V. 13, p. 1826
111-3-13	Amended	V. 17, p. 390
111-3-14	Amended	V. 17, p. 391
111-3-16	Amended	V. 9, p. 1566
111-3-19	Revoked	V. 13, p. 1827
111-3-20	Amended	V. 11, p. 1148
111-3-21	Amended	V. 11, p. 1148
111-3-22	Amended	V. 11, p. 1148
111-3-23	Revoked	V. 10, p. 883
111-3-25	Amended	V. 17, p. 392
111-3-26	Amended	V. 11, p. 1149
111-3-27	Amended	V. 11, p. 1149
111-3-29	Revoked	V. 11, p. 1149
111-3-31	Amended	V. 8, p. 209
111-3-32	Amended	V. 10, p. 883
111-3-33	New	V. 7, p. 1434
111-3-34	New	V. 13, p. 149
111-3-35	Amended	V. 17, p. 430
111-3-36	New	V. 13, p. 877
111-3-37	New	V. 13, p. 877
111-4-1 through 111-4-5	Revoked	V. 12, p. 113
111-4-5a	Revoked	V. 12, p. 113
111-4-6 through 111-4-15	Revoked	V. 12, p. 113

111-4-66 through							
111-4-77	New	V. 7, p. 207-209					
111-4-96 through							
111-4-114	New	V. 7, p. 1606-1610					
111-4-100	Amended	V. 14, p. 972					
111-4-101 through							
111-4-106	Revoked	V. 16, p. 450					
111-4-106a	Revoked	V. 16, p. 450					
111-4-107 through							
111-4-114	Revoked	V. 16, p. 450, 451					
111-4-153 through							
111-4-160	Revoked	V. 9, p. 1676, 1677					
111-4-177 through							
111-4-212	Revoked	V. 9, p. 1677, 1678					
111-4-213 through							
111-4-220	Revoked	V. 10, p. 1213					
111-4-221 through							
111-4-224	Revoked	V. 10, p. 1585					
111-4-225 through							
111-4-228	Revoked	V. 10, p. 1585					
111-4-229 through							
111-4-236	Revoked	V. 10, p. 1585, 1586					
111-4-237 through							
111-4-240	Revoked	V. 11, p. 413					
111-4-241 through							
111-4-244	Revoked	V. 12, p. 1371					
111-4-245 through							
111-4-248	Revoked	V. 12, p. 1371					
111-4-249 through							
111-4-256	Revoked	V. 12, p. 113, 114					
111-4-257 through							
111-4-286	Revoked	V. 11, p. 413, 414					
111-4-287 through							
111-4-290	Revoked	V. 12, p. 1371					
111-4-291 through							
111-4-300	Revoked	V. 12, p. 114					
111-4-301 through							
111-4-307	Revoked	V. 13, p. 1402					
111-4-308 through							
111-4-317	Revoked	V. 16, p. 451					
111-4-318 through							
111-4-321	Revoked	V. 12, p. 114					
111-4-322 through							
111-4-327	Revoked	V. 12, p. 1371					
111-4-328 through							
111-4-335	Revoked	V. 12, p. 114					
111-4-336 through							
111-4-340	Revoked	V. 16, p. 451					
111-4-341	Revoked	V. 11, p. 1473					
111-4-341a	Revoked	V. 12, p. 1372					
111-4-341b	Revoked	V. 16, p. 451					
111-4-341c	Revoked	V. 16, p. 451					
111-4-342 through							
111-4-345	Revoked	V. 16, p. 451					
111-4-346 through							
111-4-349	Revoked	V. 12, p. 114					
111-4-350 through							
111-4-355	Revoked	V. 16, p. 452					
111-4-356 through							
111-4-361	Revoked	V. 14, p. 7					
111-4-362 through							
111-4-365	Revoked	V. 12, p. 114, 115					
111-4-366 through							
111-4-369	Revoked	V. 12, p. 1373					
111-4-370 through							
111-4-379	Revoked	V. 14, p. 7, 8					
111-4-380 through							
111-4-383	Revoked	V. 12, p. 1664					
111-4-384 through							
111-4-387	Revoked	V. 12, p. 1373					
111-4-388 through							
111-4-391	Revoked	V. 12, p. 1373					
111-4-392 through							
111-4-400	Revoked	V. 16, p. 252					
111-4-401 through							
111-4-404	Revoked	V. 12, p. 1373					
111-4-405 through							
111-4-413	Revoked	V. 16, p. 452					
111-4-414 through							
111-4-428	Revoked	V. 14, p. 8					
111-4-429 through							
111-4-432	Revoked	V. 12, p. 1373					
111-4-433 through							
111-4-436	Revoked	V. 12, p. 1374					
111-4-437 through							
111-4-440	Revoked	V. 12, p. 1374					
111-4-441 through							
111-4-444	Revoked	V. 14, p. 8					
111-4-445 through							
111-4-448	Revoked	V. 12, p. 1374					
111-4-449 through							
111-4-453	Revoked	V. 14, p. 8					
111-4-454 through							
111-4-465	Revoked	V. 12, p. 1664, 1665					
111-4-466 through							
111-4-469	Revoked	V. 12, p. 1665					
111-4-470 through							
111-4-477	Revoked	V. 16, p. 452, 453					
111-4-478 through							
111-4-492	Revoked	V. 14, p. 974, 975					
111-4-493 through							
111-4-496	Revoked	V. 16, p. 453					
111-4-497 through							
111-4-512	Revoked	V. 14, p. 975					
111-4-513 through							
111-4-521	Revoked	V. 16, p. 453					
111-4-522 through							
111-4-571	Revoked	V. 14, p. 975-977					
111-4-572 through							
111-4-585	New	V. 13, p. 878-880					
111-4-572	Amended	V. 16, p. 1044					
111-4-574	Amended	V. 16, p. 1044					
111-4-575	Amended	V. 16, p. 1044					
111-4-576	Amended	V. 16, p. 1044					
111-4-577	Amended	V. 16, p. 1044					
111-4-579	Amended	V. 16, p. 1045					
111-4-581	Amended	V. 16, p. 1045					
111-4-582	Amended	V. 16, p. 1045					
111-4-583	Amended	V. 15, p. 883					
111-4-584	Amended	V. 16, p. 1045					
111-4-586 through							
111-4-606	Revoked	V. 14, p. 977, 978					
111-4-607 through							
111-4-619	New	V. 13, p. 1436-1438					
111-4-607 through							
111-4-610	Amended	V. 16, p. 1504					
111-4-611	Amended	V. 14, p. 1407					
111-4-613	Amended	V. 14, p. 1408					
111-4-616 through							
111-4-623	Revoked	V. 14, p. 978					
111-4-624 through							
111-4-702	Revoked	V. 16, p. 453-455					
111-4-703 through							
111-4-723	New	V. 14, p. 909-914					
111-4-724 through							
111-4-736	New	V. 14, p. 978-981					
111-4-737 through							
111-4-749	New	V. 14, p. 1095-1098					
111-4-750 through							
111-4-757	New	V. 14, p. 1408, 1409					
111-4-758 through							
111-4-761	New	V. 14, p. 1502, 1503					
111-4-762 through							
111-4-778	New	V. 14, p. 1410-1414					
111-4-769	Amended	V. 14, p. 1503					
111-4-779 through							
111-4-791	New	V. 14, p. 1504-1507					
111-4-792 through							
111-4-803	New	V. 14, p. 1635-1638					
111-4-804 through							
111-4-816	New	V. 15, p. 116-119					
111-4-817 through							
111-4-824	New	V. 15, p. 289, 290					
111-4-825 through							
111-4-838	New	V. 15, p. 449-452					
111-4-839 through							
111-4-854	New	V. 15, p. 624-627					
111-4-855 through							
111-4-859	New	V. 15, p. 884, 885					
111-4-855	Amended	V. 15, p. 1181					
111-4-860 through							
111-4-872	New	V. 15, p. 1056-1059					
111-4-871	Amended	V. 15, p. 1181					
111-4-873 through							
111-4-892	New	V. 15, p. 1181-1186					
111-4-881	Amended	V. 16, p. 1505					
111-4-893 through							
111-4-910	New	V. 15, p. 1441-1445					
111-4-911 through							
111-4-918	New	V. 15, p. 1475, 1476					
111-4-915	Amended	V. 15, p. 1954					
111-4-918	Amended	V. 15, p. 1954					
111-4-919 through							
111-4-941	New	V. 15, p. 1710-1716					
111-4-942 through							
111-4-965	New	V. 15, p. 1921-1926					
111-4-946	Amended	V. 15, p. 1954					
111-4-962	Amended	V. 16, p. 341					
111-4-963	Amended	V. 16, p. 341					
111-4-966 through							
111-4-970	New	V. 15, p. 1954, 1955					
111-4-971 through							
111-4-982	New	V. 16, p. 341-344					

115-4-7	Amended	V. 17, p. 464
115-4-13	Amended	V. 16, p. 829
115-9-5	Amended	V. 16, p. 1472
115-9-8	New	V. 16, p. 1989
115-14-3	Amended	V. 16, p. 1175
115-14-9	Amended	V. 16, p. 1175
115-15-3	Amended	V. 16, p. 1989
115-15-4	New	V. 16, p. 1990
115-18-7	Amended	V. 16, p. 1991
115-18-13	Amended	V. 16, p. 1472
115-18-14	Amended	V. 16, p. 1991
115-18-15	New	V. 16, p. 1991
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
117-2-1	Amended	V. 16, p. 2063
117-2-2	Amended	V. 16, p. 302

117-3-1	Amended	V. 16, p. 2064
117-3-2	Amended	V. 16, p. 2064
117-4-1	Amended	V. 16, p. 2065
117-4-2	Amended	V. 16, p. 2066
117-5-1	Amended	V. 17, p. 465
117-5-2	New	V. 17, p. 465
117-5-3	New	V. 17, p. 465
117-6-1	Amended	V. 16, p. 2066
117-6-3	Amended	V. 16, p. 2067
117-8-1	Amended	V. 17, p. 366

AGENCY 121: DEPARTMENT OF CREDIT UNIONS

Reg. No.	Action	Register
121-4-1 through 121-4-11		
121-5-1	New	V. 16, p. 72-77
121-5-2	New	V. 16, p. 1048
121-6-1	New	V. 16, p. 1048
		V. 16, p. 1773

121-6-2	New	V. 16, p. 1773
---------	-----	----------------

AGENCY 122: POOLED MONEY INVESTMENT BOARD

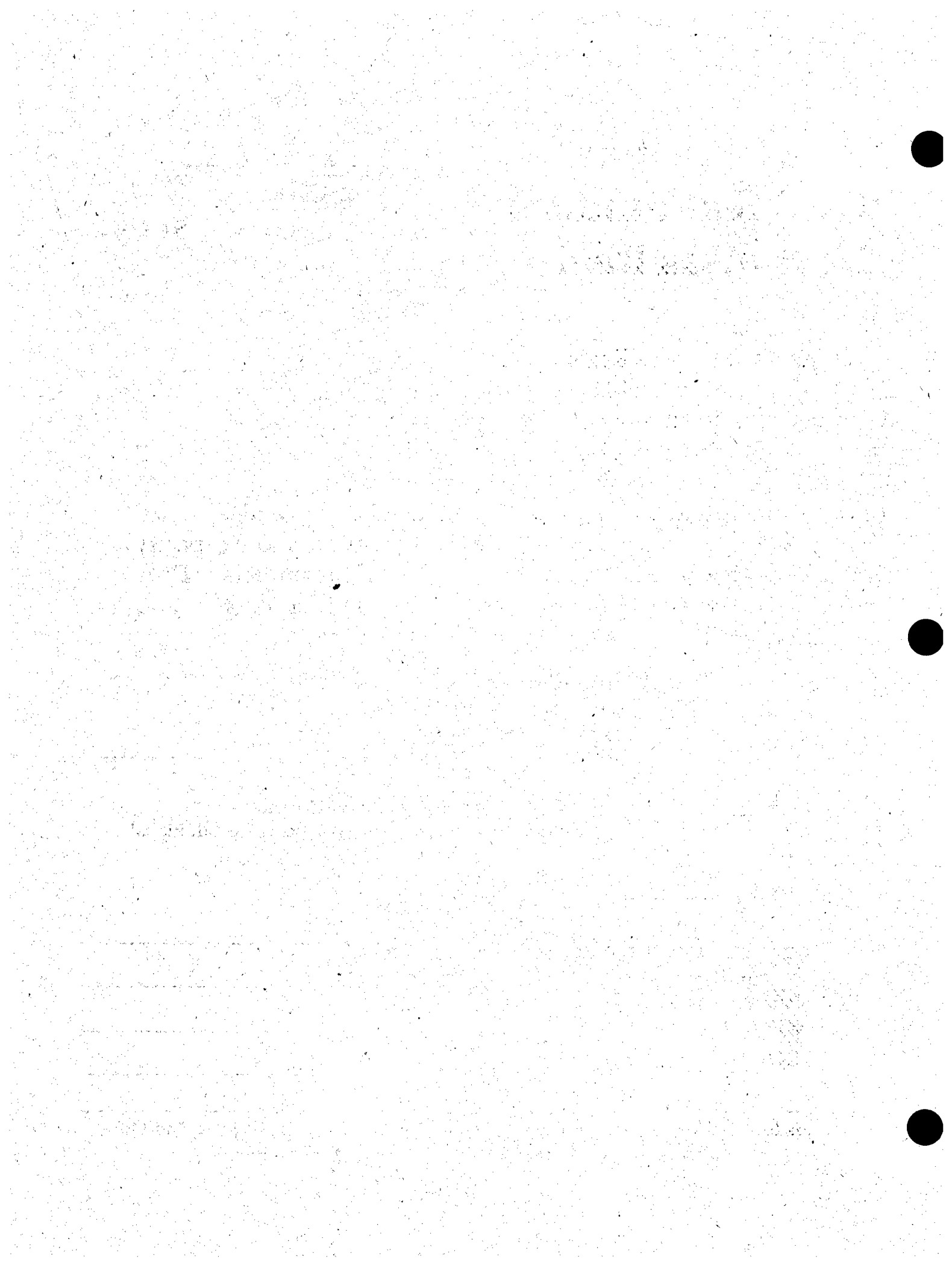
Reg. No.	Action	Register
122-2-2	Amended	V. 17, p. 10

AGENCY 123: JUVENILE JUSTICE AUTHORITY

Reg. No.	Action	Register
123-2-1	New	V. 17, p. 36

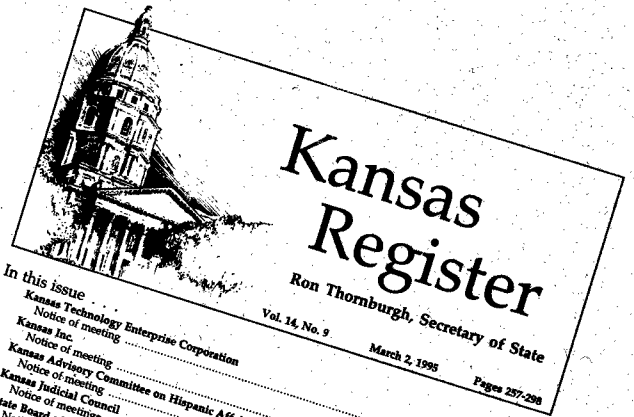
AGENCY 124: CHILD DEATH REVIEW BOARD

Reg. No.	Action	Register
124-1-1 through 124-1-4	New	V. 16, p. 1819



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

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



In this issue		Page
Kansas Technology Enterprise Corporation	Notice of meeting	259
Kansas Inc.	Notice of meeting	259
Kansas Advisory Committee on Hispanic Affairs	Notice of meeting	259
Kansas Judicial Council	Notice of meetings	259
State Board of Indigents' Defense Services	Notice of meeting	260
Real Estate Appraisal Board	Notice of hearing on proposed administrative regulations	260
State Emergency Response Commission	Notice of meeting	261
Kansas Law Enforcement Training Commission	Notice of meeting	261
Social and Rehabilitation Services	Notice of meeting	261
Request for proposals		261

\$12 each, includes shipping and handling.

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

Clip and mail

Please send _____

Kansas Register Binders @ \$12 each

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

Total enclosed _____

Ship to:

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

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

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

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

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

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

Send to:

(Please, no
more than
4 address
lines.)

Zip code must be included

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

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

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

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

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