

# Kansas Register

Ron Thornburgh, Secretary of State

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State of Kansas

State Fair Board

Notice of Meeting

The Kansas State Fair Board will meet at 4 p.m. Wednesday, November 4, at the Oakley Country Club, Oakley. The meeting will reconvene at 2 p.m. Thursday, November 5, at the Seward County Activities Center, Liberal. For further information, contact Deana Novak at (316) 669-3612.

Brad Rayl  
President

Doc. No. 023058

State of Kansas

Department of Commerce and Housing

Notice of Meetings

The Kansas Department of Commerce and Housing, Division of Community Development, will conduct seven area meetings on the programs and services of the division for its 1999 program year. The meetings will serve as public hearings for input on community development issues, including past performance, as outlined in the Kansas Consolidated Plan for federal fiscal year 1999.

Community residents are encouraged to attend the meetings, to be conducted by division staff, which include the Community Development Block Grant, Main

Street, PRIDE, Community Service, Community Capacity Building Grant, Project Impact and Flood Mitigation Assistance programs. Results of the meetings will be incorporated in the development and implementation of programs in the Community Development Division.

All meeting places are accessible to persons with disabilities. The schedule is as follows:

- November 9 **Minneapolis** 1 to 3 p.m.  
Blue Store Emporium  
307 W. 2nd
- November 10 **Leavenworth** 1 to 3 p.m.  
Riverfront Community Center  
123 S. Esplanade, Riverview Room
- November 12 **Fort Scott** 1 to 3 p.m.  
Fort Scott Community College  
Academic Building  
2108 S. Horton, Room A128
- November 13 **El Dorado** 1 to 3 p.m.  
Chamber of Commerce  
383 E. Central, Conference Room
- November 18 **Oberlin** 1:30 to 3:30 p.m.  
Golden Age Senior Center  
220 N. Pennsylvania
- November 19 **Ulysses** 10 a.m. to noon  
Pioneer Electric  
Highway 160 West
- November 20 **Greensburg** 10 a.m. to noon  
Kiowa County Courthouse  
211 E. Florida  
2nd Floor Conference Room

Gary Sherrer  
Secretary of Commerce and Housing

Doc. No. 023073

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## State of Kansas

## Legislature

## Interim Committee Schedule

The following committee meetings have been scheduled during the period of November 2 through November 15:

Date	Room	Time	Committee	Agenda
November 2	519-S	10:00 a.m.	Task Force on the Providers of Mental Health Services	Public hearing on independent practice for BSRB licensees; committee discussion and possible recommendations on diagnosis and treatment of mental disorders, independent practice and continuing education requirements for BSRB licensees.
November 3	519-S	9:00 a.m.		
November 4	531-N	10:00 a.m.	Health Care Stabilization Fund Oversight Committee	Review the status of the Health Care Stabilization Fund.
November 4	514-S	9:00 a.m.	Health Care Reform Legislative Oversight Committee	Review of bill drafts and other issues. Report on rural health.
November 5	123-S	10:00 a.m.	Joint Meeting: Special Committee on Information Management and Joint Committee on Information Technology	Agenda not available.
November 6	123-S	9:00 a.m.		
November 5	514-S	10:00 a.m.	Joint Committee on Economic Development	5th: Presentations on electric capacity issues and implications for Kansas businesses. 6th: Implementation by Kansas Department of Revenue on business tax exemptions. Possible committee discussion and recommendations.
November 6	514-S	9:00 a.m.		
November 5	423-S	10:00 a.m.	Joint Committee on State Building Construction	Agenda not available.
November 6	423-S	9:00 a.m.		
November 6	526-S	10:00 a.m.	Task Force on Long-Term Care Services	Agenda not available.
November 9	123-S	10:00 a.m.	Joint Committee on Pensions, Investments and Benefits	Review of KPERS 3-year experience study, annual valuation and consultant preliminary report on benefit plans.
November 10	123-S	10:00 a.m.		
November 9	526-S	9:00 a.m. and following meeting with SRS Transition	Legislative Post Audit Committee	Legislative matters.
November 9	514-S	10:00 a.m.	Joint Meeting: SRS Transition Oversight Committee and Legislative Post Audit Committee	Agenda not available.
November 10	514-S	9:00 a.m.	SRS Transition Oversight Committee	
November 9	519-S	10:00 a.m.	Special Committee on Local Government	Agenda not available.
November 10	519-S	9:00 a.m.		
November 12	123-S	10:00 a.m.	Special Committee on Financial Institutions/Insurance	Agenda not available.
November 13	123-S	9:00 a.m.		

Jeff Russell  
Director of Legislative  
Administrative Services

## State of Kansas

### Kansas Groundwater Management Districts Association

#### Notice of Annual Meeting

The Kansas Groundwater Management Districts Association will conduct its first annual meeting from 10 a.m. to 5 p.m. Thursday, November 19, at the Wheatlands Convention Center in Garden City. The meeting will provide a forum to facilitate broader communication on the current issues regarding Kansas groundwater and the association.

For further information, contact Steven Frost, Southwest Kansas Groundwater Management District, 409 Campus Drive, Suite 106, Garden City, 67846, (316) 275-7147.

Steven K. Frost, President  
Kansas Groundwater Management  
Districts Association

Doc. No. 023066

## State of Kansas

### Real Estate Appraisal Board

#### Notice of Hearing on Proposed Administrative Regulations

A public hearing will be conducted at 10 a.m. Friday, January 29, in the second floor conference room of the Columbian Title Building, 820 S. Quincy, Topeka, to consider the adoption of regulations 117-2-1, 117-2-2, 117-3-1, 117-3-2, 117-4-1 and 117-4-2.

This 60-day notice of public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed regulations. All interested parties may submit written comments prior to the hearing to the Kansas Real Estate Appraisal Board, Columbian Title Building, Suite 314, 820 S. Quincy, Topeka, 66612. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulations during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request each participant to limit any oral presentation to five minutes.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulations and economic impact statements in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Michael Haynes at (785) 296-0706.

The proposed regulation amendments are for adoption on a permanent basis. A summary of the proposed amendments to the regulations and the economic impact follows.

**117-2-1. Licensed classification; education requirements.** This regulation is being amended so that all new applicants must take the Uniform Standards of Professional Appraisal Practice (USPAP) course in the two-year period immediately preceding the date of application. This will assist the applicants in being familiar with the

current requirements of USPAP. This course is already a required course and therefore should have no economic impact on the applicant, appraisers, state agencies or the public.

**117-2-2. Licensed classification; experience requirement.** This regulation is being amended to increase the number of hours of experience credit allowed for specialized appraisal experience to count for up to 25 percent of the total number of experience hours. There would be no economic impact on the applicants, appraisers, state agencies or the public.

**117-3-1. General classification; education requirements.** This regulation is being amended so that all new applicants must take the Uniform Standards of Professional Appraisal Practice (USPAP) course in the two-year period immediately preceding the date of application. This will assist the applicants in being familiar with the current requirements of USPAP. This amendment also will make it necessary for the applicant to take the required income capitalization course within the two-year period immediately preceding the date of application. Both courses are currently required and therefore should have no economic impact on the applicant, appraisers, state agencies or the public.

**117-3-2. General classification; experience requirement.** This regulation is being amended to increase the number of hours of experience credit allowed for specialized appraisal experience to count for up to 25 percent of the total number of experience hours. There would be no economic impact on the applicants, appraisers, state agencies or the public.

**117-4-1. Residential classification; education requirements.** This regulation is being amended so that all new applicants must take the Uniform Standards of Professional Appraisal Practice (USPAP) course in the two-year period immediately preceding the date of application. This will assist the applicants in being familiar with the current requirements of USPAP. This amendment also will make it necessary for the applicant to take the required report writing course within the three-year period immediately preceding the date of application. Both courses are currently required and therefore should have no economic impact on the applicant, appraisers, state agencies or the public.

**117-4-2. Residential classification; experience requirement.** This regulation is being amended to increase the number of hours of experience credit allowed for specialized appraisal experience to count for up to 25 percent of the total number of experience hours. There would be no economic impact on the applicants, appraisers, state agencies or the public.

Copies of the regulations and their economic impact statement may be obtained by contacting the Kansas Real Estate Appraisal Board.

Michael K. Haynes  
Director

Doc. No. 023047

## State of Kansas

## Law Enforcement Training Commission

## Notice of Meeting

The Kansas Law Enforcement Training Commission will meet at 10 a.m. Tuesday, November 10, at the Kansas Law Enforcement Training Center, located 12 miles southeast of Hutchinson south of K-96 at the Hutchinson Air Base Industrial Tract (HABIT), the former Naval Air Station, or one mile west and one mile south of Yoder. The meeting is open to the public.

Darrell Wilson  
Chairperson

Doc. No. 023045

## State of Kansas

## Kansas Insurance Department

Notice of Hearing on Proposed  
Administrative Regulations

A public hearing will be conducted at 1:30 p.m. Tuesday, January 5, in the third floor conference room, Kansas Insurance Department, 420 S.W. 9th, Topeka, to consider the adoption of proposed changes in an existing rule and regulation.

This 60-day notice of the public hearing shall constitute a public comment period for purpose of receiving written public comments on the proposed rule and regulation. All interested parties may submit written comments prior to the hearing to Rebecca Sanders, Kansas Insurance Department, 420 S.W. 9th, Topeka, 66612-1678. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulation during the hearing.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulation and economic impact statement in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Rebecca Sanders at (785) 296-7811.

A copy of the full text of the regulation and the economic impact statement may be obtained by contacting the Kansas Insurance Department. A summary of the proposed regulation and its economic impact follows.

**K.A.R. 40-4-34. Accident and health insurance; coordination of benefits; guidelines.** The Kansas Insurance Department is proposing amendments to the regulation to reflect changes made by the National Association of Insurance Commissioners in its model regulation, as of January, 1996. Most of the changes were made to reflect changes in the model regulation. There were some changes that the department made or sections of the model regulation that the department did not adopt because the department felt they were not advantageous to the consumer. There is no economic impact on the companies or on the department.

Kathleen Sebelius  
Kansas Insurance Commissioner

Doc. No. 023068

## State of Kansas

## Kansas Insurance Department

## Notice of Change in Pharmacy Network

Pursuant to K.S.A. 40-2,153, the Kansas Commissioner of Insurance is publishing notice that a change has occurred in a pharmacy network in the State of Kansas. Aetna U.S. Healthcare Pharmacy Network has notified the Insurance Department of the addition of Dillon Pharmacy #014, Hays, effective September 29, 1998; and the termination of Coghill Drug, Hutchinson, effective September 29, 1998. Questions should be directed to Rebecca Sanders at the Kansas Insurance Department, (785) 296-3071.

Kathleen Sebelius  
Kansas Insurance Commissioner

Doc. No. 023057

## State of Kansas

## Kansas Development Finance Authority

## Notice of Hearing

A public hearing will be conducted at 9 a.m. Thursday, November 12, in the conference room of the Kansas Development Finance Authority, Suite 1000, Jayhawk Tower, 700 S.W. Jackson, Topeka, on the proposal for the Kansas Development Finance Authority to issue approximately \$2,826,182 principal amount of Housing Development Revenue Bonds for Cohen-Esrey Housing Partners, L.L.C. (the developer). The bonds will be issued, pursuant to K.S.A. 74-8901 *et seq.*, to finance costs of acquisition and rehabilitation of Country Club Apartments to be used for public housing purposes. Country Club Apartments will consist of 35 one-bedroom units, 53 two-bedroom units and 13 three-bedroom units located at 2933 Central Park Ave., Topeka, Shawnee County, Kansas.

The bonds, when issued, will be a limited obligation of the Kansas Development Finance Authority and will not constitute a general obligation or indebtedness of the State of Kansas or any political subdivision thereof, including the Authority, nor will the bonds constitute an indebtedness for which the faith and credit and taxing powers of the State of Kansas are pledged. The bonds will be payable solely from amounts received from the developer, the obligation of which will be sufficient to pay the principal of, interest and redemption premium, if any, on the bonds when they become due.

All individuals who appear at the hearing will be given an opportunity to express their views for or against the proposal to issue any specific bonds for the purpose of financing the project, and all written comments previously filed with the Authority at its offices at Suite 1000, Jayhawk Tower, 700 S.W. Jackson, Topeka, 66603, will be considered. Additional information regarding the project may be obtained by contacting the Authority.

Kenneth Frahm  
President

Doc. No. 023064

## State of Kansas

## Kansas Judicial Council

## Notice of Meetings

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

Date	Committee	Time	Location
Nov. 6	Criminal Law	9:30 a.m.	Room 259
Nov. 6	Guard. & Conserv.	9:30 a.m.	Room 275
Nov. 13	Judicial Council	9:00 a.m.	Room 259
Nov. 20	PIK-Civil	9:30 a.m.	Room 259
Nov. 20	Probate Law	9:30 a.m.	Room 275
Dec. 4	Guard. & Conserv.	9:30 a.m.	Room 275
Dec. 4	Civil Code	9:30 a.m.	Room 259
Dec. 18	Criminal Law	9:30 a.m.	Room 259

Hon. Tyler C. Lockett  
Chair

Doc. No. 023071

## State of Kansas

## Kansas Development Finance Authority

## Notice of Hearing

A public hearing will be conducted at 9 a.m. Thursday, November 12, in the conference room of the Kansas Development Finance Authority, Suite 1000, Jayhawk Tower, 700 S.W. Jackson, Topeka, on the proposal for the Kansas Development Finance Authority to issue approximately \$1,373,212 principal amount of Housing Development Revenue Bonds for Cohen-Esrey Housing Partners, L.L.C. (the developer). The bonds will be issued, pursuant to K.S.A. 74-8901 *et seq.*, to finance costs of acquisition and rehabilitation of Paola Apartments to be used for public housing purposes. Paola Apartments will consist of 12 one-bedroom units, 18 two-bedroom units and 18 three-bedroom units located at 507 Baptiste Drive, Paola, Miami County, Kansas.

The bonds, when issued, will be a limited obligation of the Kansas Development Finance Authority and will not constitute a general obligation or indebtedness of the State of Kansas or any political subdivision thereof, including the Authority, nor will the bonds constitute an indebtedness for which the faith and credit and taxing powers of the State of Kansas are pledged. The bonds will be payable solely from amounts received from the developer, the obligation of which will be sufficient to pay the principal of, interest and redemption premium, if any, on the bonds when they become due.

All individuals who appear at the hearing will be given an opportunity to express their views for or against the proposal to issue any specific bonds for the purpose of financing the project, and all written comments previously filed with the Authority at its offices at Suite 1000, Jayhawk Tower, 700 S.W. Jackson, Topeka, 66603, will be considered. Additional information regarding the project may be obtained by contacting the Authority.

Kenneth Frahm  
President

Doc. No. 023065

## State of Kansas

## Department of Transportation

## Notice to Consulting Engineers

The Kansas Department of Transportation is seeking qualified consulting engineering firms for the projects listed below. Responses must be received by 5 p.m. November 24 for the consulting engineering firm to be considered. Seven signed copies of the response should be mailed to Neil Ruesch, P.E., Assistant to the Director, Division of Engineering and Design, KDOT, Room 1084-West, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612-1568. Responses shall be limited to four pages.

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

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

## Project No. 160-13 K-7334-01

## Clark County

The scope of services is to provide for the replacement of Johnson Creek bridge (002), 1.6 km east of the Meade-Clark county line. The project is scheduled for plan completion in September 2001, and the estimated construction cost is \$873,000.

## Project No. 14-27 K-7343-01

## Ellsworth County

The scope of services is to provide for the replacement of Oxide Creek bridge (036), 20.7 km north of the Rice-Ellsworth county line. The project is scheduled for plan completion in November 2002, and the estimated construction cost is \$778,000.

## Project No. 281-84 K-7337-01

## Russell County

The scope of services is to provide for the replacement of Landon Creek bridge (036) and Smoky Hill River bridge (037), 8.4 km and 9.0 km north of the Barton-Russell county line. The project is scheduled for plan completion in September 2001, and the estimated construction cost is \$2,275,000.

## Project No. 106 K-7354-02

## Statewide

The scope of services is to provide a report that evaluates and recommends changes to the inventory data for highway/railroad crossings and the existing Design Hazard Rating Formula used by the

Kansas Department of Transportation. The second phase of the project is an on-site re-inventory of the data required to implement the recommendations from the report. There are approximately 7,200 public at-grade crossings in Kansas. The study is scheduled to be completed by December 31, 1999, and the inventory is scheduled to be completed by June 30, 2001.

**Project No. 106 K-7356-01  
Statewide**

The scope of services is to provide for the underwater bridge inspection, reports, and sketches of the structural integrity of 21 bridges on the Missouri River and the Kansas River, using nondestructive or minimally-destructive test methods in conformance with the Federal Highway Administration Report No. FHWA-DP-80-1 entitled "Underwater Inspection of Bridges," dated November 1989. The underwater inspections shall not be performed until the fall of 2000 and the final reports shall be completed by July 2001.

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

1. Size and professional qualifications;
2. Experience of staff;
3. Location of firm with respect to proposed project;
4. Work load of firm; and
5. Firm's performance record.

E. Dean Carlson  
Secretary of Transportation

Doc. No. 023051

**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 Bureau of Construction and Maintenance, KDOT, Topeka, or at the Wichita Airport Hilton, until 2 p.m. November 18, and then publicly opened:

**District One—Northeast**

**Marshall**—C-3481-01—County road at the edge of Winifred, 0.2 mile (0.32 kilometer), grading and bridge. (Federal Funds)

**Johnson**—56-46 K-2854-01—U.S. 56, Bridge 75 over U.S. 69 (Metcalf Avenue) in Mission, bridge replacement. (Federal Funds)

**Johnson**—56-46 K-2855-01—U.S. 56 bridges (076, 077, 078, 079) at Roe Avenue, bridge replacement. (Federal Funds)

**Riley**—24-81 K-6949-01—U.S. 24 north of the east junction of U.S. 77 southeast to the junction of K-13, 9.6 miles (15.4 kilometers), overlay. (State Funds)

**Marshall**—36-58 K-6955-01—U.S. 36 from the east city limits of Marysville east to the junction of K-87, 14.3 miles (23 kilometers), overlay. (State Funds)

**Pottawatomie**—63-75 K-6963-01—K-63 from St. Marys north to the junction of K-16, 18.4 miles (30 kilometers), overlay. (State Funds)

**Lyon-Wabaunsee**—99-106 K-7232-01—K-99 from the junction of K-170 north to the Lyon-Wabaunsee county line; K-99 from the Lyon-Wabaunsee county line north to the east junction of K-4, 24 miles (38.5 kilometers), overlay. (State Funds)

**Wyandotte**—105 N-0097-01—12th Street Bridge over the Kansas River, 0.3 mile (0.5 kilometer), grading, bridge and surfacing. (State Funds)

**Riley**—81 U-1658-01—Anderson Avenue from Harris Avenue to 14th Street in Manhattan, 0.6 mile (0.9 kilometer), grading and surfacing. (Federal Funds)

**Marshall-Nemaha**—106 K-7230-01—K-9 from the west city limits of Frankfort north and east to the county line; K-9 from the Marshall-Nemaha county line east to the north junction of K-63; entire route of K-88 in Marshall County, 22.6 miles (36.8 kilometers), overlay. (State Funds)

**District Two—Northcentral**

**Cloud**—15 C-3110-01—County road 3.5 miles (5.6 kilometers) west of Concordia, 0.25 mile (0.40 kilometer), grading and bridge. (Federal Funds)

**Jewell-Republic**—106 K-2739-01—K-112 from the junction of U.S. 36 north to the south city limits of Esbon; U.S. 36 from the Smith-Jewell county line east to the Jewell-Republic county line, U.S. 36 from the Jewell-Republic county line east to 1.1 miles (1.8 kilometers) east of the junction of U.S. 81; K-199 from the north city limits of Courtland north to the junction of U.S. 36, 50.7 miles (81.6 kilometers), overlay. (State Funds)

**Saline**—70-85 K-2863-01—Solomon River bridge, Mulberry Creek and I-70 bridge over the Union Pacific Railroad, bridge repair. (Federal Funds)

**District Three—Northwest**

**Graham**—33 C-3436-01—County road 3.4 miles (5.5 kilometers) north and 0.5 mile (0.8 kilometer) east of Bogue, 0.09 mile (0.15 kilometer), grading, bridge and surfacing. (Federal Funds)

**Trego**—147-98 K-7010-01—K-147 from the Ness-Trego county line north to Ogallah, 22 miles (35.4 kilometers), overlay. (State Funds)

**Smith**—281-92 K-7012-01—U.S. 281 from the east junction of U.S. 36 north to the Kansas-Nebraska state line, 15.5 miles (24.7 kilometers), overlay. (State Funds)

**Russell**—281-84 K-7292-01—U.S. 281 from the Barton-Russell county line north 11.4 miles (18.3 kilometers), sealing. (State Funds)

**District Four—Southeast**

**Miami**—61 C-3483-01—County road 0.1 mile (0.16 kilometer) north of Osawatomie, grading and bridge. (Federal Funds)

**Montgomery**—63 C3505-01—County road west edge of Coffeyville over Sycamore Creek, 0.18 mile (0.3 kilometer), grading, bridge and surfacing. (Federal Funds)

(continued)

**Coffey**—57-16 K-5650-01—K-57 Neosho River bridge 042, 4.5 miles (7.3 kilometers) east of the south junction of U.S. 75, bridge replacement. (Federal Funds)

**Wilson**—75-103 K-7023-01—U.S. 75 from the west city limits of Neodesha east and north to north of the K-47 junction, 9.9 miles (16 kilometers), overlay. (State Funds)

**Chautauqua-Elk**—99-106 K-7252-01—K-99 from the west junction of U.S. 166 north to the Chautauqua-Elk county line; K-99 from the Chautauqua-Elk county line north to the west junction of U.S. 160, 18.3 miles (30 kilometers), overlay. (State Funds)

#### District Five—Southcentral

**Kingman**—48 C-3218-01—County road 8.5 miles (13.7 kilometers) south of Mt. Vernon then south 0.04 mile (0.06 kilometer), grading, bridge and surfacing. (Federal Funds)

**Sedgwick**—254-87 K-7311—Bridge 447, Woodlawn Avenue over K-254 in Wichita, bridge repair. (State Funds)

**Sedgwick**—87 N-0039-01—Mt. Vernon bridge over Gypsum Creek, grading, bridge and surfacing. (Federal Funds)

#### District Six—Southwest

**Meade**—23-60 K-7073-01—K-23 from the Oklahoma-Kansas state line northeast to the junction of U.S. 54, 26.5 miles (42.6 kilometers), overlay. (State Funds)

**Ford**—54-29 K-7082-01—U.S. 54 from the Clark-Ford county line northeast to the west city limits of Bucklin, 17.5 miles (28.1 kilometers), overlay. (State Funds)

**Hodgeman**—156-42 K-7093-01—K-156, 0.6 mile (1 kilometer) east of the junction of U.S. 283 northeast to the Hodgeman-Pawnee county line, 19.1 miles (30.8 kilometers), overlay. (State Funds)

**Clark**—183-13 K-7094-01—U.S. 183 from the Oklahoma-Kansas state line north to the west junction of U.S. 160, 13.5 miles (21.8 kilometers), overlay. (State Funds)

**Clark**—283-13 K-7095-01—U.S. 283 from the Oklahoma-Kansas state line north to the south junction of U.S. 160, overlay. (State Funds)

**Lane**—51 K-7265-01—K-23 from K-96 north to the east junction of K-4 and from the west junction of K-4 north to the county line; K-96 from the east city limits of Dighton east to the Lane-Ness county line, 26.7 miles (43 kilometers), overlay. (State Funds)

**Stevens-Seward**—106 K-7266-01—K-51 from the west city limits of Hugoton east to the Stevens-Seward county line; K-51 from the Stevens-Seward county line east to the junction of U.S. 83; U.S. 56 from the east junction of K-51 northeast to the west city limits of Moscow, 37.2 miles (59.9 kilometers), overlay. (State Funds)

**Clark-Meade**—54-106 K-7267-01—U.S. 54 from the Meade-Clark county line northeast to the Clark-Ford county line; U.S. 54 from the end of the four-lane east of the east junction of U.S. 160 northeast to the Meade-Clark county line, 24.5 miles (39.4 kilometers), slurry seal. (State Funds)

**Ford-Gray**—56-106 K-7268-01—U.S. 56 from the west city limits of Ensign east to the Gray-Ford county line;

U.S. 56 from the Gray-Ford county line east to the south junction of U.S. 283, 13.8 miles (22.3 kilometers), overlay. (State Funds)

**Stevens**—56-95 M-1896-01—U.S. 56 KDOT mixing strip 1 mile (1.6 kilometers) west of Hugoton, stockpile bituminous material. (State Funds)

**Lane**—96-51 M-1897-01—KDOT mixing strip 1 mile (1.6 kilometers) west of Dighton, stockpile bituminous material. (State Funds)

**Hodgeman**—156-42 M-1898-01—K-156 KDOT mixing strip 2 miles (3.2 kilometers) west of U.S. 283, stockpile bituminous material. (State Funds)

**Ford**—283-29 M-1899-01—U.S. 283 KDOT mixing strip 1 mile (1.6 kilometers) south of U.S. 56, stockpile bituminous material. (State Funds)

**Ford**—54-29 M-1900-01—U.S. 54 KDOT mixing strip at Bucklin, stockpile bituminous material. (State Funds)

**Clark**—183-13 M-1901-01—U.S. 183 KDOT mixing strip at the west U.S. 160 junction, stockpile bituminous material. (State Funds)

**Meade**—54-60 M-1902-01—U.S. 54 KDOT mixing strip 1 mile (1.6 kilometers) west of K-23, stockpile bituminous material. (State Funds)

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

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

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

E. Dean Carlson  
Secretary of Transportation

Doc. No. 023053



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 "on-call" engineering services for the Kansas Department of Corrections. The selected firm will provide on-call engineering services for small projects.

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, 1020 S. Kansas Ave., Topeka, 66612-1311, (785) 296-8899. 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. November 13.

Thaine Hoffman, AIA  
Director, Division of  
Architectural Services

Doc. No. 023046

State of Kansas

Department of Administration  
Division of Purchases

Notice to Bidders

Sealed bids for the following items will be received by the Director of Purchases, Landon State Office Building, 900 S.W. Jackson, Room 102, Topeka, until 2 p.m. on the date indicated and then will be publicly opened. Interested bidders may call (785) 296-2377 for additional information:

**Tuesday, November 10, 1998**

8340

Wichita State University—Xray diffractometer

**Thursday, November 12, 1998**

33352

Statewide—Blank videocassettes

8332

Topeka Correctional Facility East—Inmate transport bus

**Friday, November 13, 1998**

8338

Kansas Soldiers' Home—Furnish and install walk-in cooler/freezer combination unit

8339

University of Kansas—Unix servers, software and maintenance/Sun Enterprise

8352

Department of Administration, Division of Facilities Management—Generator transfer switch gear

8353

University of Kansas—Parking management software system and equipment

**Monday, November 16, 1998**

8330

Kansas Department of Wildlife and Parks—Drill water well, Junction City

**Tuesday, November 17, 1998**

A-8123

University of Kansas—CFC improvements, Marvin Hall

**Wednesday, November 18, 1998**

A-8164

Emporia State University—ADA and life safety improvements, Visser Hall

A-8537

Pittsburg State University—Renovation of Rooms 121 and 207, Kelce Hall

A-8691

Fort Hays State University—Equipment enclosure, McCartney Hall

**Thursday, November 19, 1998**

A-8268

University of Kansas—Chilled water improvements, Learned Hall

A-8414(A)

University of Kansas—Rough grading and site utilities, Child Care Facility

A-8568

University of Kansas—Electric systems improvements, Phase I, Bailey Hall

A-8636

Department of Transportation—Reroof sub-area office/shop building, Altoona

**Tuesday, November 24, 1998**

A-8347

Department of Transportation—New office and maintenance shop facility, Hays

A-8591

Kansas Neurological Institute—Window replacement, Meadowlark Lodge

**Monday, December 7, 1998**

33350

Hospitals administered by the Department of Social and Rehabilitation Services—Individual physicians' professional liability insurance

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Request for Proposals

**Thursday, November 19, 1998**

33353

Actuarial services for the Department of Social and Rehabilitation Services

John T. Houlihan  
Director of Purchases

Doc. No. 023070

## State of Kansas

**Kansas Military Board****Notice of Meeting**

The Kansas Military Board of the Adjutant General's Department will meet at 10 a.m. Tuesday, November 10, at the Mobilization and Training Equipment Site (MATES), Building 1460, Camp Funston, Fort Riley. An agenda may be obtained by contacting Charles Bredahl, State Defense Building, 2800 S.W. Topeka Blvd., Topeka, 66611-1287, (785) 274-1004.

Charles G. Bredahl  
Special Assistant to  
the Adjutant General

Doc. No. 023072

## State of Kansas

**State Corporation Commission****Notice of Hearings on Proposed  
Administrative Regulations**

Public hearings will be conducted at 1:30 p.m. and 2:30 p.m. Wednesday, January 6, in the State Corporation Commission offices, 1500 S.W. Arrowhead Road, Topeka, to consider the adoption of proposed permanent regulations for public utilities. The first hearing will be on the following regulations: K.A.R. 27-2-1, K.A.R. 82-1-228, K.A.R. 82-1-235, K.A.R. 82-11-3, K.A.R. 82-11-4, K.A.R. 82-11-9, K.A.R. 82-11-10, K.A.R. 82-11-11 and K.A.R. 82-12-2. The second hearing will be on K.A.R. 82-1-221a and K.A.R. 82-1-221b.

This 60-day notice period from the date of this publication to the date of the public hearings constitutes a public comment period for the purpose of receiving written public comments on the proposed rules and regulations. Comments may be submitted to Glen W. Froelich, Assistant General Counsel, State Corporation Commission, 1500 S.W. Arrowhead Road, Topeka, 66604-4027.

Any person with a disability may request special accommodations under the Americans With Disabilities Act in order to participate in the public hearings or comment period and may request the proposed regulations and economic impact statements in an accessible format. Requests for accommodation should be given to the commission at least five working days in advance of the hearings by contacting Glen Froelich at (785) 271-3100.

Complete copies of the proposed regulations and the economic impact statements may be obtained by contacting Glen Froelich. Persons requesting a copy of the proposed regulations and economic impact statements, in accordance with K.S.A. 45-219, will be required to compensate the commission for the cost of reproduction.

All interested parties will be given a reasonable opportunity at the hearings to present their views orally or in writing in regard to the adoption of the proposed regulations. All written and oral comments submitted by interested parties on or before January 6 will be considered by the commission as a basis for making changes to these proposed permanent regulations.

The following is a brief summary of the proposed regulations and economic impact statements.

**K.A.R. 27-2-1.** This action revokes the regulation that adopted maximum lighting standards. K.S.A. 1997 Supp. 66-1227 adopted a later version of the American Society of Heating, Refrigeration, and Air Conditioning Engineers Standard on Thermal Efficiency and Maximum Lighting Standards, eliminating the need for the earlier reference.

**Economic Impact Statement:** Revoking this regulation will have no economic impact.

**K.A.R. 82-1-221a.** This regulation codifies the procedure to be used by the commission in handling confidential information, as provided by K.S.A. 66-1220a and related statutes. The regulation provides for a party submitting confidential information to clearly mark it as confidential and to provide an explanation of the confidential nature of each document. This procedure also is provided for the commission to consider requests for disclosure of information submitted as confidential.

**K.A.R. 82-1-221b.** This regulation provides for the commission to issue protective orders to protect confidential material.

**Economic Impact Statement:** Parties currently submit confidential information to the commission following similar procedures. There may be some slight additional cost to the commission for secure storage space, but no additional personnel are anticipated to be required. There should be no increase in expense to governmental agencies or units, other parties to proceedings before the commission, persons subject to the proposed regulations or the general public as a result of the adoption of these two regulations.

**K.A.R. 82-1-228.** The principal change is to recognize that any attorney admitted to practice law in Kansas may serve as local counsel in proceedings before the commission.

**Economic Impact Statement:** No economic impact is anticipated either on the commission or upon parties, governmental agencies or units, persons subject to the proposed regulations or the general public.

**K.A.R. 82-1-235.** This regulation deals with petitions for reconsideration of commission orders and brings the regulation into conformance with K.S.A. 66-1181 so that the effective date of commission orders will be stayed automatically during the period when a petition for reconsideration is being considered.

**Economic Impact Statement:** No economic impact is anticipated either on the commission or private parties, governmental agencies or units, persons subject to the proposed regulations or the general public.

**K.A.R. 82-11-3.** Transportation of natural and other gas pipelines updates the references to the federal code of regulations in 49 CFR, Part 191. The changes are necessary because of changes in federal regulations.

**K.A.R. 82-11-4. Transportation of natural gas by pipeline; minimum safety standards.** This regulation is being updated to comply with 49 CFR, Part 192 changes.

**K.A.R. 82-11-9. Waiver provisions.** This regulation change clarifies that the commission waive notice and hearing requirements when noncontroversial waivers of the regulations are requested.

**K.A.R. 82-11-10.** Updates references to 49 CFR, Part 199, bringing Kansas into conformance with federal

requirements for drug testing in connection with pipeline operators.

**K.A.R. 82-11-11.** Codifies the fees for natural gas pipeline public utilities operating in Kansas.

**Economic Impact Statement:** No significant economic impact is expected to result from the changes in K.A.R. 82-11. Keeping state regulations updated to match federal regulations is involved with securing annual grants from the U.S. Department of Transportation for gas pipeline safety activities, and thus involves both federal mandates and federal funding. In recent years, approximately \$200,000 of federal grants have been received by the commission for gas pipeline safety purposes. There should be no other economic impact on governmental agencies or units, persons subject to the proposed regulations or the general public.

**K.A.R. 82-12-2.** Adoption by reference of the National Electrical Safety Code. This change to the regulation updates the reference to the National Electrical Safety Code to the most recent version, C2-1997, adopted by the Institute of Electrical and Electronic Engineers, Inc. This code is primarily applicable to electrical utility facilities.

**Economic Impact Statement:** No economic impact on either the state or regulated companies, governmental agencies or units, persons subject to the proposed regulations or the general public is anticipated as a result of this change.

David J. Heinemann  
Executive Director

Doc. No. 023059

## State of Kansas

### State Corporation Commission

#### Notice of Motor Carrier Hearings

The following motor carriers have filed various applications and are scheduled for hearing at 9 a.m. November 17 before the commission at its offices, 1500 S.W. Arrowhead Road, Topeka, as indicated below. All applications listed herein are for statewide authority unless otherwise stated. This list does not include cases which have been continued from earlier assigned hearing dates for which parties of record have received notice.

Requests to inspect and copy the notices provided to the parties and questions in regard to these hearings should be addressed to the State Corporation Commission, Transportation Division, 1500 S.W. Arrowhead Road, Topeka, 66604-4027, (785) 271-3225 or 271-3151. The presiding officer for these matters is Susan Stanley, Assistant General Counsel, (785) 271-3273. Anyone needing special accommodations should give notice to the commission 10 days prior to the scheduled hearing date.

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

#### Applications for Certificate of Public Service:

**Dewayne and Janice Ard, dba Ard Trucking,** 1289 Hawaii Road, Humboldt, KS 66748-9801; MC ID No. 156238; General commodities (except household goods and hazardous materials).

**David J. Batesel, dba P.T.L. Tow & Recovery,** 15409 Parallel, Basehor, KS 66007; MC ID No. 156237; Clyde Christey, Attorney; General commodities (except household goods and hazardous materials).

**Barry Smith Transport, Inc.,** 600 N. Cheyenne, Hennessey, OK 73742; MC ID No. 226939; General commodities (except household goods and hazardous materials).

**DISS Grain & Trucking, Inc.,** Route 37 South, Kimmunity, IL 62854; MC ID No. 211676; General commodities (except household goods and hazardous materials).

**Godfrey Transport, Inc.,** 50 E. 91st St., Suite 305, Indianapolis, IN 46240; MC ID No. 156231; Miriam Smulevitz Dant, Attorney; General commodities (except household goods and passengers).

**Harshman Brothers L.L.C.,** Route 1, Box 21A, Cedar Point, KS 66843; MC ID No. 156232; General commodities (except household goods).

**Horsch Trucking, Inc.,** 30320 W. 61st St. North, Andale, KS 67001; MC ID No. 156233; Clyde Christey, Attorney; General commodities (except household goods and hazardous materials).

**Travis Koehn, dba Koehn Trucking,** 10027 E. Road 5, Ulysses, KS 67880; MC ID No. 156236; General commodities (except household goods and hazardous materials).

**Theron D. McKinney, dba McKinney Harvesting,** Route 1, Box 44, Lewis, KS 67552; MC ID No. 156234; General commodities (except household goods and hazardous materials).

**Mies & Sons Trucking, Inc.,** 19620 W. 85th St. North, Colwich, KS 67030; MC ID No. 154846; William Barker, Attorney; General commodities (except household goods and hazardous materials).

**Richard A. Noeller, dba Noeller Farms,** Route 1, Box 103 A, Fredonia, KS 66736; MC ID No. 156235; General commodities (except household goods and hazardous materials).

**Taylor Oil, Inc.,** P.O. Box 581, Wellsville, KS 66092-0581; MC ID No. 114051; W. Robert Alderson, Attorney; General commodities (except household goods and Classes A and B explosives).

#### Application for Name Change of Certificate of Convenience and Necessity:

**All American Tours, Inc., dba Casino Connection,** 1015 E. 17th St., Hays, KS 67601, MC ID No. 154921, to: All American Tours, Inc., 1015 E. 17th St., Hays, KS 67601; Passengers in charter party operations.

#### Application for Name Change of Certificate of Public Service:

**DSI Transports, Inc.,** 15600 JFK Blvd., Suite 600, Houston, TX 77032, MC ID No. 107029, to: Initial DSI Transports, Inc., 15600 JFK Blvd., Suite 600, Houston, TX 77032; Marissa James, Attorney; Commodities in bulk, general commodities (except Classes A and B explosives, household goods and hazardous materials).

#### Application for Transfer of Certificate of Public Service:

**Donald E. Medlam, dba D & D Transporting,** 3825 S. Seneca, #73, Wichita, KS 67217, MC ID No. 105366, to: Gary L. Hartman, dba D & D Transporting, 1741 Maybelle, Wichita, KS 67212; Mobile homes, house trailers, pre-fab homes and manufactured housing.

Jacquelyn S. Miller  
Administrator  
Transportation Division

Doc. No. 023067

## 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(l) and 75-4209(a)(1)(B).

## Effective 10-26-98 through 11-1-98

Term	Rate
1-89 days	4.85%
3 months	4.05%
6 months	4.22%
9 months	4.25%
12 months	4.22%
18 months	4.29%
24 months	4.28%

Derl S. Treff  
Director of Investments

Doc. No. 023048

## State of Kansas

## Board of Healing Arts

Permanent Administrative  
Regulations

## Article 22.—DISHONORABLE CONDUCT

**100-22-1. Release of records.** (a) Unless otherwise prohibited by law, each licensee shall, upon receipt of a signed release from a patient, furnish a copy of the patient record to the patient, to another licensee designated by the patient, or to a patient's legally designated representative. However, if the licensee reasonably determines that the information within the patient record is detrimental to the mental or physical health of the patient, then the licensee may withhold the record from the patient and furnish the record to another licensee designated by the patient.

(b) A licensee may charge a person or entity for reasonable costs to retrieve or reproduce a patient record. A licensee shall not condition the furnishing of a patient record to another licensee upon prepayment of these costs.

(c) Any departure from this regulation shall constitute prima facie evidence of dishonorable conduct pursuant to K.S.A. 65-2836(b), and any amendments thereto. (Authorized by K.S.A. 65-2865; implementing K.S.A. 1997 Supp. 65-2836, as amended by L. 1998, Ch. 142, Sec. 12; effective May 1, 1985; amended Nov. 13, 1998.)

## Article 24.—PATIENT RECORDS

**100-24-1. Adequacy; minimal requirements.** (a) Each licensee of the board shall maintain an adequate record for each patient for whom the licensee performs a professional service.

(b) Each patient record shall meet these requirements:

- (1) Be legible;
- (2) contain only those terms and abbreviations that are or should be comprehensible to similar licensees;
- (3) contain adequate identification of the patient;

(4) indicate the dates any professional service was provided;

(5) contain pertinent and significant information concerning the patient's condition;

(6) reflect what examinations, vital signs, and tests were obtained, performed, or ordered and the findings and results of each;

(7) indicate the initial diagnosis and the patient's initial reason for seeking the licensee's services;

(8) indicate the medications prescribed, dispensed, or administered and the quantity and strength of each;

(9) reflect the treatment performed or recommended;

(10) document the patient's progress during the course of treatment provided by the licensee; and

(11) include all patient records received from other health care providers, if those records formed the basis for a treatment decision by the licensee.

(c) Each entry shall be authenticated by the person making the entry unless the entire patient record is maintained in the licensee's own handwriting.

(d) Each patient record shall include any writing intended to be a final record, but shall not require the maintenance of rough drafts, notes, other writings, or recordings once this information is converted to final form. The final form shall accurately reflect the care and services rendered to the patient.

(e) For purposes of implementing the healing arts act and this regulation, an electronic patient record shall be deemed a written patient record if the electronic record cannot be altered and if each entry in the electronic record is authenticated by the licensee. (Authorized by K.S.A. 65-2865; implementing K.S.A. 1997 Supp. 65-2837, as amended by L. 1998, ch. 142, §19 and L. 1998, ch. 170, §2; effective, T-87-42, Dec. 19, 1986; effective May 1, 1987; amended June 20, 1994; amended Nov. 13, 1998.)

**100-24-2. Patient record storage.** (a) Each licensee shall maintain the patient record for a minimum of 10 years from the date the licensee provided the professional service recorded. Any licensee may designate an entity, another licensee, or health care facility to maintain the record if the licensee requires the designee to store the record in a manner that allows lawful access and that maintains confidentiality.

(b) Patient records may be stored by an electronic data system, microfilm, or similar photographic means. A licensee may destroy original paper records stored in this manner if the stored record can be reproduced without alteration from the original.

(c) Each electronically stored record shall identify existing original documents or information not included in that electronically stored record. (Authorized by K.S.A. 65-2865; implementing K.S.A. 1997 Supp. 65-2837, as amended by L. 1998, Ch. 170, Sec. 2; effective Nov. 13, 1998.)

Lawrence T. Buening, Jr.  
Executive Director

Doc. No. 023074

## State of Kansas

## Animal Health Department

Notice of Hearing on Proposed  
Administrative Regulations

A public hearing will be conducted at 10 a.m. Tuesday, January 12, in the Florentine Room of the Jayhawk Tower, 700 S.W. Jackson, Topeka, to consider the repeal of K.A.R. 28-1-25 by the Kansas Department of Health and Environment and the adoption of a proposed rule and regulation of the Kansas Animal Health Department.

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 George Teagarden, Kansas Livestock Commissioner, 708 S.W. Jackson, Topeka, 66603. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulations during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request each participant to limit any oral presentation to five minutes.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulations and economic impact statements in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting George Teagarden at (785) 296-2326. There is no designated handicapped parking on the block. Handicap access for Jayhawk Tower is available by entering the southwest door, located on the corner of 7th and Jackson.

A summary of the proposed regulation, the regulation to be repealed and the economic impact follows.

Proposed permanent regulation K.A.R. 9-20-4 makes it illegal for a pet shop to sell any reptiles, offer reptiles for sale or offer reptiles for promotional consideration unless signs warning of a risk of salmonella bacteria are conspicuously posted in the pet shop. The signs, which are available at no cost to the pet shop, remind patrons purchasing reptiles to wash their hands after handling the animal, keep it and its equipment out of food preparation areas, not to kiss or nuzzle it, and to keep reptiles out of homes where there are children under one year of age or people with weakened immune systems.

K.A.R. 9-20-4 is being offered as an alternative to K.A.R. 28-1-25, which is currently in effect. K.A.R. 28-1-25 prohibits the sale of or offering as a promotional consideration amphibious reptiles such as, but not limited to, turtles and alligators, in the State of Kansas. This regulation, implemented by the Kansas Department of Health and Environment, was promulgated in 1973 to reduce the spread of salmonella.

The repeal of K.A.R. 28-1-25 and the implementation of K.A.R. 9-20-4 would allow pet shops to sell a number of animals that are currently prohibited from sale, while warning the public that reptiles carry salmonella bacteria and providing information on how to avoid contracting this disease. The proposed regulation is not expected to have an economic impact on the department, the public or other state agencies.

A copy of the full text of the regulation and the economic impact statement may be obtained by contacting the Animal Health Department.

George Teagarden  
Kansas Livestock Commissioner

Doc. No. 023052

(Published in the Kansas Register October 29, 1998.)

**Notice of Complete Call for Redemption  
Unified School District No. 265  
Sedgwick County, Kansas (Goddard)  
General Obligation Refunding and  
Improvement Bonds, Series 1988  
Dated December 1, 1988**

Notice is hereby given to the registered owners of the above-captioned bonds that pursuant to the provisions of Section 303 of Resolution No. 12-28 of Unified School District No. 265, Sedgwick County, Kansas (Goddard) (the issuer), the above-mentioned bonds maturing December 1, 1999, and thereafter (the refunded bonds), have been called for redemption and payment on December 1, 1998 (the redemption date). The bonds to be redeemed are as follows:

Cusip Nos.	Interest Rate	Due Date	Amount
81668BN7	7.1%	12-1-99	\$375,000
81668BQ0	7.2%	12-1-00	400,000
81668BR8	7.3%	12-1-01	430,000
81668BR6	7.35%	12-1-02	465,000
81668BT4	7.4%	12-1-03	495,000

Payment of the bonds to be redeemed will be made at the principal office of INTRUST Bank, N.A., upon presentation and surrender of said bonds, at the redemption price thereof equal to 100 percent of the principal amount thereof together with interest accrued to the redemption date. Interest shall cease to accrue on the refunded bonds so called for redemption from and after the redemption date provided such funds for redemption are on deposit with the paying agent.

Bonds should be mailed to INTRUST Bank, N.A., Attn: Debt Administration, P.O. Box 47070, Wichita, KS 67201, or hand delivered to INTRUST Bank, N.A., 100 N. Main, Suite 804, Wichita.

Tax identification form W-9 or an exemption certificate is required or tax will be withheld from payment.

The trustee shall not be responsible for the selection or use of the CUSIP number, nor is any representation made as to its correctness indicated in the redemption notice or on any bonds. It is included solely for convenience of the holders.

Dated October 15, 1998.

INTRUST Bank, N.A.  
Trustee

Doc. No. 023050

(Published in the Kansas Register October 29, 1998.)

**NOTICE OF REDEMPTION**  
**CITY OF EDWARDSVILLE, KANSAS**  
**Industrial Revenue Bonds, Series 1976A**  
**(Boise Cascade Corporation Project)**  
**CUSIP 281865BF1**

NOTICE IS HEREBY GIVEN to owners and holders of the following Industrial Revenue Bonds, Series 1976 (Boise Cascade Corporation Project) maturing June 1, 2001 that the City has called all outstanding bonds in the principal amount of \$800,000, prior to their maturity at a price of par plus accrued interest to the Redemption Date of December 1, 1998. Notice is further given that said Bonds shall cease to accrue interest from after the Redemption Date.

Payment for the above listed Bonds will be on December 1, 1998 against presentation of the Bond Certificate [with all unmatured interest coupons pertaining thereto with respect to the Bearer Bonds] at the office of American National Bank and Trust Company of Chicago at one of the following addresses:

**Registered Bonds By Mail:**  
 American National Bank  
 and Trust Company of Chicago  
 Registered Securities Processing Unit  
 Suite 0124  
 One First National Plaza  
 Chicago, Illinois 60670-0124

**Bearer Bonds By Mail:**  
 American National Bank  
 and Trust Company of Chicago  
 Bearer Securities Processing Unit  
 Suite 0125  
 One First National Plaza  
 Chicago, Illinois 60670-0125

**By Hand Delivery:**

American National Bank  
 and Trust Company of Chicago  
 Securities Processing Center  
 One North State Street, 9th Floor  
 Chicago, Illinois 60602

American National Bank  
 and Trust Company of Chicago  
 Corporate Trust  
 14 Wall Street, 8th Floor  
 New York, New York 10005

For same day payment on or after the redemption date, Bonds presented by hand must be received by the Securities Processing Unit before 11:00 a.m. Chicago time in order to receive same day payment after 3:30 p.m.

To avoid a 31% withholding tax required by federal law, holders must submit a properly completed IRS Form W-9.

If you have any questions or comments, please call our Investor Relations Unit, Chicago and Suburbs 312/407-4660. All Other 800/524-9472.

**AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO,**  
*as Paying Agent*

Doc. No. 023049

(Published in the Kansas Register October 29, 1998.)

**Summary Notice of Bond Sale**  
**City of Whitewater, Kansas**  
**\$108,000**

**General Obligation Bonds, Series 1998**

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

**Sealed Bids**

Subject to the notice of bond sale dated October 12, 1998, sealed bids will be received by the clerk of the City of Whitewater, Kansas (the issuer), on behalf of the governing body at 201 S. Elm, Whitewater, KS 67154, until 6:30 p.m. November 9, 1998, for the purchase of \$108,000 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 integral multiple thereof, except one bond in the denomination of \$8,000. The bonds will be dated December 1, 1998, and will become due on December 1 in the years as follows:

Year	Principal Amount
1999	\$ 8,000

2000	10,000
2001	10,000
2002	10,000
2003	10,000
2004	10,000
2005	10,000
2006	10,000
2007	15,000
2008	15,000

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 \$2,160 (2 percent of the principal amount of the bonds).

**Delivery**

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or before December 12, 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 1998 is \$2,625,781. 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 \$323,000.

**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) 799-2445, 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 October 12, 1998.

City of Whitewater, Kansas

Doc. No. 023060

(Published in the Kansas Register October 29, 1998.)

**Summary Notice of Note Sale  
City of Olathe, Kansas  
\$9,200,000\*  
General Obligation Temporary Notes  
Series 1998-B**

(General obligations payable from unlimited ad valorem taxes)

**Additional Information**

Additional information regarding the notes may be obtained from Kevin Hammeke, the city's director of financial services, (913) 782-2600, or from the city's financial advisor, Piper Jaffray Inc., Kansas City, Missouri, Attention: Dennis V. Mitchell, (816) 360-3072.

Dated October 20, 1998.

City of Olathe, Kansas  
Kevin Hammeke  
Olathe City Treasurer  
Municipal Building  
126 S. Cherry St.  
Olathe, KS 66061

\*Preliminary, subject to change.

Doc. No. 023056

(Published in the Kansas Register October 29, 1998.)

**Summary Notice of Bond Sale  
City of Hutchinson, Kansas  
\$4,835,000\*  
General Obligation Bonds  
Series 1998-B**

(General obligation bonds payable from unlimited ad valorem taxes)

**Sealed Bids**

Subject to the notice of bond sale dated October 28, 1998, sealed bids will be received by the city clerk of the City of Hutchinson, Kansas, on behalf of the governing body at City Hall, 125 E. Ave. B, Hutchinson, until 10 a.m. November 10, 1998, for the purchase of \$4,835,000\* principal amount of General Obligation Bonds, Series 1998-B. No bid of less than the entire par value of the bonds, except a discount of not greater than .50 percent of the final par value of the bonds, and accrued interest to the date of delivery will be considered.

**Bond Details**

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

Maturity October 1	Principal Amount*
1999	\$325,000
2000	345,000
2001	355,000
2002	385,000
2003	415,000
2004	520,000
2005	420,000
2006	420,000
2007	495,000
2008	530,000
2009	50,000
2010	50,000
2011	55,000
2012	60,000
2013	60,000

(continued)

**Bids**

Bids will be received by the city treasurer of the City of Olathe, Kansas, on behalf of the governing body at the Municipal Building, 126 S. Cherry St., Olathe, KS 66061, until noon Tuesday, November 3, 1998, for the purchase of \$9,200,000\* principal amount of General Obligation Temporary Notes, Series 1998-B of the city. All bids will be publicly read at the sale and will be acted upon by the governing body at its meeting at 7 p.m. that day. No oral or auction bids 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 November 15, 1998, and will become due on June 1, 1999. Notes will bear interest from the dated date at the rate determined when the notes are sold, which interest will be payable at maturity. The city treasurer will be the note paying agent and note registrar for the notes.

**Good Faith Deposit**

Each bidder must deliver to the city a good faith deposit in the form of a certified or cashier's check or a financial surety bond in the amount of 1 percent of the principal amount of the notes, payable to the order of the city, prior to noon Tuesday, November 3, 1998.

**Delivery and Payment**

The city will pay for preparing the notes. The notes will be delivered in book-entry form only through the facilities of the Depository Trust Company, New York, New York, on or before November 24, 1998.

**Assessed Valuation and Indebtedness**

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 1998 is \$597,037,615. The total general obligation indebtedness of the city as of the date of the notes, including the notes being sold, is \$91,118,400, and the total general obligation indebtedness of the city as of December 31, 1997, for debt limitation purposes was \$32,196,106.

**Approval of Bonds**

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

2014	65,000
2015	65,000
2016	70,000
2017	75,000
2018	75,000

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

#### **Paying Agent and Bond Registrar**

Kansas State Treasurer, Topeka, Kansas.

#### **Good Faith Deposit**

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States or a financial surety bond in a form that complies with the requirements set forth in the notice of sale in the amount of \$96,700 (2 percent of the principal amount of the bonds).

#### **Delivery**

The city will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about November 25, 1998, 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 \$207,763,185. The total general obligation indebtedness of the city as of the date of the bonds, including the bonds being sold, is \$24,240,000.

#### **Approval of Bonds**

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

#### **Additional Information**

Additional information regarding the bonds may be obtained from the city clerk, (316) 694-2613, or from bond counsel, Logan Riley Carson & Kaup, L.C., 9200 Indian Creek Parkway, Suite 230, Overland Park, KS 66210, (913) 661-0399.

Dated October 29, 1998.

City of Hutchinson, Kansas  
by Ross Vander Hamm  
City Hall  
125 E. Ave. B  
Hutchinson, KS 67501

\* Preliminary, subject to change.

Doc. No. 023063

#### **State of Kansas**

### **Department of Health and Environment**

#### **Notice of Hearing on Proposed Administrative Regulations**

The Kansas Department of Health and Environment, Office of Epidemiologic Services, will conduct a joint public hearing with the Animal Health Department at 10 a.m. Tuesday, January 12, in the Florentine Room of the Jayhawk Tower, 700 S.W. Jackson, Topeka, to consider revocation of K.A.R. 28-1-25. A summary of the proposed revocation and the economic impact follows.

K.A.R. 28-1-25 prohibits the sale of turtles and other amphibious reptiles. This revocation is a step in the process of transferring the responsibility from the Kansas Department of Health and Environment (KDHE) to the Kansas Animal Health Department (KAHD). KAHD is proposing a regulation for the sale of all reptiles that would encompass the sale of turtles and other amphibious reptiles. The purpose of the existing KDHE regulation and the proposed KAHD regulation is to prevent salmonellosis in humans. KDHE has authority over the current regulation, but has never enforced the regulation because it does not inspect pet stores. KAHD has enforcement powers over pet stores. It is the intention to revoke this regulation in conjunction with the adoption of the new KAHD regulation.

**Economic impact:** There is no economic impact foreseen as a result of the repeal of this regulation.

The time between the publication of this notice and the scheduled hearing constitutes a 60-day public comment period for the purpose of receiving written public comments on the proposed regulatory action. All interested parties may submit written comments prior to the hearing to Gail Hansen, Office of Epidemiologic Services, Landon State Office Building, Room 1051, 900 S.W. Jackson, Topeka, 66612-1290. All interested parties will be given a reasonable opportunity to present their views orally on the proposed regulatory action during the hearing. To give all parties an opportunity to present their views, it may be necessary to require each participant to limit any oral presentation to five minutes.

Copies of the proposed revocation and the economic impact statement may be obtained from the Kansas Department of Health and Environment, Office of Epidemiologic Services, (785) 296-1113. Questions pertaining to the proposed revocation should be directed to Gail Hansen at (785) 296-1127.

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

Gary R. Mitchell  
Secretary of Health  
and Environment

Doc. No. 023055



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-98-136/141

Name and Address of Applicant	Legal Description	Receiving Water
Roger Bott 1667 Parallel Road Palmer, KS 66962	SE/4 of Section 34, T5S, R3W, Washington County	Big Blue River

Kansas Permit No. A-BBWS-S046

This is a new facility for 1,500 head (600 animal units) of swine and 370 head (370 animal units) of cattle for a total of 970 animal units.

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

Compliance Schedule: Existing controls meet KDHE requirements.

Name and Address of Applicant	Legal Description	Receiving Water
Merle Fitzgerald 202 U.S. Highway 77 White City, KS 66872	NE/4 of Section 10, T14S, R5E, Morris County	Lyon Creek

Kansas Permit No. A-SHMR-M001

This is a new facility for 150 head (210 animal units) of dairy cows and 40 head (20 animal units) of dairy calves.

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

Compliance Schedule: The waste management plan developed by the designer and approved by the department shall be adhered to as a condition of this permit. The plan calls for nutrient analysis of both liquids and solids with applications to meet crop nutrient needs. If wastes are not analyzed for nutrient content, wastewater shall be applied at not greater than 11,000 gallons per acre per year and solids shall be applied at not greater than 10 tons per acre per year. The grass buffers shall be maintained according to the plan developed by the designer and approved by the department.

Name and Address of Applicant	Legal Description	Receiving Water
Steven L. Hargrave 10051 Senn Road Randolph, KS 66554	NE/4 of Section 32, T7S, R6E, Riley County	Big Blue River

Kansas Permit No. A-BBRL-S015

This is a new facility for 1,099 head (379 animal units) of swine.

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

Compliance Schedule: The waste management plan developed by the designer and approved by the department shall be adhered to as a condition of this permit. The plan calls for nutrient analysis of both liquids and solids with applications to meet crop nutrient needs. If wastes are not analyzed for nutrient content, wastewater shall be applied at not greater than 1.0 acre inch per acre per year and solids shall be applied at not greater than 10 ton per acre.

Dewatering equipment shall be obtained within three months after issuance of this permit through purchase, rental or custom application agreement. It shall be capable of pumping at least 5,840 gallons per day and dispersing the wastewater over 2 acres of land suitable for waste application. Written verification of the acquisition of the equipment shall be submitted to the department.

Name and Address of Applicant	Legal Description	Receiving Water
Dana R. Hauck Pike Trail Cattle Co., Inc. 2395 N. 60th Road Delphos, KS 67436	NE/4 of Section 14, T.S., R5W, Ottawa County	Solomon River

Kansas Permit No. A-SOOT-C002

Federal Permit No. KS-0090069

This is an existing facility for 1,400 head (700 animal units) of cattle.

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

Compliance Schedule: The waste management plan developed by the designer and approved by the department shall be adhered to as a condition of this permit. The plan calls for nutrient analysis of both liquids and solids with applications to meet crop nutrient needs. If wastes are not analyzed for nutrient content, wastewater shall be applied at not greater than 1.0 acre inch per acre per year and solids shall be applied at not greater than 10 ton per acre.

Name and Address of Applicant	Legal Description	Receiving Water
Visser Farms, Inc. 11363 Kansas Spur Riley, KS 66531	SW/4 of Sec. 33, T8S, R6E, and NW/ 4 of Sec. 4, T.S., R6E, Riley County	Kansas River

Kansas Permit No. A-KSRL-H001

Federal Permit No. KS-0094749

This is an expansion of an existing facility for a total of 6,045 head (1966 animal units) of swine.

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

Compliance Schedule: The waste management plan developed by the designer and approved by the department shall be adhered to as a condition of this permit. The plan calls for nutrient analysis of both liquids and solids with applications to meet crop nutrient needs. If wastes are not analyzed for nutrient content, wastewater shall be applied at not greater than 0.4 acre inch per acre per year.

Dewatering equipment shall be obtained within four months after issuance of this permit through purchase, rental or custom application agreement. It shall be capable of pumping at least 265 gallons per minute and dispersing the wastewater over 174 acres of land suitable for waste application. Written verification of the acquisition of the equipment shall be submitted to the department.

This permit requires compliance with the applicable provisions of H.B. 2950, effective May 7, 1998. The permit further requires compliance with the applicable regulations adopted thereafter.

Name and Address of Applicant	Legal Description	Receiving Water
Cyrus Wedel Overland Farms 2218 Overland Road Galva, KS 67443	SW/4 of Section 35, T18S, R2W, McPherson County	Smoky Hill River

Kansas Permit No. A-SHMP-S006

This is an existing facility for 2,000 head (200 animal units) of swine.

(continued)

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

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

This permit requires compliance with the applicable provisions of H.B. 2950, effective May 7, 1998. The permit further requires compliance with the applicable regulations adopted thereafter.

**Public Notice No. KS-98-131**

Name and Address of Applicant	Waterway	Type of Discharge
City of Auburn P.O. Box 160 Auburn, KS 66402	Wakarusa River via unnamed tributary	Treated domestic wastewater

Kansas Permit No. M-KS03-0002 Federal Permit No. KS0094650  
Legal: SW¼, KS24, T13S, R14E, Shawnee County

**Facility Description:** The proposed action is to issue a new permit for operation of a new three-cell wastewater treatment facility treating primarily domestic wastewater. This new facility replaces a three-cell short detention aerated lagoon. The permit requirements are pursuant to the Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria, and are technology based.

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 post-marked or received on or before November 28 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate public notice number (KS-AG-98-136/141, KS-98-131) 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. These 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. 023061

**State of Kansas  
Department of Health  
and Environment**

**Notice of Hearing**

The Kansas Department of Health and Environment has prepared a proposed Kansas water pollution control permit, A-MCCF-S010, for Sunflower Pork, Inc. located near Westphalia. Sunflower Pork, Inc. proposes a new facility for the confined feeding of 9,600 head (960 animal units) of swine weighing less than 55 pounds. The proposed facility location is in the SW/4 of Section 3, Township 21, Range 17E of Coffey County. The proposed permit for Sunflower Pork, Inc. was placed on Public Notice No. KS-AG-98-85/92 dated June 25, 1998. Significant public response to this notice was expressed concerning the potential impact of the proposed facility; therefore, a public hearing has been scheduled in conformance with K.A.R. 28-16-61.

A public hearing on KDHE's intention to issue the proposed permit has been scheduled for 7 p.m. Tuesday, December 8, at the Metropolitan Topeka Airport Conference Room, Forbes Field, Topeka.

Copies of the applicant's application, draft permit and other pertinent documents may be requested by contacting Dorothy Geisler, Kansas Department of Health and Environment, Bureau of Water, Industrial Programs Section, Forbes Field, Building 283, Topeka, 66620, (785) 296-5545 or fax (785) 296-5509. Appropriate copying charges will be assessed for each request.

Persons wishing to comment on the proposed permit may do so at the public hearing or may submit written statements to the address above by December 8. It is recommended that persons wishing to present oral testimony at the public hearing supply the hearing officer with a written copy of the testimony.

Any individual with a disability may request accommodation in order to participate in the public hearing process and may request the proposed permit in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting KDHE at the address above. Parking is available in the short term/two-hour parking lot at the airport.

The Secretary of Health and Environment will make a final permit decision after consideration of all requirements of state statutes and regulations and comments received during the public notice period and the public hearing.

Gary R. Mitchell  
Secretary of Health  
and Environment

Doc. No. 023062

## State of Kansas

## Governmental Ethics Commission

## Opinion No. 1998-22

Written September 23, 1998, to Tim Golba, Political Director, Kansans for Life, Wichita.

This opinion is in response to your letter of August 31, 1998, in which you request an opinion from the Kansas Governmental Ethics Commission concerning the Campaign Finance Act (K.S.A. 25-4142 *et seq.*). We note at the outset that this commission's jurisdiction is limited to the application of K.S.A. 25-4142 *et seq.*, and whether some other statutory system, common law theory, or agency rule and regulation applies to your inquiry is not covered by this opinion.

## Factual Statement

We understand that you request this opinion in your capacity as the political director of the Kansans for Life Political Action Committee. You have informed us that in July of this year, Kansans for Life produced a recorded advertisement which aired over several radio stations. The content of the advertisement dealt with the differences between Governor Bill Graves and gubernatorial candidate David Miller on the issue of abortion. You have explained that the cost of this advertisement was approximately \$750 and was paid for from the organization's 501(c)(4) nonprofit account, as well as contributions from certain individuals. You have indicated, however, that if this commission decides that the advertisement "expressly advocates the nomination, election or defeat of a clearly identified candidate," then the advertisement will be paid for by the organization's political action committee account.

## Question

You ask whether the advertisement produced by Kansans for Life "expressly advocates the nomination, election or defeat of a clearly identified candidate."

## Opinion

K.S.A. 25-4143(e) and (h) apply to your question. They state, in pertinent part:

(e)(1) contribution means: . . . (B) any advance, conveyance, deposit, distribution, gift, loan or payment of money or any other thing of value made to expressly advocate the nomination, election or defeat of a clearly identified candidate for a state or local office;

(h) "Expressly advocate the nomination, election or defeat of a clearly identified candidate" means any communication which uses phrases including, but not limited to:

- (A) "vote for the secretary of state";
- (B) "re-elect your senator";
- (C) "support the democratic nominee";
- (D) "cast your ballot for the republican challenger for governor";
- (E) "Smith for senate";
- (F) "Bob Jones in '98";
- (G) "vote against Old Hickory";
- (H) "defeat" accompanied by a picture of one or more candidates; or
- (I) "Smith's the one."

A communication which, when viewed as a whole, leads an ordinary person to believe that he or she is being

urged to vote for or against a particular candidate for office, will be deemed to expressly advocate the nomination, election or defeat of a clearly identified candidate. The advertisement produced by Kansans for Life expressly advocates and, therefore, is a contribution as defined by K.S.A. 25-4143(e).

## Opinion No. 1998-23

Written September 23, 1998, to John Badger, Chief Counsel for the Department of Social and Rehabilitation Services, Topeka.

This opinion is in response to your letter of August 31, 1998, in which you request an opinion from the Kansas Governmental Ethics Commission concerning the state level governmental ethics 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 or regulation applies to your inquiry is not covered by this opinion.

## Factual Statement

We understand that you request this opinion in your capacity as chief counsel for the Department of Social and Rehabilitation Services (SRS). You have informed us that SRS forms councils to assist the secretary of SRS in determining the needs of the agency. An example of such a council is the Continuous Quality Improvement Council, which was formed to assist the agency in evaluating and improving the state's foster care system. This particular council is composed of five state legislators in addition to numerous other individuals with an interest in child welfare. You have informed us that you are aware of K.S.A. 75-5313 and K.S.A. 75-3223, and state that your inquiry relates to the impact of K.S.A. 46-137a on these statutes.

## Questions

- I. May SRS reimburse the council members who are state legislators for expenses such as mileage, meals, or per diem associated with their work on the council?
- II. May SRS further compensate the council members who are state legislators for their time and expertise in serving on the council?

## Opinion

As you note, K.S.A. 75-5313 and K.S.A. 75-3223 specify what SRS may pay council members. K.S.A. 75-3223 refers to K.S.A. 46-137a. Your first issue questions the impact of K.S.A. 46-137a on K.S.A. 75-5313 and K.S.A. 75-3223. This commission is not in a position to address this issue. K.S.A. 46-137a, K.S.A. 75-5313 and K.S.A. 75-3223 are not statutes within the purview of our jurisdiction.

In response to your second issue, however, there are two Kansas statutes within our jurisdiction that apply: K.S.A. 46-237, dealing with gifts to state employees, and K.S.A. 46-238, which handles excessive compensation for services rendered.

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

- (a) 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

(continued)

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.

K.S.A. 46-238 states:

No state officer or employee or candidate for state office or associated person shall charge to or accept from a person known to have a special interest a price, fee, compensation or other consideration for . . . the furnishing of services which is substantially in excess of that which other persons in the same business or profession would charge in the ordinary course of business.

In applying the language of these statutes to your question, any amount provided to the legislators in excess of the amount statutorily provided for by law would be considered a gift. Pursuant to K.S.A. 45-237, the legislators would be prohibited from accepting this gift if the amount given was greater than \$40. We caution you to check your policies to determine whether SRS is permitted to provide gifts to legislators. In addition, if the non-legislative members of the council did not receive similar compensation, the legislators on your council would be in violation of K.S.A. 46-238.

In conclusion, with regard to your first question, we suggest you contact the Attorney General's office for an interpretation of K.S.A. 75-5313, K.S.A. 75-3223 and K.S.A. 46-137a. With regard to your second question, SRS is prohibited from paying legislators more than is statutorily provided for by law if the amount of compensation is in excess of \$40 or is substantially in excess of that which other council members are receiving for the same services.

#### Opinion No. 1998-24

Written September 23, 1998, to the Honorable Mike Farmer, Chairman, Republican House Campaign Committee, Topeka.

This opinion is in response to your letter of September 2, 1998, in which you request an opinion from the Kansas Governmental Ethics Commission concerning the Campaign Finance Act (K.S.A. 24-4142 *et seq.*). We note at the outset that this commission's jurisdiction is limited to the application of K.S.A. 25-4142 *et seq.*, and whether some other statutory system, common law theory, or agency rule and regulation applies to your inquiry is not covered by this opinion.

#### Factual Statement

We understand that you request this opinion in your capacity as chairman of the Republican House Campaign Committee (RHCC). We note that the RHCC is the recognized party committee for the Republican Party.

#### Questions

You ask the following questions:

1. What statute allows for the creation of the RHCC?
2. What legal relationship exists between the RHCC and the Kansas Republican Party?
3. May the RHCC inform a candidate that it will be sending campaign literature into the candidate's district?

4. May the RHCC request information from the candidates to include in the literature which may be sent to the candidate's district?
5. If the RHCC mails literature into a candidate's district, must the candidate report the cost of the literature as an in-kind contribution on their campaign finance reports?
6. Does the RHCC have limits on how much it may spend to assist candidates?

#### Opinion

1. K.S.A. 25-4143(i) and (k) are the sections that allow for the creation of the RHCC. They state, in pertinent part:

(i) "Party committee" means the state committee of a political party regulated by article 3 of chapter 25 of the Kansas Statutes Annotated, or the county central committee or the state committee of a political party regulated under article 38 of chapter 25 of the Kansas Statutes Annotated or the bona fide national organization or committee of those political parties regulated by the Kansas Statutes Annotated, or not more than one political committee established by the state committee of any such political party and designated as a recognized political committee for the senate or not more than one political committee established by the state committee of any such political party and designated as a recognized political committee for the house of representatives.

(k) "Political committee" means any combination of two or more individuals or any person other than an individual, a major purpose of which is to expressly advocate the nomination, election or defeat of a clearly identified candidate for state or local office or make contributions to or expenditures for the nomination, election or defeat of a clearly identified candidate for state or local office.

2. In your second question, you ask what legal relationship exists between the RHCC and the Kansas Republican Party. There are no statutes within the Campaign Finance Act that address this question, and thus this question is beyond the jurisdiction of this commission.

3. In response to your third question, there are no statutes within the Campaign Finance Act that prohibit the RHCC from informing a candidate that the RHCC will be sending campaign literature into the candidate's district.

4. Similarly, there are no statutes in the Campaign Finance Act that prohibit the RHCC from "requesting" information from the candidate for inclusion in the literature. Question number 5, however, impacts our answer to this question.

5. In question number 5, you ask whether a candidate must report the expense of literature as an in-kind contribution if the RHCC mails literature into a candidate's district.

K.S.A. 25-4143(e)(1)(f) states:

(e)(1) "Contribution" means: . . . (F) a mailing of materials to expressly advocate the nomination, election or defeat of a clearly identified candidate, which is made and paid for by a party committee with the consent of such candidate.

In addition, K.A.R. 19-20-2(b) defines an "in-kind contribution" as "the use of any goods, services, or anything of value, or the spending of any money, for the benefit of any candidate . . . when the expenditure is made in co-

operation with or with the consent of the candidate, committee, or representative of them."

In applying the statutes and regulations to your question, if the candidate supplies information to the RHCC for inclusion in the literature being sent into the candidate's district or the information is sent with the consent of the candidate, the literature will have been produced with the cooperation of the candidate and for the candidate's benefit. Therefore, the candidate would be required to include the expense of the literature on his or her campaign finance reports.

6. Finally, you question whether the RHCC has limits on how much money it may spend to assist candidates.

K.S.A. 25-4153(g) applies to this question. It states:

(g) The amount contributed by each individual party committee of the same political party other than a national party committee to any candidate for office, for any primary election at which two or more candidates are seeking the nomination of such party shall not exceed the following:

(1) For the pair of offices of governor and lieutenant governor and for each of the other state officers elected from the state as a whole, \$2,000 for each primary election (or in lieu thereof a caucus or convention of a political party);

(2) for the office of member of the house of representatives, district judge, district magistrate judge, district attorney, member of the state board of education or a candidate for local office, \$500 for each primary election (or in lieu thereof a caucus or convention of a political party);

(3) for the office of state senator, \$1,000 for each primary election (or in lieu thereof a caucus or convention of a political party).

This statute clearly states the limitations which a party committee may spend during a primary election. The statute is silent, however, regarding the amount a party committee may spend during a general election.

In conclusion, (1) K.S.A. 25-4143(i) and (k) allow the creation of the RHCC; (2) the Campaign Finance Act does not address the relationship between the RHCC and the Kansas Republican Party; and (3) does not prohibit the RHCC from sending campaign literature into the candidate's district; or (4) from requesting informational matter from the candidates. (5) It does, however, mandate that the candidate report the expense of the literature as an in-kind contribution if the literature was made with the cooperation or consent of the candidate. Finally, (6) the RHCC is subject to spending limits during the primary election pursuant to K.S.A. 25-4153(g), but has no limits during a general election.

#### Opinion No. 1998-25

Written September 23, 1998, to Robert J. Watson, City Attorney, Overland Park.

This opinion is in response to your letter of July 23, 1998, in which you request an opinion from the Kansas Governmental Ethics Commission concerning the Campaign Finance Act (K.S.A. 25-4142 *et seq.*). We note at the outset that this commission's jurisdiction is limited to the application of K.S.A. 25-4142 *et seq.*, and whether some other statutory system, common law theory or agency

rule or regulation applies to your inquiry is not covered by this opinion.

#### Factual Statement

We understand that you are requesting this opinion on behalf of counsel members of the governing body of the City of Overland Park, who would like to use campaign funds to support or oppose a ballot proposition. You have informed us that the governing body has passed an ordinance calling for a city wide election to vote on whether the city should levy a one-eighth of one percent (.125%) city retailers' sales tax. In addition, the governing body has passed Resolution No. 2999, which pledges its intention, under certain conditions, to roll back property taxes and to improve certain existing streets, provided that the electorate votes to approve the city retailers' sales tax.

#### Question

Would the use of campaign funds for expenditures to support or oppose a proposed ballot proposition be a permissible use of campaign funds?

#### Opinion

K.S.A. 1997 Supp. 25-4157a(a), as amended by 1998 Session Laws of Kansas, Chapter 117, §12, is applicable to your question. That section states:

No moneys received by any candidate or candidate committee of any candidate as a contribution under this act shall be used or be made available for the personal use of the candidate and no such moneys shall be used by such candidate or candidate committee of such candidate except for:

- (1) legitimate campaign purposes;
- (2) expenses of holding political office;

For the purpose of this section, expenditures for "personal use" shall include expenditures to defray normal living expenses for the candidate or the candidate's family and expenditures for the personal benefit of the candidate having no direct connection with or effect upon the campaign of the candidate or the holding of public office.

The issue is whether the expenses you have described are being used for the purpose "of holding political office." If the expenses have "no direct connection with or effect upon the . . . holding of public office," then, pursuant to K.S.A. 25-4157a, the expenditures are for personal use.

In Opinion 93-39, the commission at that time held that the advancement of a legislative agenda by the Governor was a duty of holding that political office and, therefore, campaign funds could be used to pay for expenditures relating to the advancement of that agenda. The Governor is required by statute to submit his or her agenda to the legislature at the beginning of each session. (See K.S.A. 75-102 and Kan. Const. Art. 1, §3.) Therefore, the advancement of a legislative agenda by the governor is a duty of holding that political office.

City commissioners, however, have no such mandate. Therefore, the support or opposition of a proposed ballot proposition is not a function of holding public office and the use of campaign funds therefore is prohibited.

#### Opinion No. 1998-26

Written September 23, 1998, to Shirley K. Sicilian, Director of the Kansas Department of Revenue, Topeka.

(continued)

This opinion is in response to your letter of September 17, 1998, in which you request an opinion from the Kansas Governmental Ethics Commission 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 or regulation applies to your inquiry is not covered by this opinion.

#### Factual Statement

We understand that you request this opinion in your capacity as the Director of the Kansas Department of Revenue (KDR). You have explained that the KDR has entered into a contract with American Management Services (AMS) for an integrated tax information and management system. This contract is unique and the KDR has been nationally recognized for its success in this project. You have informed us that the Hawaii Department of Revenue has begun a similar project and is currently involved in negotiations with AMS. Hawaii has requested that the KDR assist them by sharing its knowledge and expertise. Specifically, Hawaii would like both the director and the acting secretary of the KDR to meet with members of the Hawaii state governmental cabinet and possibly the Governor of Hawaii to relate Kansas' experiences. Hawaii has volunteered to pay the travel expenses for both the acting secretary and the director. You have informed us that the KDR has provided similar information to other states at Kansas' expense and will continue to do so in the future. The State of Michigan has also requested similar assistance and has stated its willingness to bear the travel related expenses.

#### Question

May the acting secretary and/or the director of the Kansas Department of Revenue travel to Hawaii or Michigan, at Hawaii's or Michigan's expense, to share information regarding the integrated tax information and management system developed in Kansas?

#### Opinion

K.S.A. 1997 Supp. 46-237a applies to your question. It states in pertinent part:

(d) No person subject to the provisions of this section shall solicit or accept free or special discount travel or related expenses from a source outside state government, except:

(2) when the person's presence at a meeting, seminar or event serves a legitimate state purpose or interest and the person's agency authorizes or would authorize payment for such travel and expenses.

You have informed us that the KDR has paid for similar travel expenses in the past and will continue to do so. This commission has consistently held that in situations such as this, where the state agency would pay the costs of attending the meeting and the meeting serves a valid state interest, the state and not the individual employee is being benefitted. Therefore, so long as your agency authorizes the leave time and would pay for the costs of attending the meeting, it is permissible for the acting secretary and/or the director to travel to Hawaii at Hawaii's expense, or to Michigan at Michigan's expense, for the

purpose of sharing their experience with this unique project.

We insert a note of caution that the expenses must be limited to those that are reasonable and necessary for the acting secretary and/or the director's participation in sharing their experience with this project. Approval by the Secretary of Revenue or the Secretary of Administration may be necessary, but that is not a matter within our jurisdiction.

#### Opinion No. 1998-27

Written October 15, 1998, to Patty Clark, Division Director, Kansas Department of Commerce and Housing, Agriculture Products Development Division, Topeka.

This opinion is in response to your letter of October 1, 1998, in which you request an opinion from the Governmental Ethics Commission 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 or regulation applies to your inquiry is not covered by this opinion.

#### Factual Statement

We understand you request this opinion in your capacity as a division director of the Agriculture Products Development Division of the Kansas Department of Commerce and Housing (KDOC&H). You advise us that your agency offers loans to businesses and individuals involved in agribusiness. You have also explained that your husband has been invited to serve on an advisory board for a new Kansas venture capital company and a Kansas-based life insurance company. His membership on the advisory board requires an investment of up to \$5,000 in stock in the new corporation. During a phone conversation with the commission's attorney, you informed us that your husband's investment will not exceed 5% of the business, that he will not be receiving \$2,000 in compensation from the company in any calendar year, that he will not be receiving gifts or honoraria with a value of \$500 or more in any 12-month period, that he will not be receiving compensation that is a portion or percentage of a fee or commission paid to the company, and that he will not hold the title of officer, director, associate, partner or proprietor of the business.

In addition, you have explained that it is theoretically possible that the new venture capital company could invest in one of the businesses that apply for loans from your division. You have explained that the KDOC&H would ensure that you are totally removed from the decision making process if this situation were to occur.

#### Question

May a family member of a division director for the Kansas Department of Commerce and Housing invest in a venture capital company and a Kansas-based life insurance company?

#### Opinion

Pursuant to the state level conflict of interest laws, K.S.A. 1997 Supp. 46-233(a), which involves participation in the making of contracts, applies to this question. K.S.A. 46-233(a) states in pertinent part:

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. 46-229 defines "substantial interest":

"Substantial interest" means any of the following:

(a) If an individual or an individual's spouse, either individually or collectively, has owned within the preceding 12 months a legal or equitable interest exceeding \$5,000 or 5% of any business, whichever is less, the individual has a substantial interest in that business.

(b) If an individual or an individual's spouse, either individually or collectively, has received during the preceding calendar year compensation which is or will be required to be included as taxable income on federal income tax returns of the individual and spouse in an aggregate amount of \$2,000 from any business or combination of businesses, the individual has a substantial interest in that business or combination of businesses.

(c) If an individual or an individual's spouse, either individually or collectively, has received directly or indirectly in the preceding 12 months, gifts or honoraria having an aggregate value of \$500 or more from any person, the individual has a substantial interest in the donor. A substantial interest does not exist under this subsection by reason of: (1) A gift or bequest received as a result of the death of the donor; (2) a gift from a spouse, parent, grandparent, sibling, aunt or uncle; or (3) acting as a trustee of a trust for the benefit of another.

(d) If an individual or an individual's spouse holds the position of officer, director, associate, partner or proprietor of any business, the individual has a substantial interest in that business, irrespective of the amount of compensation received by the individual or individual's spouse.

(e) If an individual or an individual's spouse receives compensation which is a portion or percentage of each separate fee or commission paid to a business or combination of businesses, the individual has a substantial interest in any client or customer who pays fees or commissions to the business.

In applying the language of this statute to your question, K.S.A. 46-233 prohibits a state employee from being substantially involved in the preparation of a contract with any business in which the employee or any member of the employee's immediate family has a substantial interest. Pursuant to K.S.A. 46-229(a) and the information you have provided, your husband would not have a substantial interest in the venture capital company; therefore, you would not be prohibited from participating in the contracts between your agency and a business in which your husband's venture capital company had invested.

We would note that your initial suggestion of ensuring that you are removed from the decision making process in these situations would be an appropriate measure to avoid the appearance of impropriety.

#### Opinion No. 1998-28

Written October 15, 1998, to Kathy Currier, Emporia.

This opinion is in response to your letter of October 11, 1998, in which you request an opinion from the Kansas Governmental Ethics Commission 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 or regulation applies to your inquiry is not covered by this opinion.

#### Factual Statement

We understand you are employed by the State of Kansas Department of Social and Rehabilitation Services (SRS) as an Economic Assistance Specialist I. In a conversation with a member of our staff, you indicated that your duties in this position are primarily to authorize benefits for clients of SRS. You advise us that in your off duty hours you have been working with local community members to establish a homeless shelter in your community. As a member of the board of directors and eventually as the executive director of the shelter, you will be seeking funding donations from churches, civic groups, individuals and local businesses.

#### Question

May you in your current position as an Economic Assistance Specialist I for the Kansas Department of Social and Rehabilitation Services work with local community members to establish a local homeless shelter, hold a position on the board of directors of the homeless shelter, or work in the capacity as the homeless shelter's executive director?

#### Opinion

Pursuant to the state level conflict of interest laws, the following statutes apply to your question: K.S.A. 1997 Supp. 46-233(a), which involves participation in the making of contracts; K.S.A. 46-229, which defines "substantial interest"; K.S.A. 46-235, involving compensation for the performance of state duties; and K.S.A. 46-236, involving solicitations by state employees.

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

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. 46-229 defines "substantial interest" in part as:

(d) If an individual or an individual's spouse holds the position of officer, director, associate, partner or proprietor of any business, the individual has a substantial interest in that business, irrespective of the amount of compensation received by the individual or individual's spouse.

K.S.A. 46-235 states in pertinent part:

No state officer or employee shall accept compensation for the performance of official duties, other than that to which such person is entitled for such performance.

K.S.A. 46-236 provides in pertinent part:

No state officer or employee . . . shall solicit any economic opportunity, gift, loan, gratuity, special discount,

(continued)

favor, hospitality, or service from any person known to have a special interest, under circumstances where such officer [or] employee . . . knows or should know that a major purpose of the donor in granting the same could be to influence the performance of the official duties or prospective official duties of such officer [or] employee. . . .

Except when a particular course of official action is to be followed as a condition thereon, this section shall not apply to . . . (3) any solicitation for the benefit of any charitable organization which is required to file a registration statement with the secretary of state. . . .

In applying the language of these statutes to your question, K.S.A. 46-233 prohibits a state employee from being substantially involved in the preparation of a contract with any business in which the employee or any member of the employee's immediate family has a substantial interest. Pursuant to K.S.A. 46-229(d) and the information you have provided, while you are a member of the board of directors or hold the position of executive director, you will have a substantial interest in the homeless shelter.

Therefore, you will not be permitted to participate in the making of contracts between the shelter and SRS.

In addition, K.S.A. 46-235 prohibits you from accepting compensation for performing the same functions for the shelter that you perform in your regular duties for SRS. In your conversation with our staff, you informed us that you would not be performing the same or similar duties for the shelter as you perform for SRS. Given this information, K.S.A. 46-233(a) and K.S.A. 46-235 do not prohibit your participation in the shelter project.

However, K.S.A. 46-236 prohibits a state employee from soliciting any economic benefits from anyone known to have a special interest when the employee knows or should know that a major purpose of the donor could be to influence the performance of the official's duties or official's prospective duties. Therefore, you may not solicit money from anyone with a special interest when you know or should know that the major purpose of the donor could be to influence the performance of your duties or your prospective duties.

Diane Gaede  
Chairwoman

Doc. No. 023054

**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
1-2-46	Amended	V. 17, p. 1369
1-2-68	Revoked	V. 16, p. 1178
1-2-77	New	V. 17, p. 1370
1-5-7	Amended	V. 16, p. 1665
1-5-8	Amended	V. 16, p. 1665
1-5-9	Amended	V. 17, p. 1370
1-5-10	Amended	V. 17, p. 1370
1-5-12	Revoked	V. 16, p. 1666
1-5-13	Amended	V. 16, p. 1666
1-5-14	Amended	V. 17, p. 1370
1-5-15	Amended	V. 17, p. 1370
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
1-6-22a	Amended	V. 17, p. 1371
1-6-27	Amended	V. 16, p. 1179
1-6-29	Amended	V. 16, p. 1666
1-6-30	Amended	V. 17, p. 1371
1-6-33	Amended	V. 16, p. 973
1-7-11	Amended	V. 16, p. 1667
1-8-2	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
1-9-23	Amended	V. 17, p. 1371
1-9-25	Amended	V. 17, p. 1372
1-9-26	Amended	V. 17, p. 1375
1-9-27	Amended	V. 16, p. 976
1-10-6	Amended	V. 17, p. 1376
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. 17, p. 945
1-16-18a	Amended	V. 17, p. 945
1-18-1a	Amended	V. 17, p. 947
1-63-2	Amended	V. 16, p. 978

**AGENCY 4: DEPARTMENT OF AGRICULTURE**

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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**

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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**

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9-7-10	Amended	V. 17, p. 364
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9-7-14	Amended	V. 17, p. 37
9-7-15	New	V. 17, p. 37
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9-11-10	Amended	V. 17, p. 38
9-27-1	New	V. 17, p. 38
9-28-1	New	V. 17, p. 39
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9-29-11	New	V. 17, p. 39-41
9-30-1	New	V. 17, p. 41
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**AGENCY 10: KANSAS BUREAU OF INVESTIGATION**

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10-20-2	Amended	V. 16, p. 1049
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10-20-4	Amended	V. 16, p. 1049

**AGENCY 16: ATTORNEY GENERAL**

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16-2-1a	New	V. 17, p. 1620
16-3-1	Amended	V. 17, p. 1620
16-5-1	Amended	V. 17, p. 1621
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16-6-3	New	V. 17, p. 1621
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**AGENCY 17: STATE BANKING DEPARTMENT**

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

**AGENCY 25: DEPARTMENT OF AGRICULTURE (KANSAS STATE GRAIN INSPECTION)**

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**AGENCY 26: DEPARTMENT ON AGING**

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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**

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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
28-4-405 Amended V. 16, p. 1422
28-4-405a Amended V. 16, p. 1424
28-4-405b Amended V. 16, p. 1424
28-4-406 Amended V. 16, p. 1424
28-4-407 Amended V. 16, p. 1424
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28-4-411 Amended V. 16, p. 1425
28-4-413 Amended V. 16, p. 1426
28-4-414 Amended V. 16, p. 1426
28-4-415 Amended V. 16, p. 1427
28-4-416 Amended V. 16, p. 1427
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28-4-529 Revoked V. 17, p. 1149
28-4-550 Amended V. 16, p. 1247
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28-4-552 Amended V. 16, p. 1248
28-4-553 Revoked V. 16, p. 1248
28-4-554 Revoked V. 16, p. 1248
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28-4-556 Amended V. 16, p. 1248
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28-4-563 Revoked V. 16, p. 1249
28-4-565 Amended V. 16, p. 1249
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28-4-569 Amended V. 16, p. 1250
28-4-570 Revoked V. 16, p. 1250
28-4-571 Revoked V. 16, p. 1250
28-4-572 Revoked V. 16, p. 1250
28-5-2 Amended V. 16, p. 1355
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28-15-65 New V. 16, p. 1596-1599
28-19-7 Revoked V. 16, p. 1599
28-19-16a Amended V. 16, p. 1599
28-19-70 Amended V. 17, p. 588
28-19-79 New V. 16, p. 584
28-19-200 New V. 16, p. 1601
28-19-201 New V. 16, p. 1605
28-19-202 Amended V. 17, p. 122
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121-6-1	New	V. 16, p. 1773
121-6-2	New	V. 16, p. 1773

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Reg. No.	Action	Register
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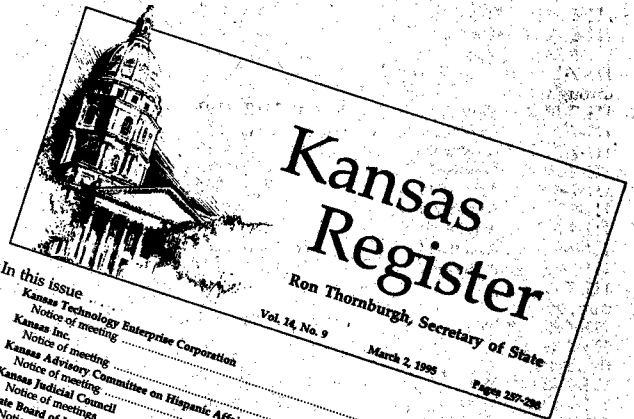
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