

Kansas Register

Ron Thornburgh, Secretary of State

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State of Kansas

Secretary of State

Executive Appointments

Executive appointments made by the Governor, and in some cases by other state officials, are filed with the Secretary of State's office. A complete listing of Kansas state agencies, boards and commissions are included in the Kansas Directory, published by the Secretary of State. The following appointments, which are effective immediately unless otherwise specified, were recently filed with the Secretary of State:

**District Judge, 1st Judicial District,
Division 1**

Gunnar A. Sundby, Atchison County Courthouse, Atchison, 66002. Succeeds Patrick Reardon.

Butler County Attorney

Jan Satterfield, Butler County Courthouse, El Dorado, 67042. Term expires when a successor is elected and qualifies according to law. Succeeds Mike Ward, resigned.

**Geary County Commissioner,
District 2**

William R. Merson, Geary County Courthouse, Junction City, 66441. Term expires when a successor is elected

and qualifies according to law. Succeeds George Johnson, resigned.

**Kansas-Colorado Arkansas River
Compact Commission**

David Brenn, 1710 Pheasant Court, Garden City, 67846. Term expires October 31, 2002. Succeeds Eugene Overton.

Randy L. Hayzlett, Route 1, Box 44, Lakin, 67860. Term expires October 31, 2002. Succeeds Robert Buerkle.

State Corporation Commission

Brian J. Moline, 1500 S.W. Arrowhead Road, Topeka, 66604. Term expires March 15, 2002. Succeeds Susan Seltam.

Kansas Dental Board

Mary A. Collar, 2603A Goldenrod Road, North Newton, 67117. Term expires April 30, 2002. Succeeds Ann Wickersham Priddy, resigned.

Military Advisory Board

LTC James M. Stewart, 22714 W. 49th St., Shawnee, 66226. Serves at the pleasure of the Governor. Succeeds William Vonderschmidt.

Ron Thornburgh
Secretary of State

Doc. No. 023287

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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 following additions to its pharmacy network:

Pharmacy Name	City	State	Effective Date
Bio Partners in Care	Olathe	Kansas	11/1/98
Dillons Pharmacy #75	Andover	Kansas	11/1/98

Questions should be directed to Rebecca Sanders at the Kansas Insurance Department, (785) 296-3071.

Kathleen Sebelius
Kansas Insurance Commissioner

Doc. No. 023268

State of Kansas

**Department of Administration
Division of Architectural Services**

**Notice of Commencement of Negotiations
for Construction Management Services**

Notice is hereby given of the commencement of negotiations for a firm to provide construction management/master builder services for the renovation of Cedar Crest, the Governor's residence. The selected firm will be responsible for providing all construction services, either through its own forces or through subcontractors. Experience in historical preservation is required. Construction documents for the renovation have previously been prepared and are available for review. Contact Thaine Hoffman, director of the Division of Architectural Services, to review plans.

Legislative authority to authorize the full extent of this position will be sought in this coming legislative session; selection will proceed at this time, but the ability to fully complete the work as planned is contingent upon passage of this legislation.

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 Thaine Hoffman, 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 Thaine Hoffman before 5 p.m. January 8.

Thaine Hoffman, AIA
Director, Division of
Architectural Services

Doc. No. 023285

State of Kansas

**Governor's Public Health
Improvement Commission**

Notice of Meeting

The Governor's Public Health Improvement Commission will meet from 9:30 a.m. to 4 p.m. Tuesday, January 19, at the Red Coach Inn, Salina. For more information, contact Mary Ann Cummings, Governor's Public Health Improvement Commission, Suite 665, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612-1220, (785) 296-8114, e-mail mcumming@kdhe.state.ks.us. Any individual with a disability may request accommodation in order to participate in the public meeting. Requests for accommodation should be made at least five working days in advance of the meeting by contacting Mary Ann Cummings or the Kansas Relay Center at (800) 766-3777 (TTY).

Gary R. Mitchell
Secretary of Health
and Environment

Doc. No. 023284

State of Kansas

**Department of Administration
Division of Architectural Services**

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

Notice is hereby given of the commencement of negotiations for engineering services for the replacement of Gustad Bridge at Fort Hays State University. The scope of the project would include the construction of a new concrete girder, multi-span bridge approximately 276' long and 30' wide. Also included is 200' to 300' of approach roadway modifications on each side of the structure. The estimated construction cost is \$750,000.

For information regarding the scope of services, contact Dana Cunningham, Director of Facilities Planning, Fort Hays State University, (785) 628-4424.

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. January 8.

Thaine Hoffman, AIA
Director, Division of
Architectural Services

Doc. No. 023272

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. Principal Health Care Pharmacy Network has notified the Insurance Department of the following additions to its pharmacy network:

Pharmacy Name	County	State	Effective Date
Dillion Pharmacy #207	Shawnee County	Kansas	5/1/98
Dillons Pharmacy #77	Harvey County	Kansas	7/22/98
Dillons Pharmacy #75	Butler County	Kansas	11/11/98
Dillons Pharmacy #14	Ellis County	Kansas	10/5/98

Principal Health Care Pharmacy Network also has notified the department of the following termination from its pharmacy network:

Pharmacy Name	County	State	Effective Date
Andover Drug Company	Butler	Kansas	3/1/99

Questions should be directed to Rebecca Sanders at the Kansas Insurance Department, (785) 296-3071.

Kathleen Sebelius
Kansas Insurance Commissioner

Doc. No. 023267

State of Kansas

Department of Revenue
Division of Property Valuation

Appraisal Directive 98-035

The following appraisal directive is adopted by the Director of Property Valuation pursuant to K.S.A. 79-505:

Directive #98-035: Building Permits
and Fair Market Value

A question has arisen as to whether the value stated on a building permit should be considered the fair market value of real property for property tax purposes. The county appraiser shall not use the value stated on a building permit as the sole criteria for determining the fair market value of real property for property tax purposes.

By law, property other than land devoted to agricultural use, commercial machinery and equipment and certain motor vehicles must be valued at fair market value (K.S.A. 79-501; K.S.A. 79-1439; K.S.A. 79-5101 *et seq.*; Kan. Const., art. 11, § 1; Kan. Const., art. 11, § 12). For property tax purposes, "fair market value" means:

[T]he amount in terms of money that a well informed buyer is justified in paying and a well informed seller is justified in accepting for property in an open and competitive market, assuming that the parties are acting without undue compulsion. (K.S.A. 79-503a)

K.S.A. 79-503a also requires a county appraiser to consider several factors when determining the fair market value of property for property tax purposes. Among the factors required to be considered and applied are the

three generally accepted approaches to value: (1) sales; (2) cost; and (3) income.

When determining the validity of an appraisal for property tax purposes, the courts have consistently stated:

[T]he essential question is whether the standards prescribed by K.S.A. 79-503a have been considered and applied by the taxing officials. The assessment of real property which takes into consideration only some of the pertinent statutory factors of K.S.A. 79-503a cannot be upheld where evidence indicates there has not been a uniform and equal rate of assessment and taxation in the county. *Board of Johnson County Comm'rs v. Greenhaw*, 241 Kan. 119, 126-27, 734 P.2d 1125 (1987).

See also *Sunflower Racing, Inc. v. Board of Wyandotte County Comm'rs*, 256 Kan. 426, 442, 885 P.2d 1233 (1994) ("[T]he essential question is whether the standards prescribed by 79-503a have been considered and applied by taxing officials, or intentionally and grossly disregarded."), citing *Northern Natural Gas Co. v. Williams*, 208 Kan. 407, 417, 493 P.2d 568, *cert. denied* 406 U.S. 967 (1972).

Thus, the highest court in Kansas has held that compliance with K.S.A. 79-503a is a vital factor in determining whether a tax assessment is uniform and equal as required by art. 11, § 1 of the Kansas Constitution (*In re Tax Appeal of Andrews*, 18 Kan. App. 2d 311, 317, 851 P.2d 1027, *rev. denied* 253 Kan. 859 (1993)).

The value stated on a building permit is not one of the factors listed in K.S.A. 79-503a. Because building permit fees are usually based upon a percentage of the construction costs, the value stated on the building permit is frequently understated; therefore, it is not a reliable cost indicator. Construction costs plus land costs of a new property may be the most valid indicator of value; however, cost in and of itself cannot be considered "fair market value." The market value contributions of additions or alterations to existing properties may or may not be supported by their construction costs. Therefore, using the value stated on the building permit as the fair market value of the property would often grossly overstate or understate the value of the property.

None of the foregoing is intended to suggest that the county appraiser should not have access to and analyze building permits. For example, Directive #98-031 provides in part: "The county appraiser shall not classify real property as a vacant lot if the county appraiser determines there is added value attributable to the construction in progress on January 1." Building permits are a valuable tool for monitoring vacant lots and other property for new construction and construction in process. However, using the value stated on a building permit as the sole criteria of fair market value violates the requirement that the county appraiser consider and apply all of the factors set forth in K.S.A. 79-503a.

Approved December 11, 1998.

Mark S. Beck
Director of Property Valuation

Doc. No. 023262

State of Kansas

**Speech-Language Pathology and
Audiology Advisory Board****Notice of Meeting**

The Speech-Language Pathology and Audiology Advisory Board will meet at 10 a.m. Thursday, January 14, in Room 108, Landon State Office Building, 900 S.W. Jackson, Topeka.

Lesa Bray, Director
Health Occupations Credentialing

Doc. No. 023280

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 12-21-98 through 12-27-98

Term	Rate
1-89 days	4.84%
3 months	4.41%
6 months	4.54%
9 months	4.57%
12 months	4.57%
18 months	4.55%
24 months	4.49%

Derl S. Treff
Director of Investments

Doc. No. 023255

State of Kansas

**Department of Administration
Division of Purchases****Notice to Bidders**

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

Monday, January 4, 1999**33430**

Kansas Department of Transportation—Pavement crack sealant

33448

University of Kansas Medical Center—Copier maintenance

33449

Emporia State University—Laboratory furniture

33451

Department of Corrections—On-site drug testing devices

8543

University of Kansas Medical Center, Emporia State University, University of Kansas, Kansas Highway Patrol—Full-size automobiles, various locations

8545

Kansas Highway Patrol—Compact sport utility vehicles

8551

Department of Administration, Central Motor Pool—Truck mounted scale testing unit

Tuesday, January 5, 1999**33301-Supp.**

Department of Corrections facilities—BDU components, various locations

33426

All agencies of the State of Kansas—Microsoft license program administration

33450

University of Kansas—Aggregate and asphaltic plant mix

Friday, January 8, 1999**8566**

Pittsburg State University—Offset printing press

Wednesday, January 13, 1999**A-8666**

University of Kansas—Interior signage, Budig Hall

Friday, January 15, 1999**33456**

University of Kansas—Graphic arts film and subtractive plates, chemistry and processor

Tuesday, January 19, 1999**A-8598**

Topeka Juvenile Correctional Facility—Plumbing repair and remodel, Lawrence Gardner High School

Wednesday, January 20, 1999**A-8411**

University of Kansas—Column repair and tuckpointing, Robinson Center

A-8590

Kansas Neurological Institute—Fan coil unit replacement, Meadowlark Lodge

A-8594

Kansas Neurological Institute—Mechanical duct insulation, Wheatland Habilitation Center

33455

Statewide—Zero turning radius riding mowers

Thursday, January 21, 1999**A-8167**

University of Kansas—Improvements, Twente Hall

Monday, January 25, 1999**8552**

Kansas Correctional Industries—Lease of farmland, Norton

8565

Hutchinson Correctional Facility—Lease of farm land, Hutchinson

John T. Houlihan
Director of Purchases

Doc. No. 023286

State of Kansas

**Department of Revenue
Division of Property Valuation**

Appraisal Directive 96-036

The following appraisal directive is adopted by the Director of Property Valuation pursuant to K.S.A. 79-505:

Directive #96-036: Procedures and Guidelines for Valuing Property (Supersedes Directive #92-005)

The county appraiser shall follow the procedures and guidelines set forth in the Division of Property Valuation's specifications, manuals, guides and tutorials, as promulgated by the director. These include, but are not limited to:

- A. Appraisal Maintenance Specifications
- B. Kansas Reappraisal Manual
- C. Agricultural Use Valuation Course Manual
- D. Revised Technical Specifications for Property Ownership Mapping
- E. Kansas GIS Cadastral Standards
- F. Technical Specifications for Aerial Photography
- G. Technical Specifications for Rectified Aerial Photography and Soil Overlay Enlargements
- H. Guides:
 1. Manufactured Housing Guide
 2. Subsidized Housing Guide
 3. Sale Validation Guide
 4. Oil and Gas Price Guide
 5. Oil and Gas Appraisal Guide
 6. Commercial-Feedlot Appraisal Guide
 7. Guide to Sales File Development
 8. Personal property guides provided by and/or prescribed by the Director of Property Valuation:
 - a. Personal Property Guide
 - b. Truck Blue Book
 - c. ABOS Marine Blue Book
 - d. Vref Airplane Book
 - e. NADA Used Car Guide
 - f. NADA Motorcycle/Snowmobile/ATV/Personal Watercraft Appraisal Guide
 - g. NADA Older Used Car Guide
 - h. Vehicle Value Release Forms
 - i. Red Book (optional)
 - j. Older Truck Blue Book (optional)
 - k. ABOS Older Marine Blue Book

In valuing property required to be valued at fair market value, the county appraiser may deviate from the values shown in such guides on an individual piece of property for just cause shown and in a manner consistent with achieving fair market value. K.S.A. 79-1456; *In re Tax Appeal of Director of Property Valuation*, 14 Kan. App. 2d 348, 791 P.2d 1338 (1989) *rev. denied* 246 Kan. 767 (1990).

Approved December 11, 1998.

Mark S. Beck
Director of Property Valuation

Doc. No. 023261

State of Kansas

Department of Transportation

Notice to Consulting Engineers

Consultant engineering firms not currently qualified that would like to become qualified to perform engineering services for the Kansas Department of Transportation are requested to submit information to KDOT.

To become qualified, firms may request a DOT Form No. 1050, Consulting Engineering Qualification Questionnaire, from Neil R. Rusch, P.E., Assistant to the Director, Division of Engineering and Design, Kansas Department of Transportation, Docking State Office Building, Room 1084-W, 915 S.W. Harrison, Topeka, 66612-1568.

The DOT Form No. 1050 also is available on KDOT's web page at <http://www.ink.org/public/kdot/prequal>. Also available on the same web page is KDOT's Listing of Professional Services for Consultant Qualifications categories booklet.

Seven signed copies of Form 1050 must be returned to the address above by January 27. Contact Neil Rusch at (785) 296-2270 for further information.

E. Dean Carlson
Secretary of Transportation

Doc. No. 023256

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 Ramada Inn Downtown, Topeka, until 2 p.m. January 13, and then publicly opened:

District One—Northeast

Atchison—73-3 K-6964-01—U.S. 73, 0.1 mile (0.24 kilometer) northwest of the west junction of U.S. 59 then west 8.6 miles (13.9 kilometers), pavement patching. (State Funds).

Jackson—75-43 K-7366-01—U.S. 75 from the junction of K-16 north to 5th Street in Holton, 0.09 mile (0.16 kilometer), concrete pavement. (State Funds)

Johnson-Wyandotte—35-106 K-7365-01—I-35 from 95th Street north to Southwest Boulevard, 9.3 miles (15 kilometers), joint repair. (State Funds)

Lyon—56 C-3586-01—County road 4.8 miles (7.7 kilometers) south and 6.3 miles (10.1 kilometers) west of Olpe, 0.2 mile (0.32 kilometer), grading and bridge. (Federal Funds)

Osage—35-70 K-7371-01—I-35, 1.4 miles (2.3 kilometers) east of the Coffey-Osage county line east 5.1 miles (8.2 kilometers), slurry seal. (State Funds)

Pottawatomie—75 K-1428-05—River Pond, Fancy Creek and Randolph Area in Tuttle Creek State Park, road improvements. (State Funds)

Wyandotte—635-105 K-7364-01—I-635 Bridges 44 and 45 over the Kansas River, bridge repair. (State Funds)

District Two—Northcentral

District Two—106 K-5926-99—Various locations in District Two, 177.2 miles (285.1 kilometers), signing. (State Funds)

Mitchell—C-3245-01—County road from Hunter east 6 miles (9.7 kilometers), surfacing. (Federal Funds)

Morris—C-3587-01—County road 4.4 miles (7.1 kilometers) southeast of Council Grove, 0.2 mile (0.3 kilometer), grading and bridge. (Federal Funds)

Saline—104-85 K-2096-01—K-104, Dry Creek Bridge 116, 1.7 miles (2.8 kilometers) north of the junction of K-4, bridge replacement. (Federal Funds)

District Three—Northwest

Norton—69 C-03350-01—County road southeast of Edmond, 0.25 mile (0.4 kilometer), grading and bridge. (Federal Funds)

Sheridan—90 C-3557-01—County road 1 mile (1.6 kilometers) south and 1 mile (1.6 kilometers) southeast of Hoxie, 0.2 mile (0.3 kilometer), grading and bridge. (Federal Funds)

District Four—Southeast

Crawford—19 C-1775-01—County road 0.7 mile (1.1 kilometers) west of the junction of U.S. 69 at Pittsburg then west, 0.17 mile (0.27 kilometer), bridge replacement. (Federal Funds)

Cherokee—69-11 K-7021-01—U.S. 69 from the junction of U.S. 69a/K-96 north to the Cherokee-Crawford county line, 11.1 miles, (17.9 kilometers), slurry seal. (State Funds)

Cherokee—160-11 K-7029-01—U.S. 160, 0.06 mile (0.1 kilometer) east of the Labette-Cherokee county line east to the junction of U.S. 69/U.S. 400, 20.3 miles (32.7 kilometers), overlay. (State Funds)

Greenwood—54-37 K-5892-01—Safety rest area 2 miles (3.2 kilometers) west of K-105, rest area improvements. (State Funds)

Miami—61 K-5890-02—Roads and parking areas at Hillsdale State Park, overlay. (State Funds)

Neosho—67 C-3544-01—County road 7.6 miles (9.7 kilometers) east and 3.5 miles (5.6 kilometers) north of the junction of U.S. 169/K-39, 0.018 mile (0.03 kilometer), grading and bridge. (Federal Funds)

Woodson—75-104 K-5894-01—U.S. 75, 5 miles (8 kilometers) north of Yates Center, rest area improvements. (State Funds)

District Five—Southcentral

Kingman—48 C-3218-01—County road 8.5 miles (13.7 kilometers) south of Mt. Vernon then south, 0.039 mile (0.064 kilometer), grading, bridge and surfacing. (Federal Funds)

Stafford—50-93 K-5896-01—U.S. 50 safety rest area 6 miles (9.7 kilometers) west of Stafford, rest area improvements. (State Funds)

Reno—96-78 K-6247-01—K-96 and Hendricks Street in Hutchinson, 0.1 mile (0.2 kilometer), grading and surfacing. (State Funds)

Sedgwick—96-87 K-7060-01—K-96 from Maize Road southeast to the west city limits of Wichita, 6 miles (9.8 kilometers), slurry seal. (State Funds)

Sedgwick—163-87 K-7064-01—K-163 from the junction of U.S. 54 south to the north city limits of Garden Plain, 0.5 mile (0.9 kilometer), overlay. (State Funds)

District Six—Southwest

Kearny—47 C-2290-01—County road 10 miles (16.1 kilometers) south of Lakin then west 9 miles (14.5 kilometers), surfacing. (Federal Funds)

Ness—283-68 K-5391-01—U.S. 283 from the north city limits of Ness City north to the Ness-Trego county line, 16.8 miles (27.1 kilometers), grading, bridge and surfacing. (Federal Funds)

Scott—86 C-3577-01—County road 1 mile (1.6 kilometers) south of Scott City then 1 mile (1.6 kilometers) west and 1 mile (1.6 kilometers) north, 2 miles (3.1 kilometers), surfacing. (Federal Funds)

Scott—95-86 K-7089-01—K-95 from the south junction of U.S. 83 north and east to the north junction of U.S. 83, 6.6 miles (10.6 kilometers), overlay. (State Funds)

Wichita—102 C-3050-01—County road 6.7 miles (10.8 kilometers) east of Leoti, then north 6 miles (9.7 kilometers), surfacing. (Federal Funds)

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

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

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

E. Dean Carlson
Secretary of Transportation

Doc. No. 023273

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. January 20 for the consulting engineering firm to be considered. Seven signed copies of the response should be mailed to Neil Rusch, P.E., Assistant to the Director, Division of Engineering and Design, KDOT, Room 1084-West, Docking State Office Building, 915 S.W. Harrison, 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.

The scope of services includes providing for the discovery phase on the following projects. The discovery phase is intended to provide information about the projects that might impact their cost, scope or schedule. At the completion of the discovery phase, KDOT will determine whether to proceed with the design services.

Project No. 50-78 K-7409-01
Reno County

The scope of services is to provide for the addition of two new lanes and the reconstruction of the existing two lanes to provide for a four-lane expressway on US-50 from K-96 to K-61 at Hutchinson. The project is scheduled for plan completion in fiscal year 2005. The estimated construction cost is \$12,884,000.

Project No. 73-3 K-7414-01
Atchison County

The scope of services is to provide for the rehabilitation of US-73 from the west junction of US-59 in Atchison, west 14.0 km to RS 25 in Lancaster. The project is scheduled for plan completion in fiscal year 2005. The estimated construction cost is \$4,508,000.

Project No. 77-57 K-7417-01
Marion County

The scope of services is to provide for the reconstruction of US-77 from US-50, north 14.2 km to US-56/K-150. The project is scheduled for plan comple-

tion in fiscal year 2005. The estimated construction cost is \$13,920,000.

Project No. 7-19 K-7404-01
Project No. 7-19 K-7405-01
Crawford County

The scope of services to provide for the reconstruction of K-7 from US-160, north 18.5 km to the south city limits of Girard. The project is scheduled for plan completion in fiscal year 2005. The estimated construction cost is \$21,246,000.

Project No. 383-20 K-7423-01
Decatur County

The scope of services is to provide for the rehabilitation of K-383 from the east city limits of Jennings, northeast 10.9 km to the Decatur-Norton county line. The project is scheduled for plan completion in fiscal year 2005. The estimated construction cost is \$3,109,000.

Project No. 14-53 K-7374-01
Lincoln County
Project No. 140-27 K-7391-01
Ellsworth County

The scope of services is to provide for the replacement of the Battle Creek Bridge (009) on K-14 in Lincoln County, 11.5 km north of K-18, and the replacement of Alum Creek Bridge (048) on K-140 in Ellsworth County, 9.5 km east of K-111. Project No. 14-53 K-7374-01 is scheduled for plan completion in fiscal year 2003, and the construction estimate is \$719,000.00. Project No. 140-27 K-7391-01 is scheduled for plan completion in fiscal year 2004, and the construction estimate is \$570,000.

Project No. 160-25 K-6821-01
Project No. 160-25 K-6822-01
Elk County

The scope of services is to provide for the replacement of Caney River Bridge (001), Caney River Drainage Bridge (002), Steam Creek Bridge (022), and Hitchen Creek Bridge (010) in Elk County. The Discovery Phase has been completed by KDOT. The project is scheduled for plan completion in fiscal year 2001. The estimated construction cost is \$3,943,000.

Project No. 80-14 K-7380-10
Clay County

The scope of services is to provide for the replacement of Huntress Creek Bridge (024), 3.8 km west of K-15. The project is scheduled for plan completion in fiscal year 2003. The construction estimate is \$598,000.

Project No. 92-44 K-7381-01
Jefferson County
Project No. 32-52 K-7388-01
Leavenworth County

The scope of services is to provide for the replacement of Prairie Creek Bridge (029) on K-92, 8.0 km north of K-16 in Jefferson County, and the replace-

ment of Stranger Creek Bridge (024) on K-32, 13.1 km east of the KTA in Leavenworth County. Project No. 92-44 K-7381-01 is scheduled for plan completion in fiscal year 2003 and the construction estimate is \$752,000. Project No. 32-52 K-7388-01 is scheduled for plan completion in fiscal year 2004 and the construction is \$1,479,000.

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. 023288

State of Kansas

Kansas Bureau of Investigation

Notice of Hearing

A public hearing is scheduled for 1 p.m. Wednesday, January 13, at the Kansas Bureau of Investigation, 1620 S.W. Tyler, Topeka, on Block Grant LLEBG99-23, which was reviewed and endorsed by a KBI advisory board December 11, 1998. Grant LLEBG99-23 will be available for review at that time.

Questions regarding the hearing may be addressed to Scott Teeselink, Senior Special Agent, Kansas Bureau of Investigation, 1620 S.W. Tyler, Topeka, 66612, (785) 296-8240.

Any individual with a disability may request accommodation in order to participate in the public hearing. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Deb Smith at (785) 296-8239 or the Kansas Relay Center at (800) 766-3777. Handicapped parking is located at the south end of the KBI building, off of Tyler Street.

Larry Welch
Director

Doc. No. 023259

State of Kansas

Department of Health and Environment

Request for Comments

The Kansas Department of Health and Environment has received and reviewed a permit modification request by Seward County at the municipal solid waste landfill (Permit #140). Seward County is constructing a new municipal solid waste landfill cell (Cell No. 2) adjacent to the current existing cell. Seward County is the owner of the property. The landfill site comprises approximately 240 acres; 80 acres have or are currently receiving waste, and 22 acres are currently being designed. Based on current waste projections, the new cell has a capacity to receive waste for approximately 10 to 12 years.

KDHE is providing public notice of its intent to amend the municipal solid waste permit to allow construction and operation of the new cell. The new cell lies in a tract of land in the N $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 26, Township 34 South, Range 33 West. The site is approximately 1 $\frac{1}{2}$ miles east of Liberal along the north side of U.S. Highway 54 and St. Louis Southwestern Railroad. HWS was hired by Seward County to develop plans for the county's existing cell (No. 1) and since been retained to develop plans for the new cell. HWS is responsible for providing all new engineering documentation, as well as updating the operations plan, location demonstrations, and groundwater monitoring plans. The new cell will have a composite liner consisting of soil and a geomembrane and a leachate collection system as required by state regulations.

A copy of the administrative record, which includes the draft permit, permit application and all information regarding this permit action, is available for public review December 28-February 1 during normal business hours, Monday through Friday, at the following locations:

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

Seward County Courthouse
415 N. Washington, Suite 116
Liberal, 67901
Contact: Jan Stickler
County Commission Administrative Assistant
(316) 626-3212

A public hearing will be held in conjunction with the public comment period at 9 a.m. Tuesday, February 2, at the Seward County Courthouse, County Commission meeting room, Liberal.

Anyone wishing to comment on the solid waste landfill permit amendment should submit written statements postmarked not later than February 2 to Phil Rosewicz (KDHE). After consideration of all written comments received and formal comments from the public hearing, the director of the Division of Environment will make a final permit decision. Notice of the decision will be given to the applicant, to all persons who submitted written comments, and to those who requested notice of the final permit decision.

Gary R. Mitchell
Secretary of Health
and Environment

Doc. No. 023283

State of Kansas

Department of Health
and EnvironmentNotice of Public Comment Period for
Proposed Administrative Regulations

New and amended regulations related to composting and solid waste definitions are proposed for adoption on a permanent basis. A public comment period for these regulations was held from August 20 to October 21, 1998. A public hearing was conducted in Topeka October 21 to consider the adoption of these regulations.

The department considered all comments received and will adopt a revised version of K.A.R. 28-29-25d (livestock composting), originally titled "dead animal composting." A second public comment period for the remaining regulations, listed below, is established with the publication of this notice. A summary of the proposed regulations with their regulatory impact and environmental benefit follows.

K.A.R. 28-29-3. Definitions. Definitions of the following terms are proposed for addition to this regulation to clarify terms used in the proposed composting regulations: backyard composting, composting area, leachate, source-separated organic waste, vegetative food waste and yard waste. The definition of monofill has been added to clarify which industrial wastes will be subject to the state solid waste tonnage fee.

The following definitions are proposed to be deleted from the regulation because they are defined in statute: construction and demolition waste, construction and demolition landfill, disposal, industrial solid waste and transfer station.

The definitions of "incompatible waste" and "open dump" are proposed to be deleted since they are used neither in solid waste regulations nor statutes.

The proposed amendments to K.A.R. 28-29-3 will have no economic impact and no impact on human health and the environment.

Composting of various wastes on a large scale has become an increasingly common practice in Kansas. The Department of Health and Environment has identified a need for developing regulations that will ensure composting is done in a manner that does not pose a risk to human health and the environment, yet will not be so restrictive as to discourage composting activities.

The composting regulations listed below prescribe registration requirements for facilities with a composting area of one-half acre or less and permitting requirements for facilities with a composting area of more than one-half acre. Standards are set for facility design, operation and closure.

K.A.R. 28-29-25a. Small yard waste composting sites. This regulation applies to yard waste composting operations with a composting area of one-half acre or less.

K.A.R. 28-29-25b. Yard waste composting facilities. This regulation applies to yard waste composting operations with a composting area of more than one-half acre.

K.A.R. 28-29-25c. Manure composting. This regulation applies to each facility that composts manure.

K.A.R. 28-29-25e. Source-separated organic waste composting. This regulation applies to each facility that

composts newspapers, food wastes, sewage sludge and similar organic wastes.

K.A.R. 28-29-25f. Solid waste composting. This regulation applies to facilities that compost types of solid waste not covered in the other regulations, for example, municipal solid waste.

The proposed regulations will protect the quality of surface waters and groundwater in Kansas and control odors from composting operations.

Some existing composting facilities may have to improve access roads, make improvements to the composting area, and provide run-on and run-off control in order to comply with the proposed regulations. Costs will depend on the current facility design.

This public comment period, which starts with the publication of this notice and ends at 5 p.m. Monday, February 22, is established for the purpose of receiving written public comments on the proposed regulations. All interested parties may submit written comments to Christine Mennicke, Department of Health and Environment, Bureau of Waste Management, Forbes Field, Building 740, Topeka, 66620-0001.

Complete copies of the proposed regulations, the corresponding regulatory impact statement, and the department's responses to comments received during the first public comment period may be obtained through the Internet at <http://www.kdhe.state.ks.us/waste/> or by contacting Christine Mennicke at (785) 296-0724. Any individual with a disability may request the proposed regulations and regulatory impact statements in an accessible format.

Gary R. Mitchell
Secretary of Health
and Environment

Doc. No. 023258

State of Kansas

Department of Health
and EnvironmentNotice Concerning Kansas
Water Pollution Control Permits

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

Public Notice No. KS-98-169/173

Name and Address of Applicant	Waterway	Type of Discharge
City of Belleville 1819 L St. P.O. Box 280 Belleville, KS 66935	Salt Creek via unnamed tributary	Treated domestic wastewater

Kansas Permit No. M-LR03-0001 Federal Permit No. KS0027529

Legal: NE¼, S2, T3S, R3W, Republic County

Facility Description: The proposed action is to reissue an existing permit for the operation of an existing wastewater treatment facility treating primarily domestic wastewater. The proposed permit includes limits for biochemical oxygen demand, total suspended solids, fecal coliform, ammonia, total residual chlorine, dissolved oxygen and pH. In addition, monitoring requirements for weekday flow are included. A schedule of compliance to upgrade the facility is included as it is not expected the facility cannot meet ammonia and fecal coliform limits. The permit requirements are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria, and are water quality based.

Name and Address of Applicant	Waterway	Type of Discharge
City of Cherryvale 123 W. Main St. Cherryvale, KS 67335	Verdigris River via Drum Creek via unnamed tributary	Treated domestic wastewater

Kansas Permit No. M-VE07-0001 Federal Permit No. KS0045951

Legal: SW¼, S8, T32S, R17E, Montgomery County

Facility Description: The proposed action is to reissue an existing permit for the operation of an existing wastewater treatment facility treating primarily domestic wastewater. The proposed permit includes limits for biochemical oxygen demand, total suspended solids, fecal coliform, ammonia, total residual chlorine and pH. In addition, monitoring requirements for weekday flow are included. Management and flow monitoring requirements for the extraneous flow basins are included. A schedule of compliance to add disinfection facilities is included as it is not expected the facility can meet ammonia and fecal coliform limits. The permittee has submitted an engineering report which calls for the replacement of the mechanical plant with a conventional lagoon system. The permit requirements are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria, and are water quality based.

Name and Address of Applicant	Waterway	Type of Discharge
City of Haysville 200 W. Grand P.O. Box 404 Haysville, KS 67060	Cowskin Creek	Treated domestic wastewater

Kansas Permit No. M-AR43-0004 Federal Permit No. KS0090921

Legal: SW ¼, S5, T29S, R1E, Sedgwick County

Facility Description: The proposed action is to reissue an existing permit for the operation of an existing wastewater treatment facility treating primarily domestic wastewater. The proposed permit includes limits for biochemical oxygen demand, total suspended solids, fecal coliform, ammonia and pH. In addition, monitoring requirements for chlorides and daily flow are included. Chronic whole effluent toxicity and heavy metals testing will be required annually, and a priority pollutant scan will be required to be performed at least once during the life of the permit. The permit requirements are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria, and are water quality based.

Name and Address of Applicant	Waterway	Type of Discharge
City of Independence 120 N. 6th St. Independence, KS 67301	Verdigris River	Treated domestic wastewater

Kansas Permit No. M-VE23-IO01 Federal Permit No. KS0042625

Legal: SW¼, S29, T32S, R16E, Montgomery County

Facility Description: The proposed action is to modify the permit to conform with K.S.A. 65-1,177 and the current major permit require-

ments and change the expiration date to conform with the basin-wide permitting program for TMDL purposes. The primary changes are to add interim limits for ammonia, add chloride monitoring and include a schedule of compliance pursuant to K.S.A. 65-1,177, update the language for the whole effluent toxicity and priority pollutant testing requirements, and make some minor corrections to the permit. 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 water quality based.

Name and Address of Applicant	Waterway	Type of Discharge
City of Sedgwick 511 N. Commercial P.O. Box 131 Sedgwick, KS 67135	Little Arkansas River via Sand Creek	Treated domestic wastewater

Kansas Permit No. M-LA15-0002 Federal Permit No. KS0081108

Legal: SW¼, S27, T24S, R1W, Harvey County

Facility Description: The proposed action is to reissue an existing permit for the operation of an existing wastewater treatment facility treating primarily domestic wastewater. The proposed permit includes limits for biochemical oxygen demand, total suspended solids, fecal coliform, ammonia and pH. In addition, monitoring requirements for chlorides and daily flow are included. 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 water quality based.

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

All comments postmarked or received on or before January 23 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate public notice number (KS-98-169/173) 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. 023281

State of Kansas

Department of Health
and EnvironmentNotice of Hearing on Proposed
Administrative Regulations

(Editor's Note: The following notice of hearing is being republished to clarify the notice that was published in the November 26, 1998 issue of the Kansas Register. That notice omitted K.A.R. 28-31-14, Land disposal restrictions, which has been included in this publication. The date, time and place of the hearing have not changed.)

A public hearing will be conducted at 1:30 p.m. Wednesday, January 27, in the MTAA conference room in the Air Terminal at Forbes Field, 6700 S. Topeka Blvd., Topeka, to consider the adoption of new regulations and proposed amendments to existing regulations of the Division of Environment.

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

Summary of Proposed Amendments
and New Regulations

The federal law that regulates hazardous waste is Subtitle C of the Resource Conservation and Recovery Act (RCRA). RCRA, an amendment to the Solid Waste Disposal Act, was enacted in 1976.

The State of Kansas first passed legislation regarding hazardous waste management in 1977. The Kansas laws have been amended and added to on several occasions since then. In October 1985, the Kansas Department of Health and Environment obtained authorization from the U.S. Environmental Protection Agency to administer the hazardous waste management program. With a few exceptions, KDHE has adopted the federal regulations by reference.

There are two purposes for the regulatory changes proposed in this package. The first is to incorporate new regulations and changes to existing regulations that have been promulgated by EPA between 1992, the date of the last KDHE adoption of federal requirements, and 1996. The second reason for proposed changes concerns state-specific program requirements that make regulatory changes necessary.

The proposed amendments are primarily needed to maintain KDHE authorization from the EPA to conduct the federal hazardous waste management program in lieu of EPA. It is mandated by federal regulations that states periodically update their regulations to remain authorized. These proposed hazardous waste management regulations are intended to adopt by reference federal hazardous waste regulations contained in 40 CFR Parts 124, 260, 261, 262, 263, 264, 265, 266, 268, 270, 273 and 279, as in effect on July 1, 1996, and 49 CFR Parts 172, 173, 178 and 179, as in effect on October 1, 1996.

K.A.R. 28-29-26. Used oil. This solid waste regulation is proposed to be revoked because proposed new regulation K.A.R. 28-31-16 will adopt the federal used oil regulations at 40 CFR 279, except section 279.10(b)(3), by reference. Standards for used oil transporters will be cited in 28-31-6. Parts of the regulation are proposed to be in-

corporated into K.A.R. 28-31-6 and K.A.R. 28-31-16. The net result of the proposed revocations, amendments and adoptions are as follows:

- reclaimed oil used beneficially is not subject to used oil regulations;
- used oil that is burned for energy recovery is not subject to used oil regulations;
- farmers generating not more than 300 gallons per year, households and vessels are not subject to used oil generator requirements;
- used oil collection centers could accept more than 5 gallons per person per day;
- used oil collection centers would not be required to record the source and disposition of used oil; and
- used oil collection centers accepting more than 10,000 gallons per year only from households would not have to register with the department.

K.A.R. 28-31-1. General provisions. Subsections (a) and (b) are proposed to be amended to include 40 CFR Parts 273 and 279. These proposed amendments have been made to reflect the proposed adoption of 40 CFR Part 273 (universal waste) in 28-31-15 and the proposed adoption of 40 CFR Part 279 (used oil) in 28-31-16. References to federal regulations have been updated from 1992 to 1996.

K.A.R. 28-31-2. Definitions. This regulation is proposed to be amended to update the adoption of federal regulations from July 1, 1992 to July 1, 1996. Paragraph (c), new paragraph (e) and new paragraph (f) have been expanded and rearranged to improve the organization and clarity of the definitions. The definition of hazardous waste transfer station has been added in new paragraph (d) in response to proposed new regulation 28-31-6a (repacking of waste at hazardous waste transfer facilities).

K.A.R. 28-31-3. Identification of characteristics and listing of hazardous waste. This regulation is proposed to be amended to update the adoption of federal regulations from July 1, 1992 to July 1, 1996.

K.A.R. 28-31-4. Standards for generators of hazardous waste. This regulation is proposed to be amended to update the adoption of federal regulations from July 1, 1992 to July 1, 1996.

Subsection (b)(4) adds a reference to 40 CFR 273, which is proposed for adoption in 28-31-15.

Subsection (c)(1) is proposed to be amended by replacing "a form supplied by the department" with "KDHE form 8700-12" to further clarify this requirement.

Paragraph (g)(1)(D) adds containment buildings as acceptable short-term storage areas for hazardous waste. This is proposed to maintain consistency with federal regulations.

Paragraph (h)(1)(B)(i) and (ii) have been changed to exclude federal regulations that reference 40 CFR 265 Subpart CC, since Kansas is not adopting Subpart CC at this time.

Subsection (k) is proposed to be amended by adding "daily inspection of tanks" and a reference to 40 CFR 265.195 in order to maintain consistency with federal regulations. This will require Kansas generators to spend ad-

ditional time inspecting their tanks, but will reduce the amount of time a leak could remain undetected. Small quantity generators will have to spend additional time marking and dating their tanks.

Subsection (m)(2)(B) is proposed to be amended by adding "and tank" to the dating and marking requirements in order to maintain consistency with federal regulations.

The following wording is proposed to be added to subsection (n) for clarification: "in any single calendar month," "or more" and "of hazardous waste."

Subsection (p)(3)(A) is proposed to be amended by deleting "40 CFR 266 subpart E" from the regulation because this federal regulation has been recodified to 40 CFR Part 279. "K.A.R. 28-31-16," which adopts 40 CFR Part 279, is proposed to be added to this regulation. The words "used oil" are struck from paragraph (p)(4), since this mixture would be regulated as used oil under the proposed regulations.

K.A.R. 28-31-6. Standards for transporters of hazardous waste. New language has been added to the beginning of the regulation to exclude small quantity generators transporting waste to household hazardous waste facilities permitted to handle this waste. This eases the regulatory burden on small quantity generators.

It also is proposed that the regulation be amended to specifically mention used oil transporters that are currently required to comply with this regulation through a reference in K.A.R. 28-29-26 (used oil). K.A.R. 28-29-26 is proposed to be revoked. Used oil transporters have been required to comply with K.A.R. 28-31-6 since May 1, 1984.

Subsection (a), which incorporates federal regulations, is proposed to be amended by excluding 263.10(a) since the first paragraph of this regulation already describes who this regulation will apply to. Proposed subsection (g) has been added to clarify the requirements for hazardous waste transfer facilities. These requirements are currently adopted by reference in 40 CFR 263.12, which is proposed to be excluded from incorporation.

K.A.R. 28-31-6a. Repacking of hazardous waste at hazardous waste transfer facilities. This proposed new regulation will allow identification of locations where hazardous wastes are put into different containers during shipment to a TSD and sets minimum standards for this activity. Identification of these facilities will enable hazardous waste inspectors to determine if hazardous wastes are being handled in a responsible manner.

The proposed new regulation would regulate hazardous waste repacking stations more stringently than the federal regulations require. Hazardous waste transfer facilities that repack or recontainerize hazardous waste will have to apply to the department for approval. They will have to meet fire prevention and record keeping standards not required by federal law, and repacking facilities storing hazardous waste for 10 days or less will have to meet containment, fire prevention, equipment, training and record keeping requirements that are not required by federal law.

It will cost each hazardous waste transfer facility that chooses to repack or recontainerize hazardous waste approximately \$20,000 to comply with the requirements of

this regulation. At the present time there are no transfer facilities that are repacking hazardous waste, but this situation has occurred in the past in Kansas.

K.A.R. 28-31-8. Standards for hazardous waste storage, treatment, and disposal facilities. This regulation is proposed to be amended to update the adoption of federal regulations from July 1, 1992 to July 1, 1996, with the exception of 40 CFR 264 subparts S and CC, and 40 CFR 265 subpart CC. 40 CFR 264 subparts S and CC, and 40 CFR 265 subpart CC, are not proposed for adoption since July 1, 1996, versions are in contradiction to the July 1, 1997, versions of the federal regulations.

Subsection (b) is proposed to be amended by adding "(2) and," which incorporates the dating requirement of 28-31-4(g)(2). This will help inspectors determine accumulation times.

The words "the owner or tenant, and" are proposed to be added to new paragraph (d)(1)(D), ensuring that the department has the continuous right to approve certain land-use activities at waste disposal sites.

Subsection (f) is proposed to be amended by changing the title from "groundwater monitoring" to "environmental monitoring" and by adding "and G" to the first sentence. This addition clarifies the existing requirements that all groundwater monitoring samples be analyzed in a laboratory that is certified by the department, and expands laboratory certification requirements to soil, sludge, sediment, surface water and other environmental samples.

Subsection (g) has been added to require that KDHE certified laboratories be used for analyses performed to comply with permit conditions. This will allow the department to monitor data quality objectives relevant to the analyses and compliance with applicable permit conditions, thus ensuring the integrity of the composition of the hazardous waste stream prior to incineration.

The requirement for owners or tenants to obtain departmental approval for certain land uses at disposal sites in paragraph (d)(1)(E) and the laboratory certification requirements of subsections (f) and (g) exceed the requirements of federal law.

There are currently two facilities that are not participating in the departmental certification program. The maximum cost for each of these facilities to be certified by the department would be \$1750/year for application fees and performance evaluation samples.

K.A.R. 28-31-8b. Standards for the management of specific hazardous wastes and specific types of hazardous waste management facilities. This regulation is proposed to be amended to adopt 40 CFR Part 266 subpart H, which regulates hazardous waste burned in boilers and industrial furnaces (BIF). The BIF regulations became effective August 21, 1991, and brought all facilities burning hazardous waste under full regulation for the first time. Owners and operators of these facilities are subject to stringent permitting standards. BIF regulations require the control of emissions of toxic compounds, toxic metals, hydrogen chloride, chlorine gas, particulate matter and products of incomplete combustion.

This regulation also is proposed to be amended to exclude a previously adopted federal regulation (40 CFR

(continued)

Part 266, subpart E) that dealt with used oil but which has been replaced by new federal regulations in 40 CFR Part 279.

K.A.R. 28-31-9. Hazardous waste storage, treatment, and disposal facility permits. Subsection (b) of this regulation is proposed to be deleted since the Bureau of Water reviews these permits and the annual review is already required by 28-46-10(c).

K.A.R. 28-31-10. Hazardous waste monitoring fees. The phrase "to the department" is proposed to be added in several places for clarification. Subsection (d) is proposed to be amended by adding "as in effect on July 1, 1996" to the federal regulations citation to define exactly what the state is adopting.

K.A.R. 28-31-12. Inspections. Subsection (a)(7) is proposed to be amended by adding "or video tape" after the word photograph to clarify the type of photographic media that may be used during an inspection.

K.A.R. 28-31-13. Variances. Subsection (b) is proposed to be amended to include "of the application" for clarification.

K.A.R. 28-31-14. Land disposal restrictions. This regulation is proposed to be amended to update the adoption of federal regulations from 1992 to 1996.

K.A.R. 28-31-15. Universal waste. This proposed new regulation would adopt by reference 40 CFR Part 273. It establishes new streamlined regulations governing the collection and management of universal wastes (batteries, pesticides, thermostats, and household and conditionally exempt small quantity generator waste). It also includes a petition process by which additional wastes can be added to the universal waste rule.

The universal waste rule took effect at the federal level on May 11, 1995. Adoption of this regulation will ease the regulatory burden on retail stores and others who generate or collect these wastes. It will facilitate the environmentally-sound collection of these wastes, increase the recycling of these wastes, and reduce the quantity of these wastes disposed of in landfills.

K.A.R. 28-31-16. Used oil. 40 CFR Part 279, the used oil rule, took effect March 4, 1994. These regulations address management standards and potentially unsafe practices associated with improper storage of used oil, road oiling, and contamination of used oil from hazardous waste.

This proposed new regulation would adopt by reference the federal used oil regulations contained in 40 CFR Part 279, except Section 279.10(b)(3). The state equivalent of the exemption given in this section of the federal regulations is set forth in subsection (b) of this regulation.

This proposed new regulation would replace K.A.R. 28-29-26, the solid waste regulation that currently regulates used oil, and the section of K.A.R. 28-31-8b that adopts by reference 40 CFR 266 Subpart E (revoked), which regulates used oil that is burned for energy recovery. Standards in this proposed regulation effectively control risks while promoting used oil recycling.

The net results of the proposed revocations, amendments and adoptions are listed under K.A.R. 28-29-26 above.

The following two requirements of K.A.R. 28-31-16 exceed the requirements of applicable federal law.

The federal regulations state that mixtures of used oil and hazardous waste (HW) from conditionally exempt small quantity generators (a federal term for persons that generate less than 100 kg of HW per month) are regulated as used oil. Subsection (b) limits this exemption to small quantity generators (a Kansas term for persons that generate less than 25 kg of HW per month).

Subsection (c) of the proposed regulation includes the language now contained in K.A.R. 28-29-26(f), which requires marketers that sell more than 500 gallons of oil and lubrication products per year to display signs with information concerning used oil disposal and recycling.

KDHE would have the primary responsibility for implementing and enforcing the new proposed regulations, K.A.R. 28-31-6a, K.A.R. 28-31-15 and K.A.R. 28-31-16, and the new federal regulations adopted by reference through the amendments. The increased amount of paperwork should be minimal and there should be no increased cost to the agency.

There are no additional costs to other agencies associated with these proposed changes to the regulations.

Failure to adopt the amendments to these regulations could result in the loss of the federal authorization of the Kansas Hazardous Waste Management Program. The federal funding allocation for the Kansas Hazardous Waste Program for federal fiscal year 1998 was \$1,150,000.

The time period between publication of this notice and the scheduled hearing serves as the required public comment period of at least 60 days for the purpose of receiving written public comments on the proposed regulations. All interested parties may submit written comments prior to the hearing to Christine Mennicke, Department of Health and Environment, Bureau of Waste Management, Forbes Field, Building 740, Topeka, 66620-0001. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulations during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request that each participant limit any oral presentation to five minutes.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulations and regulatory impact statements in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Christine Mennicke at (785) 296-0724, fax (785) 296-8909.

Complete copies of the proposed regulations and the corresponding regulatory impact statement may be obtained through the Internet at <http://www.kdhe.state.ks.us/waste/> or by contacting the Bureau of Waste Management, Forbes Field, Building 740, Topeka, 66620-0001, (785) 296-0724.

Gary R. Mitchell
Secretary of Health
and Environment

Doc. No. 023271

State of Kansas

**Department of Health
and Environment**

**Notice Concerning Proposed
Acid Rain Permit**

The Kansas Department of Health and Environment is proposing to reopen a five-year permit to the LaCygne Generating Station (LaCygne) pursuant to Title IV (Acid Deposition Control) of the Federal Clean Air Act and implementing regulations found at 40 CFR Parts 72 through 78. The effective period of the revised permit will be from January 1, 2000 through December 31, 2004.

Two utility boilers affected by this permit action, identified as LaCygne units 1 and 2 located at Route 1, LaCygne, and operated by the Kansas City Power & Light Company, Kansas City, Missouri, will comply with the Acid Rain Program nitrogen oxides (NOx) emission requirements for each year from 2000 through 2004. LaCygne unit 1 will comply with the Acid Rain Program nitrogen oxides (NOx) emission requirements by operating within the Phase II standard emission limitations of 0.86 lb NOx/mmBtu annual average for cyclone boilers. LaCygne unit 2 will comply with the Acid Rain Program nitrogen oxides (NOx) emission requirements by operating within the Phase I standard emission limitations of 0.50 lb NOx/mmBtu annual average for dry bottom wall-fired boilers.

Issuance of this permit will not affect the responsibility of LaCygne to meet all other existing local, state and federal emission requirements.

The designated representative for LaCygne is Marcus Jackson.

A copy of the proposed permit, permit application, all supporting documentation and information relied upon during the permit application review process is available for public review during normal business hours at the KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, and at the KDHE southeast district office, 1500 W. 7th, Chanute. To obtain or review the proposed permit and supporting documentation, contact Rick Bolfig, (785) 296-1576, at the KDHE central office, or Lynn Ranabargar (316) 431-2390, at the KDHE southeast district office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Rick Bolfig, KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, 66620. Written comments must be received by the close of business January 25 in order to be considered in formulating a final permit decision.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Connie Carreno, Bureau of Air and Radiation, not later than the close of business January 25 in order for the Secretary of Health and Environment to consider the request.

Gary R. Mitchell
Secretary of Health
and Environment

Doc. No. 023276

State of Kansas

**Department of Health
and Environment**

**Notice Concerning Proposed
Acid Rain Permit**

The Kansas Department of Health and Environment is proposing to reopen a five-year permit to the Jeffrey Energy Center (Jeffrey) pursuant to Title IV (Acid Deposition Control) of the Federal Clean Air Act and implementing regulations found at 40 CFR Parts 72 through 78. The effective period of the revised permit will be from January 1, 2000 through December 31, 2004.

Three utility boilers affected by this permit action, identified as Jeffrey units 1, 2 and 3 located at 25905 Jeffrey Road, St. Marys, and operated by Western Resources Inc., Topeka, will comply with the Acid Rain Program nitrogen oxides (NOx) emission requirements for each year from 2000 through 2004. Jeffrey's boilers 1, 2 and 3 are Phase II tangentially fired boilers and will utilize NOx emission averaging with Tecumseh Energy Center's boilers 9 and 10 and Lawrence Energy Center's boilers 3, 4 and 5. The Btu-weighted annual average emission rate for all units shall be less than or equal to 0.40 lb NOx/mmBtu heat input.

Issuance of this permit will not affect the responsibility of Jeffrey to meet all other existing local, state and federal emission requirements.

The designated representative for Jeffrey is Thomas Grennan.

A copy of the proposed permit, permit application, all supporting documentation and information relied upon during the permit application review process is available for public review during normal business hours at the KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, and at the KDHE northeast district office, 800 W. 24th, Lawrence. To obtain or review the proposed permit and supporting documentation, contact Rick Bolfig, (785) 296-1576, at the KDHE central office, or Pat Simpson, (785) 842-4600, at the KDHE northeast district office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Rick Bolfig, KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, 66620. Written comments must be received by the close of business January 25 in order to be considered in formulating a final permit decision.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Connie Carreno, Bureau of Air and Radiation, not later than the close of business January 25 in order for the Secretary of Health and Environment to consider the request.

Gary R. Mitchell
Secretary of Health
and Environment

Doc. No. 023277

State of Kansas

**Department of Health
and Environment**

**Notice Concerning Proposed
Acid Rain Permit**

The Kansas Department of Health and Environment is proposing to reopen a five-year permit to the Lawrence Energy Center (Lawrence) pursuant to Title IV (Acid Deposition Control) of the Federal Clean Air Act and implementing regulations found at 40 CFR Parts 72 through 78. The effective period of the revised permit will be from January 1, 2000 through December 31, 2004.

Three utility boilers affected by this permit action, identified as Lawrence units 3, 4 and 5 located at 1250 N. 1800 Road, Lawrence, and operated by Western Resources Inc., Topeka, will comply with the Acid Rain Program nitrogen oxides (NO_x) emission requirements for each year from 2000 through 2004. Lawrence's boilers 3, 4 and 5 are Phase II tangentially fired boilers and will utilize NO_x emission averaging with Tecumseh Energy Center's boilers 9 and 10 and Jeffrey Energy Center's boilers 1, 2 and 3. The Btu-weighted annual average emission rate for all units shall be less than or equal to 0.40 lb NO_x/mmBtu heat input.

Issuance of this permit would not affect the responsibility of Lawrence to meet all other existing local, state and federal emission requirements.

The designated representative for Lawrence is Thomas Grennan.

A copy of the proposed permit, permit application, all supporting documentation and information relied upon during the permit application review process is available for public review during normal business hours at the KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, and at the KDHE northeast district office, 800 W. 24th, Lawrence. To obtain or review the proposed permit and supporting documentation, contact Rick Bolfig, (785) 296-1576, at the KDHE central office, or Pat Simpson, (785) 842-4600, at the KDHE northeast district office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Rick Bolfig, KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, 66620. Written comments must be received by the close of business January 25 in order to be considered in formulating a final permit decision.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Connie Carreno, Bureau of Air and Radiation, not later than the close of business January 25 in order for the Secretary of Health and Environment to consider the request.

Gary R. Mitchell
Secretary of Health
and Environment

Doc. No. 023278

State of Kansas

**Department of Health
and Environment**

**Notice Concerning Proposed
Acid Rain Permit**

The Kansas Department of Health and Environment is proposing to reopen a five-year permit to the Tecumseh Energy Center (Tecumseh) pursuant to Title IV (Acid Deposition Control) of the Federal Clean Air Act and implementing regulations found at 40 CFR Parts 72 through 78. The effective period of the revised permit will be from January 1, 2000 through December 31, 2004.

Two utility boilers affected by this permit action, identified as Tecumseh units 9 and 10 located at the Section 31, Township 11S, Range 17E, Tecumseh, and operated by Western Resources Inc., Topeka, will comply with the Acid Rain Program nitrogen oxides (NO_x) emission requirements for each year from 2000 through 2004. Tecumseh's boilers 9 and 10 are Phase II tangentially fired boilers and will utilize NO_x emission averaging with Lawrence Energy Center's boilers 3, 4 and 5 and Jeffrey Energy Center's boilers 1, 2 and 3. The Btu-weighted annual average emission rate for all units shall be less than or equal to 0.40 lb NO_x/mmBtu heat input.

Issuance of this permit would not affect the responsibility of Tecumseh to meet all other existing local, state and federal emission requirements.

The designated representative for Tecumseh is Thomas Grennan.

A copy of the proposed permit, permit application, all supporting documentation and information relied upon during the permit application review process is available for public review during normal business hours at the KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, and at the Shawnee County Health Agency, 1615 W. 8th, Topeka. To obtain or review the proposed permit and supporting documentation, contact Rick Bolfig, (785) 296-1576, at the KDHE central office, or Ed Kalas, (785) 368-2059, at the Shawnee County Health Agency. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Rick Bolfig, KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, 66620. Written comments must be received by the close of business January 25 in order to be considered in formulating a final permit decision.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Connie Carreno, Bureau of Air and Radiation, not later than the close of business January 25 in order for the Secretary of Health and Environment to consider the request.

Gary R. Mitchell
Secretary of Health
and Environment

Doc. No. 023279

State of Kansas

Office of Judicial Administration
 Court of Appeals Docket

(Note: Dates and times of arguments are subject to change.)

Kansas Court of Appeals
 Court of Appeals Courtroom, 2nd Floor
 Kansas Judicial Center
 301 S.W. 10th Ave.
 Topeka, Kansas

Before Brazil, C.J.; Lewis, J.; and Ron Rogg, S.J.

Tuesday January 12, 1999

9:00 a.m.

Case No.	Case Name	Attorneys	County
78,788	State of Kansas, Appellee, v. Aaron E. Hill, Appellant.	Attorney General Tony W. Rues, Asst. D.A. Jessica R. Kunen, Chief A.D. Hazel Haupt, Asst. A.D.	Shawnee
78,130	State of Kansas, Appellee, v. Aaron Kinmon, Jr., Appellant.	Attorney General Tony W. Rues, Asst. D.A. Jessica R. Kunen, Chief A.D. Rebecca E. Woodman, Asst. A.D.	Shawnee
78,434	State of Kansas, Appellee, v. Darrel R. Harris, Appellant.	Attorney General Frederick B. Campbell, Asst. A.D. Jessica R. Kunen, Chief A.D. Rebecca E. Woodman, Asst. A.D.	Anderson

1:30 p.m.

78,173	State of Kansas, Appellee, v. Hector Manuel Rodriguez, Appellant.	Attorney General Ilene J.K. Miller, Asst. D.A. Thomas Jacquinet	Shawnee
78,772	State of Kansas, Appellee, v. Michael A. Kohlenberg, Appellant.	Attorney General Tony W. Rues, Asst. D.A. Jessica R. Kunen, Chief A.D. Rick Kittel, Asst. A.D.	Shawnee
79,429	Grandmother's Inc., Appellant, v. Mark Hixon, Shawnee County Appraiser and the Board of County Commissioners of the County of Shawnee, Kansas, Appellees.	David N. Holstead Sandra L. Jacquot David L. Harder	Shawnee

Wednesday, January 13, 1999

9:00 a.m.

Case No.	Case Name	Attorneys	County
78,939	Dennis Brunin, Appellee, v. Francis M. Brunin, and Frances M. Brunin, Executrix of the Will of William M. Brunin, Deceased, Appellant, and In the Matter of the Estate of William F. Brunin, Deceased.	Wayne M. Stallard Larry E. Schneider	Pottawatomie
78,980	In the Matter of the Equalization Appeal of Village Greens, Inc., for the Year 1994 and 1995 from Jefferson County, Kansas.	Michael C. Hayes Steven C. Montgomery	Jefferson

(continued)

78,600	Joseph Brichat, d/b/a Bugs "R" Us, Appellant, v. Alice A. Devine, Secretary of Agriculture, Appellee.	Leonard M. Robinson C. William Ossmann Derenda J. Mitchell, Special Asst. A.G.	Shawnee
Summary Calendar—No Oral Argument			
79,833	Richard H. Frazier, Appellant, v. Mid-West Painting, Inc., and CNA Insurance, Appellees.	Chris A. Clements D. Steven Marsh Jan L. Fisher	Work Comp
80,110	In the Matter of the Marriage of Boydene Brown, Appellee, and Earl Dean Brown, Appellant.	Thomas W. Harris Eugene F. Gastl Ronald W. Nelson Ray L. Borth	Johnson
80,082	Choe C. Huyett, Appellee, v. Franklin County, Kansas, and Tri-State Insurance Company, Appellants, and Kansas Workers Compensation Fund, Appellee.	Robert E. Tilton James B. Biggs	Work Comp
81,435	State of Kansas, Appellant, v. Christopher J. Kimberlin, Appellee.	Attorney General Vernon E. Buck, Asst. C.A. W. Irving Shaw	Lyon
79,582	State of Kansas, Appellee, v. Jabari Devorce, Appellant.	Attorney General Clinton B. Peterson, Asst. C.A. Jessica R. Kunen, Chief A.D.	Seward
81,141	In the Matter of the Adoption of P.D.V.	David C. Black Gary R. Hathaway	Grant

**Kansas Court of Appeals
Sedgwick County Courthouse
Courtroom 11-1
525 N. Main
Wichita, Kansas**

Before Royse, P.J.; Wahl, S.J.; and Robert J. Schmisser, D.J., assigned.

Tuesday, January 12, 1999

1:30 p.m.

Case No.	Case Name	Attorneys	County
77,944	Jessie L. Junious, Appellant, v. Marchelle Co., Inc., d/b/a Apex Building Inspectors, TRS; Dinning-Beard, Inc., d/b/a Coldwell Banker Dinning Beard Realtors; Angie Holding; Nancy E. Baker; and Courtley Jackson, Appellees.	Thomas W. Young Dale H. Cooper Charles E. Millsap Randall J. Price Larry D. Shoaf Stephen B. Plummer	Sedgwick
78,965	Ron and Michelle Weinlood, Appellees, v. Fisher & Associates, Inc., Appellant.	Mark A. Kahrs Stephen H. Jones	Sedgwick
79,009	Mackey Bradshaw Institute, Inc., Appellant, v. Arthur Anderson, Dan Martel, and Arthur Anderson Real Estate, Appellees.	Jerry D. Bogle Glenn D. Young, Jr. Cortland E. Berry	Sedgwick

Wednesday, January 13, 1999

9:30 a.m.

Case No.	Case Name	Attorneys	County
78,401	State of Kansas, Appellee, v. Marvin Jay Gifford, Appellant.	Attorney General Ty Kaufman, D.A. James Sweet	McPherson
78,450	State of Kansas, Appellee, v. Jeffrey S. Berry, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. David Lowden, Asst. D.A. Jessica R. Kunen, Chief A.D. James Brent Getty, Asst. A.D.	Sedgwick
77,429	State of Kansas, Appellee, v. Larry R. Brown, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. David Lowden, Asst. D.A. Jessica R. Kunen, Chief A.D. Hazel Haupt, Asst. A.D.	Sedgwick

1:30 p.m.

77,433	State of Kansas, Appellee, v. Gregory T. Graham, Appellant.	Attorney General Mary A. McDonald, C.A. Jessica R. Kunen, Chief A.D. Janine Cox, Asst. A.D.	Harvey
80,301	Larry J. Ruble, Appellee, v. Kansas Dept. of Revenue, Appellant.	Martin J. Keenan James G. Keller	Barton
78,235	Nancy M. Cochener, Trustee for Nancy M. Cochener Revocable Trust, Appellee, v. Jeffrey P. Newton, International Waste Technologies Corporation, International Waste Technologies, Inc., and International Waste Technologies, Appellants.	Patricia J. Coffey Monte Vines	Sedgwick

Summary Calendar—No Oral Argument

79,057	State of Kansas, Appellee, v. Ricky R. Henson, Appellant.	Attorney General Daniel W. Krug, C.A. Jessica R. Kunen, Chief A.D.	Russell
79,516	Francis K. Lenhart, Appellee, v. Koss Construction Company and U.S. Fidelity & Guaranty Co., Appellants.	James M. Sheeley Kristine A. Purvis Patricia A. Wohlford	Work Comp
79,722	Maria G. Ruiz, Appellant, v. National Beef Packing Company, and Wausau Underwriters Insurance Company, Appellees.	C. Albert Herdoiza Kerry McQueen	Work Comp
80,105	State of Kansas, Appellee, v. Daniel H. Costilla, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Jessica R. Kunen, Chief A.D.	Sedgwick
79,970	Nicole J. Pettey, Appellee, v. Lester Lyle Pettey, Appellant.	Kathryn P. Barnett David A. Reed	Wyandotte
80,078	State of Kansas, Appellant, v. \$2,470.00 in United States Currency, Appellee.	Terry L. Clark Roger D. Struble Marc Taddiken	Saline

(continued)

Kansas Court of Appeals
Old Sedgwick County Courthouse
510 N. Main, 3rd Floor
Wichita, Kansas

Before Knudson, P.J.; Elliott, J.; and Nelson E. Toburen, D.J., assigned.

Tuesday, January 12, 1999

9:00 a.m.

Case No.	Case Name	Attorneys	County
78,012	State of Kansas, Appellee, v. Robert Hollumn, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Doyle Baker, Asst. D.A. Thomas Jacquinet	Sedgwick
78,481	State of Kansas, Appellee, v. Steven R. Thomas, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. David Lowden, Asst. D.A. Jessica R. Kunen, Chief A.D. Janine Cox, Asst. A.D.	Sedgwick
78,284	State of Kansas, Appellee, v. David G. Gill, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Doyle Baker, Asst. D.A. Jessica R. Kunen, Chief A.D. Richard Ney, Special Appellate Defender	Sedgwick
1:30 p.m.			
78,695	Billy Gene Marshall, Appellant, v. State of Kansas, Appellee.	Jessica R. Kunen, Chief A.D. Debra J. Wilson, Asst. A.D. Attorney General Debra S. Peterson, Asst. D.A. Charles R. Reimer, Asst. D.A.	Sedgwick
78,771	Douglas L. Heronemus, Appellant, v. State of Kansas, Appellee.	Tona Trollinger Attorney General Debra S. Peterson, Asst. D.A. Michelle M. Sehee, Asst. D.A.	Sedgwick
78,468	Lawrence E. Evans, Appellant, v. Michael A. Nelson, <i>et al.</i> , Appellees.	Jessica R. Kunen, Chief A.D. Lisa Nathanson, Asst. A.D. Attorney General Julie Riddle	Butler

Wednesday, January 13, 1999

9:00 a.m.

Case No.	Case Name	Attorneys	County
76,642	State of Kansas, Appellee, v. Christopher J.T. Zook, Appellant.	Attorney General Mary A. McDonald, C.A. Pedro L. Irigonegaray	Harvey
79,100	Evangelina G. Lerma, Appellant, v. Rainbows United, Inc., and Continental Insurance Company, Appellees.	Garry L. Howard D. Steven Marsh	Work Comp
78,813	William F. Brown, <i>et al.</i> , Appellees, v. Peggy J. Brown, <i>et al.</i> , Appellants.	Robert S. Wunsch Russell E. Grant	Kingman

Summary Calendar—No Oral Argument

79,893	Irwin F. Alefs, Appellant, v. Farmers Mutual Insurance Company, and EMC Insurance Companies, Appellees.	M. John Carpenter James M. McVay	Work Comp
79,968	In the Matter of the Appeal of Kerr Construction from an Order of the Director of Taxation on Sales Tax Interest.	Brian Cox George Kerr	Tax Appeal
79,622	Antonio Carrera, Appellant, v. IBP, Inc., and Self-Insured, Appellee.	Diane F. Barger Tina M. Sabag	Work Comp
80,842	Eric R. Burke, #59043, Appellee, v. David R. McCune, Michael A. Nelson, <i>et al.</i> , Appellants.	Boyd W. Howard Julie Riddle	Butler
79,555	State of Kansas, Appellee, v. Kevin D. Chestra, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Jessica R. Kunen, Chief A.D.	Sedgwick
79,801	State of Kansas, Appellee, v. Johnos Cotton, Jr., Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Jessica R. Kunen, Chief A.D.	Sedgwick

**Kansas Court of Appeals
Wyandotte County Courthouse
Division 17 Courtroom
710 N. 7th, 3rd Floor
Kansas City, Kansas**

Before Green, P.J.; Gernon, J.; and D. Keith Anderson, D.J., assigned.

Tuesday, January 12, 1999

9:30 a.m.

Case No.	Case Name	Attorneys	County
77,949	State of Kansas, Appellee, v. Lewis Strange, Appellant.	Attorney General Steven J. Obermeier, Asst. D.A. Jessica R. Kunen, Chief A.D. Douglas L. Adams, Jr., Special A.D.	Johnson
79,023	State of Kansas, Appellee, v. Raymond Crockett, Appellant.	Attorney General Terra D. Morehead, Asst. D.A. Paul W. Burmaster	Wyandotte
76,455	State of Kansas, Appellee, v. Michael E. Vick, Appellant.	Attorney General David P. Zabel, Asst. D.A. Jessica R. Kunen, Chief A.D.	Douglas
1:30 p.m.			
79,522	In the Matter of the Marriage of Sharon N. Miller, Appellee, and Stephen A. Miller, Appellant.	Richard A. Medley James David Garner James I. Chappell	Johnson
79,655	Roger Redford, Appellee, v. ANR Freight Systems, Inc., and Planet Insurance Company, Appellants.	Davy C. Walker David M. Druten Robert D. Benham	Work Comp

(continued)

79,273 Mid-Continent Real Estate, Inc., a Missouri Corporation, Appellant,
v.
Jeffrey T. Fitchett and Krista Weihe, a/k/a Krista McCoy, Defendants, Applebee's International, Inc., Appellee.

C. Gregg Larson
Thomas L. Steele
Stanley N. Wilkins
Gregory N. Pottorff

Butler

Wednesday, January 13, 1999

9:30 p.m.

Case No.	Case Name	Attorneys	County
81,554	K.G.P., Individually, and as Mother and Next Friend of S.P., a Minor Child, Appellee, v. R.J.P., and D.S., Appellant.	Edward M. Boyle Joseph A. McMillen Ronald W. Nelson	Johnson
79,338	In the Matter of the Marriage of Timothy Marker, Appellee, and Lisa M. Marker, Appellant.	Gary P. Kessler Eldon J. Shields Sergio Delgado	Wyandotte
78,773	State of Kansas, Appellee, v. Michael Kugler, Appellant.	Attorney General A.J. Stecklein, Asst. D.A. Jessica R. Kunen, Chief A.D. Ezra Ginzburg, Asst. A.D.	Wyandotte

Summary Calendar—No Oral Argument

79,812	Mario Moreno, Appellee, v. Excel Corporation, Respondent/Self-Insured, Appellant.	Kelly W. Johnston Stephan M. Kerwick	Work Comp
81,680	State of Kansas, Appellant, v. Michael L. Aldridge, Appellee.	Attorney General David P. Zabel, Asst. D.A. J. Kevin Lund B. Kay Huff	Douglas
79,747	In the Interest of C.T.M., d/o/b: 10/12/90.	Dennis J. Stanchik Randy R. McCalla Bruce C. Hedrick District Attorney	Johnson
80,373	Nancy E. Pulley, Appellant, v. Midland Brake, Inc., Respondent and Self-Insured, Appellee, and The Kansas Workers Compensation Fund, Appellee.	Patrick C. Smith Garry W. Lassman Jerry R. Shelor	Work Comp
79,445	State of Kansas, Appellee, v. Jason Hawkins, Appellant.	Attorney General Sheryl L. Lidtke, Asst. D.A. Jessica R. Kunen, Chief A.D.	Wyandotte
81,308	In the Matter of D.S.V., Respondent, dob: 02/25/81.	Steven J. Obermeier, Asst. D.A. Jon E. Thornbrugh	Johnson

Carol G. Green
Clerk of the Appellate Courts

Doc. No. 023257

State of Kansas

Department of Health
and EnvironmentPermanent Administrative
Regulations

Article 29.—SOLID WASTE MANAGEMENT

28-29-25d. Livestock composting. For the purposes of this regulation, subsections (a), (b), (c), and (d) shall apply to each facility that composts livestock, including chickens and turkeys, and has a composting area of one-half acre or less. Subsections (a), (b), (c), and (e) of this regulation shall apply to each facility that composts livestock, including chickens and turkeys, and has a composting area larger than one-half acre.

(a) The owner or operator of each facility that composts livestock shall design and construct the facility to meet the following requirements.

(1) Composting surface and drainage.

(A) Storm water run-on shall be prevented from entering the receiving, processing, curing, or storage areas by the use of berms or other physical barriers.

(B) The facility shall not cause a discharge of pollutants into waters of the state, in accordance with K.S.A. 65-164, and amendments thereto.

(C) Leachate control shall be provided wherever leachate is generated.

(D) The composting area shall be graded to prevent ponding of liquids.

(E) The surface of the composting area shall be capable of supporting all equipment used.

(F) The facility shall be constructed with either a floor or a roof that meets one of the following requirements:

(i) The floor shall be composed of a layer of material that is at least one foot thick and has a hydraulic conductivity no greater than 10^{-7} cm/sec, or the facility shall be designed to provide the same level of protection to the groundwater; or

(ii) the receiving, processing, and curing areas shall be covered by a roof, or the facility shall be designed to provide the same level of protection from the weather.

(2) Facility access.

(A) At each facility that composts livestock that is brought in from off-site, the following information shall be posted on one or more signs:

(i) Facility name;

(ii) permit number;

(iii) site hours;

(iv) traffic flow;

(v) a list of the materials appropriate for composting; and

(vi) the name and telephone number of an emergency contact person.

(B) Unauthorized dumping shall be discouraged by access control.

(C) Facility roads shall be constructed to allow adequate access for managing the composting operation. Facilities that compost livestock shall be exempt from the all-weather access road requirement prescribed in K.A.R. 28-29-23(e).

(3) Capacity and storage. The facility shall have the capacity to store the following materials:

(A) Incoming materials waiting to be processed;

(B) the materials being processed; and

(C) the finished compost, not to exceed 18 months' production.

(4) Separation distances. For the purposes of this regulation, "animal unit," "animal unit capacity," "habitable structure," and "wildlife refuge" have the same meaning as set forth in K.S.A. 65-171d, and amendments thereto.

(A) Each facility that composts livestock from one or more confined feeding facilities, other than confined feeding facilities for swine, shall meet or exceed the following separation distances from any habitable structure in existence when the facility begins operations:

(i) 1,320 feet for facilities composting livestock from one or more confined feeding facilities with a combined animal unit capacity of 300 to 999; and

(ii) 4,000 feet for facilities composting livestock from one or more confined feeding facilities with a combined animal unit capacity of 1,000 or more.

(B) Each facility that composts livestock from one or more confined feeding facilities for swine shall meet or exceed the following separation distances from any habitable structure or city, county, state, or federal park in existence when the facility begins operations:

(i) 1,320 feet for facilities composting swine from one or more confined feeding facilities with a combined animal unit capacity of 300 to 999;

(ii) 4,000 feet for facilities composting swine from one or more confined feeding facilities with a combined animal unit capacity of 1,000 to 3,724; and

(iii) 5,000 feet for facilities composting swine from one or more confined feeding facilities with a combined animal unit capacity of 3,725 or more.

(C) Each facility that composts livestock from one or more confined feeding facilities for swine shall meet or exceed the following separation distances from any wildlife refuge:

(i) 10,000 feet for facilities composting swine from one or more confined feeding facilities with a combined animal unit capacity of 1,000 or 3,724; and

(ii) 16,000 feet for facilities composting swine from one or more confined feeding facilities with combined animal unit capacity of 3,725 or more.

(D) Exceptions to the separation distances set forth in K.S.A. 65-171d, and amendments thereto, shall apply.

(b) Facility operations. The owner or operator of each facility that composts livestock shall perform the following:

(1) Minimize odors;

(2) control disease vectors, dust, litter, and noise;

(3) ensure that dead animals are not visible from municipal roads or habitable structures;

(4) protect the facility from scavenging by animals;

(5) segregate incoming waste from finished compost;

(6) begin processing incoming waste by the end of the working day;

(7) limit public access to hours when an attendant or any operating personnel are at the facility; and

(continued)

(8) remove all finished compost within 18 months of the completion of the composting process.

(c) Facility closure. The owner or operator of each facility that composts livestock shall perform the following:

(1) Notify the department, in writing, at least 60 days before closure;

(2) remove all material from the facility within 10 days of ceasing operation; and

(3) clean all containers, equipment, machines, floors, and site surfaces that have been in contact with dead animals or solid waste.

(d) Registration. Each owner or operator of a facility that composts livestock and has a composting area of one-half acre or less shall submit registration information to the department on a form provided by the department, unless the composting operation is located at a confined feeding facility that has a valid permit issued by the department.

(e) Permit applications. The owner or operator of each facility that composts livestock and has a composting area larger than one-half acre shall submit a permit application to the department on a form provided by the department, unless the composting operation is located at a confined feeding facility that has a valid permit issued by the department. The applicant shall include the following items with the permit application:

(1) Facility design plan. The facility design plan shall contain the following items:

(A) A 7.5 minute topographic map of the area, as typically available from the U.S. geological survey, indicating the facility boundary and the property boundary;

(B) a soil map of the area, as typically available from the U.S. department of agriculture natural resources conservation services;

(C) a 100-year floodplain map of the area, as typically available from the federal emergency management agency;

(D) plan and profile views of the facility indicating the following features:

(i) Roads;

(ii) the existing and final grades and contours;

(iii) storm water control;

(iv) buildings and equipment to be installed;

(v) utilities;

(vi) access control; and

(vii) all other structures; and

(E) information on the permeability of the floor structure.

(2) Operations plan. The operations plan shall contain the following information:

(A) Job descriptions of persons responsible for operation, control, and maintenance of the facility;

(B) the anticipated annual quantity of waste to be received, and the seasonal variations of the quantity of waste to be received;

(C) the sources of waste to be received;

(D) the methods to control traffic and to expedite unloading;

(E) the methods for measuring incoming waste;

(F) the methods to control the types of waste received;

(G) the methods for removing non-compostable wastes from the incoming waste stream, including procedures for storage and disposal of these wastes;

(H) the location of disposal sites for non-compostable wastes;

(I) the method of composting;

(J) a list of equipment to be used;

(K) a description of any additives used in the process;

(L) a quality assurance and quality control plan that outlines the monitoring, sampling, and analysis plans for testing the compost process and product;

(M) the proposed end-use of compost;

(N) the methods to minimize, manage, and monitor odors;

(O) disease vector, dust, litter, and noise control measures;

(P) leachate and national pollutant discharge elimination system storm water control measures;

(Q) the plans for operations during wind, heavy rain, snow, freezing temperatures, or other inclement weather conditions;

(R) a contingency plan for events including equipment failure, power outages, natural disasters, fire, receipt of prohibited materials, or similar interruptions of normal activities; and

(S) a fire protection and control plan.

(3) Closure plan. The closure plan shall include the following information:

(A) The steps necessary to close the facility;

(B) the final surface contours; and

(C) a closure cost estimate based on the third-party cost of removing and disposing of the maximum amount of wastes that may be contained at the facility. (Authorized by and implementing K.S.A. 1997 Supp. 65-3406 and L. 1998, ch. 143, sec. 37; effective Jan. 8, 1999.)

Gary R. Mitchell
Secretary of Health
and Environment

Doc. No. 023264

State of Kansas

Board of Accountancy

Permanent Administrative
Regulations

Article 5.—CODE OF PROFESSIONAL CONDUCT

74-5-2. Definitions. The following definitions shall be applicable wherever this terminology is used in the rules of conduct: (a) "Audit" means performing an independent examination of financial information of any entity, regardless of profit orientation, size, and legal form, when the examination is conducted to express an opinion thereon.

(b) "Board" means the Kansas state board of accountancy.

(c) "Certified public accountant," or "CPA," means a holder of a Kansas certificate as a certified public accountant and firms registered with the board to practice certified public accountancy.

(d) "Client" means any person or persons or any entity that retains a certified public accountant or a registered firm for the performance of professional services.

(e) "Compilation" means presenting information in the form of financial statements that is the representation of the client without undertaking to express any assurance on the statements.

(f) "Contingent fee" is any fee established for the performance of any services pursuant to an arrangement in which no fee will be charged unless a specified finding or result is attained, or in which the amount of the fee is otherwise dependent upon the finding or result of these services. Fees fixed by courts or other public authorities, or in tax matters that are determined based on the results of judicial proceedings or the findings of governmental agencies shall not be regarded as being contingent.

(g) "Enterprise" means any person or persons or entity, whether organized for profit or not, for which a certified public accountant provides services.

(h) "Financial planning" means the ongoing process of designing financial strategies and making planning decisions that are intended to implement goals, including assisting clients by organizing data, performing analyses, providing suggestions and recommendations, assisting in decision making, and facilitating the implementation of planning decisions.

(i) "Financial statements" means the following:

(1) The statements and related footnotes that purport to show financial position at a particular time or changes in financial position over a period of time;

(2) the statements that use a cash or other comprehensive basis of accounting; and

(3) the balance sheets, statements of income, statements of retained earnings, statements of cash flow, and statements of changes in owners' equity. Incidental financial data included in management advisory services reports to support recommendations to a client and tax returns and supporting schedules do not, for this purpose, constitute financial statements. The required affidavit or signature on tax returns prepared by a certified public accountant shall not constitute an opinion regarding financial statements.

(j) "Firm" means a proprietorship, partnership, including a limited liability partnership, professional corporation or association, limited liability company, or general corporation engaged in the practice of public accounting.

(k) "Licensed municipal public accountant," or "LMPA," means a holder of a permit issued under the laws of Kansas to practice as a municipal public accountant.

(l) "Practice of public accountancy" means offering to perform or performing for a client one or more types of services involving the use of the following, while stating or implying that one is a certified public accountant:

(1) Accounting skills;

(2) auditing skills;

(3) one or more types of management advisory services, including financial planning;

(4) preparation of tax returns; or

(5) furnishing of advice on tax matters.

Use of the term "public accountant" without the word "certified" shall not be interpreted as implying that one is a "certified" public accountant.

(m) "Professional services" means any services performed or offered to be performed by a certified public accountant in the course of the practice of public accountancy.

(n) "Public communication" means any written, verbal, or visual communication.

(o) "Review" means performing inquiry and analytical procedures that provide the accountant with a reasonable basis for expressing limited assurance that there are no material modifications that should be made to the statements in order for them to be in conformity with generally accepted accounting principles or, if applicable, with another comprehensive basis of accounting. (Authorized by and implementing K.S.A. 1997 Supp. 1-202(c)(1), K.S.A. 75-1119(a); effective Jan. 1, 1974; amended May 1, 1978; amended May 1, 1979; amended May 1, 1985; amended July 22, 1991; amended July 13, 1992; amended April 5, 1993; amended Aug. 23, 1993; amended Jan. 12, 1996; amended Jan. 8, 1999.)

74-5-103. Commissions and referral fees. A certified public accountant shall not pay a commission or offer any item of value to a third party to obtain a client. (a) A certified public accountant may pay or accept a commission for the sale of services or products recommended or sold by the CPA to a client if the conditions of both paragraphs (a)(1) and (2) below are met:

(1) The CPA or the CPA's firm does not perform any of the following for the client:

(A) An audit or review of a financial statement;

(B) A compilation of a financial statement when the CPA expects, or reasonably might expect, that a third party will use the financial statement and the CPA's compilation report does not disclose a lack of independence;

(C) an examination of prospective financial information;

(D) services performed under the statement on standards for attestation engagements, issued by the American institute of certified public accountants in the "AICPA professional standards," volumes 1 and 2, as in effect on June 1, 1998; or

(E) any agreed-upon procedures, as defined by the "AICPA professional standards," volumes 1 and 2, as in effect on June 1, 1998.

This prohibition shall apply during the period covered by any historical financial statement involved in the services listed in subsection (a).

(2) The certified public accountant who receives the commission complies with paragraph (a) (1) above and informs the client in writing, at the time the sale or recommendation is made, of the amount and reason for the commission.

This regulation shall not be construed to prohibit or require disclosure to clients concerning the sale of computer hardware or software.

(b) A certified public accountant may accept or pay a referral fee for the sale of services or products to a client if the following conditions are met:

(1) The CPA or the CPA's firm does not perform any of the following for the client:

(A) An audit or review of a financial statement;

(continued)

(B) a compilation of a financial statement when the CPA expects, or reasonably might expect, that a third party will use the financial statement and the CPA's compilation report does not disclose a lack of independence;

(C) an examination of prospective financial information;

(D) services performed under the statement on standards for attestation engagements issued by the American institute of certified public accountants in the "AICPA professional standards," volumes 1 and 2, as in effect on June 1, 1998; or

(E) any agreed-upon procedures, as defined by the "AICPA professional standards," volumes 1 and 2, as in effect on June 1, 1998.

This prohibition shall apply during the period in which the CPA or the CPA's firm is engaged to perform any of the services listed above and during the period covered by any historical financial statement involved in any of these listed services.

(2) The certified public accountant who receives the referral fee complies with paragraph (b) (1) above and informs the client in writing at the time the sale or recommendation is made of the amount and reason for the referral fee.

(3) The CPA who pays the referral fee complies with paragraph (b) (1) above and discloses to the client, in writing, within 30 days after the referral is made, the amount of and reason for the referral fee.

(c) This regulation also shall not prohibit payments for the purchase of all, or a material part, or an accounting practice, or retirement payments to personnel formerly engaged in the practice of public accountancy, or payments to the heirs or estates of these persons.

In the case of commissions or referral fees associated with transactions regulated by the investment advisor's act of 1940, state or federal agencies may require other additional registration or licensing. (Authorized by and implementing K.S.A. 1997 Supp. 1-202(c)(1); effective May 1, 1978; amended July 13, 1992; amended Jan. 12, 1996; amended Jan. 8, 1999.)

74-5-104. Contingent fees. (a) A certified public accountant shall not offer or perform any professional services for a contingent fee, or receive this fee from a client for whom the CPA or the CPA's firm performs or prepares any of the following:

(1) An audit or review of a financial statement;

(2) a compilation of a financial statement when the CPA expects, or reasonably might expect, that a third party will use the financial statement and the CPA's compilation report does not disclose a lack of independence;

(3) an examination of prospective financial information;

(4) services performed under the statement on standards for attestation engagements issued by the American institute of certified public accountants in the "AICPA professional standards," volumes 1 and 2, as in effect on June 1, 1998;

(5) any agreed-upon procedures, as defined by the "AICPA professional standards," volumes 1 and 2, as in effect on June 1, 1998; or

(6) an original or amended tax return or claim for a tax refund.

This prohibition shall apply during the period covered by any historical financial statements involved in the services listed in subsection (a).

(b) For purposes of this regulation:

(1) Preparation of an original or amended tax return or claim for a tax refund shall include giving advice on events that have occurred at the time the advice is given if the advice is directly relevant to determining the existence, character, or amount of a schedule, entry, or other portion of a return or claim for refund.

(2) A fee shall be considered to be determined based on the findings of governmental agencies if the CPA can demonstrate a reasonable expectation, at the time of a fee arrangement, of substantive consideration by an agency with respect to the CPA's client. This expectation shall be deemed not reasonable in the case of preparation of original tax returns.

(3) A fee shall not be considered contingent and the work may be performed if any of these conditions is met:

(A) A CPA represents a client in an examination by a revenue agent of the client's federal or state income tax return.

(B) A CPA files an amended federal or state income tax return claiming a tax refund based on a tax issue that is either the subject of a test case, involving a different taxpayer, or with respect to which the taxing authority is developing a position.

(C) A CPA files an amended federal or state income tax return, or refund claim, claiming a tax refund in an amount greater than the threshold for review by the joint committee on internal revenue taxation (\$1 million as of March 1991) or state taxing authority.

(D) A CPA requests a refund or either overpayments of interest or penalties charged to a client's account or deposits of taxes improperly accounted for by the federal or state taxing authority in circumstances in which the taxing authority has established procedures for the substantive review of these refund requests.

(E) A CPA requests, by means of "protest" or similar document, consideration by the state or local taxing authority of a reduction in the "assessed value" of property under an established taxing authority review process for hearing all taxpayer arguments relating to assessed value.

(F) A CPA represents a client in connection with obtaining a private letter ruling or influencing the drafting of a regulation or statute.

(4) A contingent fee shall not be permitted if a CPA prepares an amended federal or state income tax return for a client claiming a refund of taxes because a deduction was inadvertently omitted, rather than there being a question as to the propriety of the deduction, from the return originally filed.

(5) A CPA's fees may vary depending on the complexity of services rendered. (Authorized by and implementing K.S.A. 1997 Supp. 1-202(c)(1); effective May 1, 1978; amended July 13, 1992; amended Jan. 8, 1999.)

74-5-404. Permit holders employed by non-CPA firms performing or offering to perform non-attest functions to the public. (a) A person who has a Kansas permit to practice as a certified public accountant pursuant to K.S.A. 1-302b, and amendments thereto, and is employed

by an employer that is not registered under K.S.A. 1-308, and amendments thereto, or who is not required to undergo peer review pursuant to K.S.A. 1-501, and amendments thereto, may use the designation "certified public accountant" or "C.P.A." in providing non-attest functions.

(b) Non-attest functions shall include the following financial services:

- (1) Preparation of tax returns and providing advice on tax matters;
- (2) management advisory and consulting services;
- (3) financial planning; and
- (4) any other financial service not included in the statements on auditing standards, the statements on standards for accounting and review services, the statements on standards for attestation engagements as developed by the American institute of certified public accountants, or any agreed-upon procedures. (Authorized by K.S.A. 1997 Supp. 1-202; implementing K.S.A. 1997 Supp. 1-202 and 1-316; effective Jan. 8, 1999.)

Susan L. Somers
Executive Director

Doc. No. 023265

State of Kansas

Kansas Turnpike Authority

Permanent Administrative Regulations

Article 1.—LIMITATIONS ON USE OF TURNPIKE

39-1-1. Entry upon and use of turnpike prohibited; application. (a) Entry upon and the use of the Kansas turnpike by the following shall be prohibited:

- (1) Pedestrians;
- (2) bicycles with or without motors, and motor scooters;
- (3) animals or animal-drawn vehicles;
- (4) farm implements or machinery, either self-propelled or towed;
- (5) vehicles loaded with poultry or livestock not properly confined;
- (6) vehicles with improperly secured loads;
- (7) vehicles that, in the judgment of a member of the highway patrol, are unsafe;
- (8) vehicles with deflated pneumatic tires; also vehicles with tires in this condition, in the judgment of a member of the highway patrol, as to be unsafe for use upon the turnpike;
- (9) vehicles with metal tires, or solid tires worn to metal;
- (10)(A) vehicles, including the load thereon, exceeding 14 feet in height, unless measured and cleared by a member of the turnpike highway patrol troop at the point of turnpike entry; and
- (B) vehicles, including the load thereon, exceeding 12 feet six inches in width during the hours of darkness, or 14 feet in width during the hours of daylight, without authorization from the chief engineer or the turnpike highway patrol commander before entry. Use of the turnpike by these vehicles shall be subject to any special

requirements imposed by the chief engineer or the turnpike highway patrol commander to ensure the safety of turnpike customers;

- (11) Vehicles without adequate liability insurance;
 - (12) vehicles with axle weight in excess of the maximum established by Kansas law or with a combined gross weight in excess of 120,000 pounds; and
 - (13) vehicles with an overall length greater than 119 feet.
- (b) Vehicles carrying explosives and either detonators or caps in the same load shall not be permitted use of the turnpike.

(c)(1) Vehicles in tow by nonrigid connection shall not be permitted to enter the turnpike under any circumstances.

(2) Disabled vehicles in tow shall be prohibited unless towed with a rigid tow bar or connection, or by an emergency vehicle with the proper equipment and permits to adequately handle the type of vehicle disabled.

(d) Vehicles with loads extending more than six inches beyond the sides or more than four feet beyond the body of the vehicle or other supporting member shall be prohibited, except when properly flagged for daytime travel or properly lighted for nighttime travel.

(e) Restrictions on the movement of some or all over-size vehicles or combinations of vehicles may be temporarily implemented due to wind, weather, road, or construction conditions.

(f) Use of spotlights and sirens on the turnpike shall be prohibited, except for emergency and police vehicles.

(g) Use of the turnpike system for landing of aircraft shall be prohibited, except in the case of extreme emergency.

(h) It shall be the duty of the toll collection personnel and the members of the highway patrol to enforce the provisions set forth above, and all persons shall comply with the orders given by these employees and members of the highway patrol to prevent the use of or entry upon the turnpike by any of the forbidden vehicles listed in this regulation. (Authorized by and implementing K.S.A. 68-2004; effective Jan. 1, 1966; amended Jan. 8, 1999.)

39-1-8. (Authorized by K.S.A. 68-2004; effective, E-66-2, Feb. 14, 1966; effective Jan. 1, 1967; revoked Jan. 8, 1999.)

39-1-9. Speed limits. Vehicles shall not be operated on the Kansas turnpike at a speed greater than that which is reasonable and prudent under the conditions then existing. Where signs are erected indicating a particular speed, all vehicles within the area or zone or sections where these signs are erected shall not at any time be operated in excess of the speed indicated by these signs. No vehicle shall be operated on the Kansas turnpike at a speed less than 40 miles per hour, except when necessary to do so because of inclement weather or other hazards existing upon the turnpike. (Authorized by and implementing K.S.A. 68-2004; effective, E-66-2, Feb. 14, 1966; effective Jan. 1, 1967; amended, E-70-38, Aug. 17, 1970; amended, E-71-10, Dec. 28, 1970; amended Jan. 1, 1973; amended, E-74-23, April 22, 1974; amended May 1, 1975; amended Jan. 8, 1999.)

(continued)

(Published in the Kansas Register December 24, 1998.)

39-1-14. (Authorized by K.S.A. 68-2004; effective, E-66-2, Feb. 14, 1966; effective Jan. 1, 1967; revoked Jan. 8, 1999.)

39-1-19. Obedience to officers, signs, and signals. No person shall fail, neglect, or refuse to comply with any traffic control sign, signal, or device erected or displayed by the turnpike authority on the turnpike system, unless directed otherwise by a member of the highway patrol or turnpike authority employee. (Authorized by and implementing K.S.A. 68-2004; effective, E-66-2, Feb. 14, 1966; effective Jan. 1, 1967; amended Jan. 8, 1999.)

Article 3.—BONDS AND COUPONS FOR TURNPIKE NO. 1

39-3-1. (Authorized by K.S.A. 68-2004, 68-2010 and section 211 of the trust agreement dated Oct. 1, 1954; effective Jan. 1, 1966; revoked Jan. 8, 1999.)

39-3-2. (Authorized by K.S.A. 68-2004, 68-2010 and section 211 of the trust agreement dated Oct. 1, 1954; effective Jan. 1, 1966; revoked Jan. 8, 1999.)

39-3-3. (Authorized by K.S.A. 68-2004, 68-2010 and section 211 of the trust agreement dated Oct. 1, 1954; effective Jan. 1, 1966; revoked Jan. 8, 1999.)

39-3-4. (Authorized by K.S.A. 68-2004, 68-2010 and section 211 of the trust agreement dated Oct. 1, 1954; effective Jan. 1, 1966; revoked Jan. 8, 1999.)

39-3-5. (Authorized by K.S.A. 68-2032, 68-2038 and section 211 of the trust agreement dated Aug. 1, 1957; effective Jan. 1, 1966; revoked Jan. 8, 1999.)

39-3-6. (Authorized by K.S.A. 68-2032, 68-2038 and section 211 of the trust agreement dated Aug. 1, 1957; effective Jan. 1, 1966; revoked Jan. 8, 1999.)

39-3-7. (Authorized by K.S.A. 68-2032, 68-2038 and section 211 of the trust agreement dated Aug. 1, 1957; effective Jan. 1, 1966; revoked Jan. 8, 1999.)

39-3-8. (Authorized by K.S.A. 68-2032, 68-2038 and section 211 of the trust agreement dated Aug. 1, 1957; effective Jan. 1, 1966; revoked Jan. 8, 1999.)

Article 5.—DISCOUNT RATES

39-5-1. (Authorized by K.S.A. 68-2004(g); effective Jan. 1, 1966; revoked Jan. 8, 1999.)

Article 6.—CLASSIFICATION AND TOLLS FOR KANSAS CITY EXPRESSWAY

39-6-1. (Authorized by Chapter 68, Article 20, K.S.A. specifically sections 68-2030 to 68-2049 thereof, and sections 501 and 502 of the trust agreement dated Aug. 1, 1957; effective Jan. 1, 1966; revoked Jan. 8, 1999.)

39-6-2. (Authorized by K.S.A. 68-2030 to 68-2049 and sections 501 and 502 of the trust agreement dated Aug. 1, 1957; effective Jan. 1, 1966; revoked Jan. 8, 1999.)

Frank J. Becker
Chairman

Doc. No. 023266

(Published in the Kansas Register December 24, 1998.)

Summary Notice of Bond Sale

City of Norcatour, Kansas

\$105,000

General Obligation Water Improvement Bonds

(General obligation bonds payable from
unlimited ad valorem taxes)

Details of the Sale

Subject to the terms and conditions of the complete official notice of bond sale dated as of December 21, 1998, of the City of Norcatour, Kansas, in connection with the city's General Obligation Water Improvement Bonds, Series 1999, hereinafter described, sealed, written bids shall be received at the office of the city clerk, City Hall, 301 E. Ossipee, Norcatour, Kansas, until 7 p.m. Monday, January 4, 1999, for the purchase of the bonds. All bids shall be publicly opened, read aloud and tabulated on said date at 7 p.m. and shall thereafter be immediately considered and acted upon by the city.

No oral or auction bids for the bonds shall be considered, and no bids for less than the entire amount of the bonds shall be considered.

Bids shall be accepted only on the official bid form that has been prepared for the public bidding on these bonds, which may be obtained from the city clerk or from the city's financial advisor. Bids may be submitted by mail or delivered in person and must be received at the place and not later than the date and time hereinbefore specified. Each bid shall be accompanied by a good faith deposit in the form of a certified or cashier's check drawn on a bank located within the United States and made payable to the order of the city, or in the form of a financial surety bond payable to the order of the city and meeting requirements therefor as set forth in the official notice of bond sale, and shall be in an amount equal to 2 percent of the principal amount of the bonds.

Details of the Bonds

The bonds to be sold are in the aggregate principal amount of \$105,000 and shall bear a dated date of January 1, 1999. The bonds shall be issued as fully registered bonds in denominations of \$5,000 or any integral multiple thereof not exceeding the principal amount of the bonds maturing in any year. The bonds shall bear interest, payable as hereinafter set forth, at the rates specified by the successful bidder for the bonds. Certain of the bonds are subject to redemption prior to their respective maturities as set forth in the official notice of bond sale.

Interest on the bonds shall be payable semiannually on March 1 and September 1 of each year, commencing March 1, 2000, and the bonds shall mature serially on September 1 in each of the years and principal amounts as follows:

Principal Amount	Maturity Date
\$5,000	2001
5,000	2002
5,000	2003
5,000	2004
5,000	2005
5,000	2006

5,000	2007
10,000	2008
10,000	2009
10,000	2010
10,000	2011
10,000	2012
10,000	2013
10,000	2014

Redemption of Bonds

Certain of the bonds are subject to optional redemption prior to their maturities as set forth in the official notice of bond sale. Additionally, a bidder may elect to have all or a portion of the bonds shown in the above maturity schedule issued as term bonds, which would be subject to mandatory redemption requirements. (Reference is made to the official notice of bond sale for complete details regarding redemption of the bonds.)

Payment of Principal and Interest

The Kansas State Treasurer shall serve as the bond registrar and paying agent for the bonds, and the principal of the bonds shall be paid upon surrender at the paying agent's principal offices in the City of Topeka, Kansas. Interest shall be paid by the mailing of a check or draft of the paying agent to the registered owners of the bonds.

Security for the Bonds

The bonds and the interest thereon constitute general obligations of the city, and the full faith, credit and resources of the city will be pledged to the payment thereof. The city is obligated to levy ad valorem taxes without limitation as to rate or amount upon all of the taxable tangible property within the territorial limits of the city for the purpose of paying the bonds and the interest thereon.

Delivery of the Bonds

The bonds, duly printed, executed and registered, shall be furnished and delivered at the expense of the city to the successful bidder, or at its direction, on or before Tuesday, January 19, 1999, at such bank or trust company or other qualified depository in the State of Kansas or Kansas City, Missouri, as may be specified by the successful bidder. Delivery elsewhere shall be made at the expense of the successful bidder.

Legal Opinion

The bonds will be sold subject to the legal opinion of Hinkle, Eberhart & Elkouri, L.L.C., Wichita, Kansas, bond counsel, whose fees will be paid by the city. Bond counsel's approving legal opinion as to the validity of the bonds will be printed on the bonds and delivered to the successful bidder upon delivery of the bonds. (Reference is made to the official notice of bond sale for a discussion of tax exemption and other legal matters.)

Financial Matters

The city's current equalized assessed tangible valuation is as follows:

Assessed Valuation of Taxable Tangible	
Property	\$563,746
Motor Vehicle Valuation	<u>\$176,742</u>
Assessed Tangible Valuation for	
Computation of Bonded Debt	
Limitations	\$740,488

K.S.A. 10-308 provides that the authorized and outstanding bonded indebtedness of any city shall not exceed 30 percent of the assessed valuation of the city. The city's outstanding general obligation bonded indebtedness at January 1, 1999, including the bonds described herein, will be \$105,000.

Official Statement

The city has prepared a preliminary official statement relating to the bonds, copies of which may be obtained from the city or the city's financial advisor. The preliminary official statement is in a form "deemed final" by the city for the purpose of Securities and Exchange Commission Rule 15c2-12(b)(1), but is subject to revision, amendment and completion in the final official statement. Upon the sale of the bonds, the city shall furnish the successful bidder with a reasonable number of copies of the final official statement, without additional cost, upon request. Copies of the final official statement in excess of a reasonable number may be ordered by the successful bidder at its expense.

Continuing Disclosure

Securities and Exchange Commission Rule 15c2-12, as amended effective July 3, 1995, provides that brokers, dealers and municipal securities dealers must comply with certain requirements before acting as an underwriter in a primary offering of municipal securities with an aggregate principal amount of \$1,000,000 or more.

The bonds described herein will be offered in a primary offering with an aggregate principal amount of less than \$1,000,000. Accordingly, in the opinion of bond counsel, the offering and sale of the bonds described herein does not constitute an offering as defined by the rule, and the requirements of the rule do not apply to brokers, dealers and municipal securities dealers acting as underwriters in connection with the bonds described herein.

Additional Information

For additional information regarding the city, the bonds and the public sale, interested parties are invited to request copies of the complete official notice of bond sale and the official bid form and the city's preliminary official statement for the bonds, all of which may be obtained from the city clerk at the address and telephone number shown below, or from the city's financial advisor, Ranson Municipal Consultants, L.L.C., 120 S. Market, Wichita, KS 67202, (316) 269-2231.

By Chris Dempewolf, City Clerk
 301 E. Ossipee
 P.O. Box 89
 Norcatur, KS 67653-0089
 (785) 693-4461

Doc. No. 023260

(Published in the Kansas Register December 24, 1998.)

**Summary Notice of Bond Sale
Unified School District No. 501
Shawnee County, Kansas (Topeka)
\$30,000,000
General Obligation School Bonds
Series 1999**

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

Sealed Bids

Subject to the official notice of bond sale and preliminary official statement dated December 21, 1998, sealed bids will be received by the district clerk of Unified School District No. 501, Shawnee County, Kansas (Topeka) (the issuer), on behalf of the governing body of the district at the district office, 624 S.W. 24th St., Topeka, KS 66611-1294, until 11 a.m. Thursday, January 7, 1999, for the purchase of \$30,000,000 principal amount of General Obligation School Bonds, Series 1999. No bid of less than the entire par value of the bonds and accrued interest thereon to the date of delivery will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will initially be registered in the name of Cede & Co., as nominee of the Depository Trust Company, New York, New York, to which payments of principal of and interest on the bonds will be made. Individual purchases of bonds will be made in book-entry form only. Purchasers will not receive certificates representing their interest in bonds purchased. The bonds will be dated January 1, 1999, and will become due on August 1 in the years as follows:

Year	Principal Amount
2001	\$ 500,000
2002	500,000
2003	575,000
2004	600,000
2005	675,000
2006	800,000
2007	1,300,000
2008	1,450,000
2009	1,525,000
2010	1,600,000
2011	1,725,000
2012	1,850,000
2013	2,000,000
2014	2,085,000
2015	2,220,000
2016	2,380,000
2017	2,555,000
2018	2,735,000
2019	2,925,000

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

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as here-

inafter provided, which interest will be payable semiannually on February 1 and August 1 in each year, beginning February 1, 2000.

Paying Agent and Bond Registrar

The paying agent and bond registrar is the Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States or a qualified financial surety bond in the amount of \$600,000 (2 percent of the principal amount of the bonds).

Optional Municipal Bond Insurance

The district will apply for municipal bond insurance relating to the bonds. If approved for municipal bond insurance, the bonds may be purchased with or without such insurance at the option of the successful bidder. The premium for such insurance and any related rating fee will be paid for by the successful bidder.

Delivery

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered to the facilities of the Depository Trust Company, New York, New York, within 45 days after the date of sale.

Assessed Valuation and Indebtedness

The total assessed valuation of taxable tangible property in the district for the year 1998 is \$482,350,508. The total general obligation indebtedness of the issuer as of the date of the bonds, including the bonds being sold, is \$49,170,000.

Approval of Bonds

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

Additional Information

Additional information regarding the bonds may be obtained from the district clerk, (785) 575-6104, or from the financial advisor, Piper Jaffray Inc., 4600 Madison Ave., Suite 1200, Kansas City, MO 64112, (816) 360-3074.

Dated December 17, 1998.

Unified School District No. 501
Shawnee County, Kansas (Topeka)
Joseph W. Zima, District Clerk
624 S.W. 24th St.
Topeka, KS 66611-1294

Doc. No. 023275

(Published in the Kansas Register December 24, 1998.)

**Summary Notice of Bond Sale
City of Prairie Village, Kansas
\$1,665,000***

General Obligation Refunding Bonds, Series 1999-A

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

Sealed Bids

Subject to the notice of bond sale dated December 7, 1998, sealed bids will be received by the city clerk of the City of Prairie Village, Kansas, on behalf of the governing body at 7700 Mission Road, Prairie Village, KS 66208, until 1 p.m. January 4, 1999, for the purchase of \$1,665,000* principal amount of General Obligation Refunding Bonds, Series 1999-A. No bid of greater than 100 percent or less than 99 percent of the principal amount of the bonds and accrued interest thereon to the date of delivery will be considered, and no supplemental interest payments will be considered. The successful bidder shall reoffer the bonds at 100 percent of the principal amount of the bonds.

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 January 1 and will become due on September 1 in the years as follows:

Serial Bonds

Year	Principal Amount*
2002	\$165,000
2003	170,000
2004	175,000
2005	185,000
2006	190,000
2007	200,000
2008	205,000
2009	215,000
2010	160,000

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 March 1 and September 1 in each year, beginning September 1, 1999.

Redemption of Bonds Prior to Maturity

At the option of the city, bonds maturing in the years 2007, and thereafter, may be called for redemption and payment prior to maturity on September 1, 2006, or thereafter in whole at any time or in part on any interest payment date, at the redemption price of 100 percent (expressed as a percentage of the principal amount), plus accrued interest to the date of redemption.

Book-Entry Only System

The bonds will initially be registered in the name of Cede & Co., as nominee of the Depository Trust Company, New York, New York, to which payments of principal of and interest on the bonds will be made. Individual purchases of bonds will be made in book-entry form only. Purchasers will not receive certificates representing their interest in bonds purchased.

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a financial surety bond or cashier's or certified check drawn on a bank located in the United States in the amount of \$33,300 (2 percent of the principal amount of the bonds).

Adjustment of Issue Size

The city reserves the right on the date of the award to, in its sole discretion, increase or decrease the total principal amount of the bonds, depending on the interest rates bid and the issue price specified, in order to properly structure the escrow account for the bonds to be refunded. Principal maturities will be increased or decreased at the discretion of the city. The aggregate size of the issue will be increased or decreased by not more than 15 percent. The successful bidder may not withdraw its bid or change the interest rates bid as a result of any changes made to the principal amount of the bonds as described herein. In the event there is an increase or decrease in the final aggregate principal amount of the bonds or in the principal amount per maturity as described above, the successful bidder will be notified by facsimile of such increases or decreases.

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 January 28, 1999, through the facilities of the Depository Trust Company in New York, New York.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 1998 is \$217,631,754. The total general obligation indebtedness of the city as of the date of the bonds, including the bonds being sold but excluding bonds to be refunded with proceeds from the sale of the bonds, is \$3,380,000.

Approval of Bonds

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

Additional Information

Additional information regarding the bonds may be obtained from the city clerk, (913) 381-6464, or from the financial advisor, George K. Baum & Company, Kansas City, Missouri, (816) 474-1100.

Dated December 7, 1998.

City of Prairie Village, Kansas
by Joyce Hagen Mundy, City Clerk
7700 Mission Road
Prairie Village, KS 66208
(913) 381-6464

*Subject to change as provided under
"Adjustment of Issue Size" herein.

Doc. No. 023263

(Published in the Kansas Register December 24, 1998.)

**Summary Notice of Bond Sale
City of Arkansas City, Kansas
\$1,261,000**

**General Obligation Bonds, Series 1999
(General obligation bonds payable from
unlimited ad valorem taxes)**

Sealed Bids

Subject to the notice of bond sale dated December 15, 1998, sealed bids will be received by the clerk of the City of Arkansas City, Kansas (the issuer), on behalf of the governing body at City hall, 118 W. Central, Arkansas City, KS 67005-0778, until 6:30 p.m. January 5, 1999, for the purchase of \$1,261,000 principal amount of General Obligation Bonds, Series 1999. No bid of less than 100 percent of the principal amount of the bonds and accrued interest thereon to the date of delivery will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof, except one bond in the denomination of \$6,000. The bonds will be dated January 1, 1999, and will become due on December 1 in the years as follows:

Year	Principal Amount
1999	\$126,000
2000	125,000
2001	125,000
2002	125,000
2003	125,000
2004	125,000
2005	125,000
2006	125,000
2007	130,000
2008	130,000

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 \$25,220 (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 January 28, 1999, 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 \$42,694,344. 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 \$6,876,000.

Approval of Bonds

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

Additional Information

Additional information regarding the bonds may be obtained from the clerk, (316) 441-4400, or from the financial advisor, George K. Baum & Company, 100 N. Main, Suite 810, Wichita, KS 67202, Attention: Charles M. Bouilly, (316) 264-6351.

Dated December 15, 1998.

City of Arkansas City, Kansas

Doc. No. 023274

State of Kansas**State Corporation Commission****Notice of Motor Carrier Hearings**

The following motor carriers have filed various applications and are scheduled for hearing at 9:30 a.m. January 12 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 Paula Lentz, Assistant General Counsel, (785) 271-3279. 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:

Ambassador Trucking, L.L.C., 931 W. Carriage, Meade, KS 67864; MC ID No. 156279; General commodities (except household goods and hazardous materials).

Bengston Farms, Inc., dba E.L. Trucking, 947 3rd St., Windom, KS 67491; MC ID No. 156276; General commodities (except household goods and hazardous materials).

Andy Bridgeman, dba Bridgeman Forge Harvesting & Trucking, 207 E. 3rd, Scott City, KS 67871; MC ID No. 156264;

- General commodities (except household goods and hazardous materials).
- Jerry M. Cartledge, dba JMC Towing**, 3515 Lakin, Great Bend, KS 67530; MC ID No. 156280; Wrecked, disabled, repossessed and replacement vehicles.
- Donald L. Diehl, dba Donnie Diehl Trucking**, 2111 Commanche, Garden City, KS 67846; MC ID No. 156266; General commodities (except household goods, passengers and hazardous materials).
- Scott Dinger, dba I-70 Truck & Auto**, 201 Ash, Wamego, KS 66547; MC ID No. 156263; John Watt, Attorney; Wrecked, disabled, repossessed and replacement vehicles.
- Fernelle's Express, Inc.**, 1605 Maple Leaf Court, Baldwin City, KS 66006; MC ID No. 156277; William Schoeb, Attorney; General commodities (except household goods and hazardous materials).
- Robert D. Fiedler, dba Fiedler Farms**, Route 3, Box 163, St. Francis, KS 67756; MC ID No. 149970; General commodities (except household goods and hazardous materials).
- Keith Giesbrecht, dba K & G Harvesting & Trucking**, Route 2, Box 17G, Lakin, KS 67860; MC ID No. 156269; General commodities (except household goods and hazardous materials).
- Gerald D. Glenn, dba Cunningham Auto Service**, 130 E. 1st, Cunningham, KS 67035; MC ID No. 156282; Theodore Geisert, Attorney; Wrecked, disabled, repossessed and replacement vehicles.
- Grain Train Express, Inc.**, 5002 W. Wisconsin, Healy, KS 67850; MC ID No. 156272; Clyde Christey, Attorney; General commodities (except household goods and hazardous materials).
- Randall R. Gruber, dba Gruber Farms**, 1768 K106, Minneapolis, KS 67467; MC ID No. 156273; W. Robert Alderson, Attorney; General commodities (except Classes A and B explosives, hazardous materials and household goods).
- Charles Hughes, dba Double C Trucking**, Route 4, Box 55, Fredonia, KS 66736; MC ID No. 156267; William Parker, Attorney; General commodities (except household goods, Classes A and B explosives, poison gas, highway controlled radioactive materials).
- James Kennedy, dba Kennedy Farms**, 1311 Elizabeth, Scott City, KS 67871; MC ID No. 156281; General commodities (except household goods and hazardous materials).
- Billy K. Koelsch, dba Koelsch Farms**, 305 E. 1st, St. John, KS 67576; MC ID No. 156283; Livestock, grain and hay.
- Morris Merrill, dba Morris Merrill Custom Trucking**, 233 Dogwood Lane, Waterville, KS 66548; MC ID No. 156274; William Barker, Attorney; General commodities (except household goods and hazardous materials).
- R.W. Trucking L.L.C.**, 18515 S.W. 150th St., Nashville, KS 67112; MC ID No. 156278; General commodities (except household goods and hazardous materials).
- William G. Stirton**, 410 E. 12th St., Horton, KS 66439; MC ID No. 114288; Clyde Christey, Attorney; General commodities (except household goods and hazardous materials).
- Transportation Logistics Corporation, Inc.**, 622 E. Douglas, Wichita, KS 67202; MC ID No. 156573; William Parker, Attorney; General commodities (except household goods, Classes A and B explosives, poison gas, highway controlled radioactive materials).
- Gary Unbehauen, dba The Feed Store**, 514 N. 1st, Medford, OK 73759; MC ID NO. 156268; General commodities (except household goods and hazardous materials).
- Vernon Verhoeff, Sr., dba Verhoeff Trucking**, 423 E. Roh St., Thomas, OK 73669; MC ID No. 156275; General commodities (except household goods).
- Don Wagner, dba Wagner Trucking**, 1468 Indian Road, Clay Center, KS 67432; MC ID No. 156271; William Barker, Attorney; General commodities (except household goods and hazardous materials).
- Carey J. Wilden, dba Curly's Trucking**, 1012 Cedar Drive, Scott City, KS 67871; MC ID No. 156265; General commodities (except household goods and hazardous materials).
- Michael J. Wimsett and Kenneth J. Wimsett, dba W & W Production Company**, 1150 Hwy. 39, Chanute, KS 66720; MC ID No. 156270; James Weiler, Attorney; General commodities, including salt water disposal (except Classes A and B explosives and household goods).
- Ron Zimbelman, dba Zimbelman Trucking**, Route 1, Box 402, St. Francis, KS 67756; MC ID No. 156634; General commodities (except household goods and hazardous materials).

Applications for Transfer of Certificate of Public Service:

- Jody and Ronda Hayes, dba Hayes Transport**, 3841 N. Peace Church Ave., Joplin, MO 64801, MC ID No. 153415, to: Hayes Transport, Inc., dba Kingsway Mobile Homes, 3841 North Peace Church Avenue, Joplin, MO 64801; Phillip Metz, Attorney; Mobile homes.
- Susie J. Larson, dba E.L. Trucking**, 2875 Ave. M, Little River, KS 67457, MC ID No. 127405, to: Edward D. Larson, dba Larson Livestock, 2875 Ave. M, Little River, KS 67457; General commodities (except Classes A and B explosives, household goods, commodities in bulk, commodities requiring refrigeration and hazardous materials as defined in 49 C.F.R. 172.101), General commodities in bulk and livestock.
- Bobby Dean Long, dba Bob's Oil Service**, 504 N. Main, Ellinwood, KS 67526, MC ID No. 124103, to: Bob's Oil Service, Inc., 504 N. Main, Ellinwood, KS 67526; Crude oil, used in and for production, processing, treating, salvage, construction, and for lease road purposes, in bulk, fresh water and salt water.
- Orley M. Whitaker, dba Orley M. Whitaker Trucking**, 801 LaSalle St., Dodge City, KS 67801, MC ID No. 132477, to: Orley M. Whitaker and Milton L.G. Whitaker, dba G & W Trucking, 801 LaSalle St., Dodge City, KS 67801; Grain, feed, feed ingredients, fertilizer (except anhydrous ammonia), fertilizer ingredients, seed, livestock, salt and building materials, machinery.

Applications for Abandonment of Certificate of Public Service:

- Kroger Dedicated Logistics Co.**, 1014 Vine St., Cincinnati, OH 45202; MC ID No. 153816.
- Richard L. Partridge**, 1522 N. 12th, Garden City, KS 67846; MC ID No. 152484.
- River City Shuttle, LLC**, 1106 Kansas Ave., Atchison, KS 66002; MC ID No. 153820.
- James A. Roat, dba R & S Transportation**, P.O. Box 1641, Great Bend, KS 67530-1641; MC ID No. 134808.

Jacquelyn S. Miller
Administrator
Transportation Division

Doc. No. 023282

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* and the 1998 Supplement to the *Kansas Administrative Regulations*.

AGENCY 1: DEPARTMENT OF ADMINISTRATION

Reg. No.	Action	Register
1-2-46	Amended	V. 17, p. 1369
1-2-77	New	V. 17, p. 1370
1-5-9	Amended	V. 17, p. 1370
1-5-10	Amended	V. 17, p. 1370
1-5-14	Amended	V. 17, p. 1370
1-5-15	Amended	V. 17, p. 1370
1-6-22a	Amended	V. 17, p. 1371
1-6-30	Amended	V. 17, p. 1371
1-9-23	Amended	V. 17, p. 1371
1-9-25	Amended	V. 17, p. 1372
1-9-26	Amended	V. 17, p. 1375
1-10-6	Amended	V. 17, p. 1376
1-16-18	Amended	V. 17, p. 945
1-16-18a	Amended	V. 17, p. 945
1-18-1a	Amended	V. 17, p. 947
1-39-1 through 1-39-4	New	V. 17, p. 1678

AGENCY 4: DEPARTMENT OF AGRICULTURE

Reg. No.	Action	Register
4-7-213	New	V. 17, p. 171
4-7-213a	New	V. 17, p. 171

AGENCY 7: SECRETARY OF STATE

Reg. No.	Action	Register
7-34-1	Revoked	V. 17, p. 1679
7-39-1	New	V. 17, p. 1679

AGENCY 9: ANIMAL HEALTH DEPARTMENT

Reg. No.	Action	Register
9-7-10	Amended	V. 17, p. 364
9-10-33 through 9-10-39	New	V. 17, p. 364, 365

AGENCY 16: ATTORNEY GENERAL

Reg. No.	Action	Register
16-1-7	New	V. 17, p. 1620
16-2-1	Revoked	V. 17, p. 1620
16-2-1a	New	V. 17, p. 1620
16-3-1	Amended	V. 17, p. 1620
16-5-1	Amended	V. 17, p. 1621
16-6-1	Amended	V. 17, p. 1621
16-6-3	New	V. 17, p. 1621

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

Reg. No.	Action	Register
25-5-1	New	V. 17, p. 1269

AGENCY 28: DEPARTMENT OF HEALTH AND ENVIRONMENT

Reg. No.	Action	Register
28-1-4	Amended	V. 17, p. 1505
28-1-13	Amended	V. 17, p. 461
28-4-525 through 28-4-529	Revoked	V. 17, p. 1149
28-19-70	Amended	V. 17, p. 588

28-19-202	Amended	V. 17, p. 122
28-19-517	Amended	V. 17, p. 144
28-19-546	Amended	V. 17, p. 144
28-19-561	Amended	V. 17, p. 144
28-19-562	Amended	V. 17, p. 145
28-19-563	Amended	V. 17, p. 146
28-19-564	New	V. 17, p. 589
28-29-12	Amended	V. 17, p. 1026
28-29-27	Amended	V. 17, p. 1026
28-29-98	Amended	V. 17, p. 1087
28-29-108	Amended	V. 17, p. 1027
28-29-109	New	V. 17, p. 1031
28-36-30	Amended	V. 17, p. 1679
28-52-2	New	V. 17, p. 168
28-52-3	New	V. 17, p. 168
28-52-4	New	V. 17, p. 168
28-68-3	Amended	V. 17, p. 547
28-70-1	New	V. 17, p. 168
28-70-2	New	V. 17, p. 168
28-70-3	New	V. 17, p. 169
28-71-1 through 28-71-12	New	V. 17, p. 959-964

AGENCY 30: SOCIAL AND REHABILITATION SERVICES

Reg. No.	Action	Register
30-4-39	Amended	V. 17, p. 932
30-4-50	Amended	V. 17, p. 933
30-4-52	Amended	V. 17, p. 933
30-4-54	Amended	V. 17, p. 933
30-4-55	Amended	V. 17, p. 934
30-4-64	Amended	V. 17, p. 934
30-4-70	Amended	V. 17, p. 935
30-4-110	Amended	V. 17, p. 936
30-4-111	Amended	V. 17, p. 1837
30-4-140	Amended	V. 17, p. 938
30-5-64	Amended	V. 17, p. 1838
30-5-70	Amended	V. 17, p. 1376
30-5-78	Amended	V. 17, p. 1378
30-5-82	Amended	V. 17, p. 1839
30-5-82a	Amended	V. 17, p. 1840
30-5-88	Amended	V. 17, p. 938
30-5-118	Amended	V. 17, p. 1840
30-5-118a	Amended	V. 17, p. 1841
30-5-118b	New	V. 17, p. 1842
30-5-300	Amended	V. 17, p. 300
30-5-310	New	V. 17, p. 302
30-6-35	Amended	V. 17, p. 1580
30-6-36	Amended	V. 17, p. 1580
30-6-41	Amended	V. 17, p. 1581
30-6-52	Amended	V. 17, p. 939
30-6-54	Amended	V. 17, p. 940
30-6-65	Amended	V. 17, p. 940
30-6-70	Amended	V. 17, p. 941
30-6-77	Amended	V. 17, p. 1581
30-6-103	Amended	V. 17, p. 941
30-6-111	Amended	V. 17, p. 1844
30-6-112	Amended	V. 17, p. 943
30-10-1a	Amended	V. 17, p. 1845
30-10-2	Amended	V. 17, p. 1847
30-10-14	Amended	V. 17, p. 1168
30-10-15a	Amended	V. 17, p. 1848
30-10-15b	Amended	V. 17, p. 1850
30-10-17	Amended	V. 17, p. 1850
30-10-18	Amended	V. 17, p. 1852
30-10-25	Amended	V. 17, p. 1854
30-10-26	Amended	V. 17, p. 1855
30-10-28	Amended	V. 17, p. 1856
30-10-209	Amended	V. 17, p. 1168
30-14-1	New	V. 17, p. 1583
30-14-2	New	V. 17, p. 1583
30-14-3	New	V. 17, p. 1583
30-14-20 through 30-14-31	New	V. 17, p. 1584-1586
30-14-50	New	V. 17, p. 1586
30-63-1	Amended	V. 17, p. 1378
30-63-10	Amended	V. 17, p. 1378
30-63-13	Amended	V. 17, p. 1379
30-63-20 through 30-63-25	Amended	V. 17, p. 1380-1382
30-63-28	Amended	V. 17, p. 1383
30-63-30	Amended	V. 17, p. 1383

30-64-12	Amended	V. 17, p. 1384
30-64-22	Amended	V. 17, p. 1384
30-64-23	Amended	V. 17, p. 1385
30-64-24	Amended	V. 17, p. 1385
30-64-25	Amended	V. 17, p. 1386
30-64-27	Amended	V. 17, p. 1386
30-64-28	Amended	V. 17, p. 1386
30-64-29	Amended	V. 17, p. 1387
30-64-31	Amended	V. 17, p. 1387
30-64-32	Amended	V. 17, p. 1387

AGENCY 40: KANSAS INSURANCE DEPARTMENT

Reg. No.	Action	Register
40-1-35	Revoked	V. 17, p. 1837
40-1-45	New	V. 17, p. 1211
40-2-25	Amended	V. 17, p. 1546
40-4-36	Amended	V. 17, p. 689
40-5-10	Amended	V. 17, p. 1578
40-9-118	Amended	V. 17, p. 1033
40-15b-1	Amended	V. 17, p. 1547

AGENCY 44: DEPARTMENT OF CORRECTIONS

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

AGENCY 45: KANSAS PAROLE BOARD

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

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

Reg. No.	Action	Register
47-2-53	Amended	V. 17, p. 1108
47-2-75	Amended	V. 17, p. 1108
47-3-42	Amended	V. 17, p. 1109
47-5-5a	Amended	V. 17, p. 1110
47-6-4	Amended	V. 17, p. 1112
47-6-6	Amended	V. 17, p. 1112
47-6-8	Amended	V. 17, p. 1113
47-7-2	Amended	V. 17, p. 1113
47-8-9	Amended	V. 17, p. 1113
47-9-1	Amended	V. 17, p. 1114
47-16-6	Amended	V. 17, p. 1117
47-16-9	Amended	V. 17, p. 1117
47-16-10	Amended	V. 17, p. 1117
47-16-11	Amended	V. 17, p. 1117

AGENCY 48: DEPARTMENT OF HUMAN RESOURCES—EMPLOYMENT SECURITY BOARD OF REVIEW

Reg. No.	Action	Register
48-1-4	Amended	V. 17, p. 628

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

Reg. No.	Action	Register
51-1-22	Revoked	V. 17, p. 628
51-2-4	Amended	V. 17, p. 628
51-2-5	Amended	V. 17, p. 629
51-3-1	Amended	V. 17, p. 629
51-3-5	Amended	V. 17, p. 629
51-3-5a	Amended	V. 17, p. 629
51-3-6	Amended	V. 17, p. 630
51-3-8	Amended	V. 17, p. 630
51-3-17	Revoked	V. 17, p. 631
51-4-1	Revoked	V. 17, p. 631
51-7-5	Revoked	V. 17, p. 631
51-7-6	Revoked	V. 17, p. 631
51-7-8	Amended	V. 17, p. 631
51-8-2 through 51-8-7	Revoked	V. 17, p. 631
51-8-9	Revoked	V. 17, p. 631
51-8-10	Revoked	V. 17, p. 631
51-9-5	Amended	V. 17, p. 632
51-9-10	Amended	V. 17, p. 632
51-9-11	Amended	V. 17, p. 632
51-9-12	New	V. 17, p. 632
51-9-13	New	V. 17, p. 633
51-9-14	New	V. 17, p. 634
51-10-6	Amended	V. 17, p. 634

51-12-2	New	V. 17, p. 635
51-13-1	Amended	V. 17, p. 635
51-15-2	Amended	V. 17, p. 635
51-17-2	New	V. 17, p. 635
51-18-2	Amended	V. 17, p. 636
51-18-3		
through		
51-18-6	New	V. 17, p. 637
51-19-1	Amended	V. 17, p. 637
51-21-1	Amended	V. 17, p. 637
51-24-1	Amended	V. 17, p. 637
51-24-2	Revoked	V. 17, p. 637
51-24-7	Revoked	V. 17, p. 637

AGENCY 60: BOARD OF NURSING

Reg. No.	Action	Register
60-3-106a	Amended	V. 17, p. 357
60-3-107	Amended	V. 17, p. 357
60-3-112	New	V. 17, p. 357
60-4-101	Amended	V. 17, p. 358
60-7-109	New	V. 17, p. 358
60-7-110	New	V. 17, p. 358
60-8-101	Amended	V. 17, p. 358
60-9-105	Amended	V. 17, p. 358
60-9-106	Amended	V. 17, p. 359
60-9-107	Amended	V. 17, p. 360
60-11-119	Amended	V. 17, p. 361
60-11-120	New	V. 17, p. 361
60-11-121	New	V. 17, p. 361
60-15-101		
through		
60-15-104	Amended	V. 17, p. 1321-1323
60-16-101	Amended	V. 17, p. 796
60-16-102	Amended	V. 17, p. 796

AGENCY 65: BOARD OF EXAMINERS IN OPTOMETRY

Reg. No.	Action	Register
65-4-3	Amended	V. 17, p. 1270

AGENCY 66: BOARD OF TECHNICAL PROFESSIONS

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

AGENCY 68: BOARD OF PHARMACY

Reg. No.	Action	Register
68-1-1b	Amended	V. 17, p. 1107
68-2-20	Amended	V. 17, p. 1167
68-7-12	Amended	V. 17, p. 170
68-11-1	Amended	V. 17, p. 1107
68-20-15a	Amended	V. 16, p. 1177
68-20-16	Amended	V. 17, p. 1107

AGENCY 69: BOARD OF COSMETOLOGY

Reg. No.	Action	Register
69-11-1	Amended	V. 17, p. 1622

AGENCY 74: BOARD OF ACCOUNTANCY

Reg. No.	Action	Register
74-2-7	Amended	V. 17, p. 1415
74-4-1	Amended	V. 17, p. 1415
74-4-4	Amended	V. 17, p. 1415
74-4-7	Amended	V. 17, p. 1415
74-4-8	Amended	V. 17, p. 1416
74-4-9	Amended	V. 17, p. 1416
74-4-10	Amended	V. 17, p. 1416
74-5-202	Amended	V. 17, p. 1417
74-5-203	Amended	V. 17, p. 1417
74-5-301	Amended	V. 17, p. 1417
74-5-406	Amended	V. 17, p. 1417
74-5-407	Amended	V. 17, p. 1418
74-6-2	Amended	V. 17, p. 1418
74-11-6		
through		
74-11-14	Amended	V. 17, p. 1418-142

AGENCY 75: CONSUMER CREDIT COMMISSIONER

Reg. No.	Action	Register
75-6-24	Amended	V. 17, p. 738

AGENCY 82: STATE CORPORATION COMMISSION

Reg. No.	Action	Register
82-3-800		
through		
82-3-804	New	V. 17, p. 362, 363
82-4-1	Amended	V. 17, p. 1887

82-4-3	Amended	V. 17, p. 1888
82-4-6d	Amended	V. 17, p. 1888
82-4-20	Amended	V. 17, p. 1889
82-4-21	Amended	V. 17, p. 1889
82-4-22	Amended	V. 17, p. 1890
82-4-23	Amended	V. 17, p. 1890
82-4-24a	Amended	V. 17, p. 1890
82-4-26	Amended	V. 17, p. 1890
82-4-27	Amended	V. 17, p. 1891
82-4-27a	Amended	V. 17, p. 1891
82-4-27c	Amended	V. 17, p. 1892
82-4-27e	Amended	V. 17, p. 1892
82-4-27f	Amended	V. 17, p. 1893
82-4-27g	Amended	V. 17, p. 1893
82-4-28	Amended	V. 17, p. 1893
82-24-28a	Amended	V. 17, p. 1894
82-4-28b	Amended	V. 17, p. 1894
82-4-29a	Amended	V. 17, p. 1894
82-4-30a	Amended	V. 17, p. 1894
82-4-30b	Revoked	V. 17, p. 1895
82-4-31	Amended	V. 17, p. 1895
82-4-32	Amended	V. 17, p. 1895
82-4-33	Amended	V. 17, p. 1895
82-4-35a	Amended	V. 17, p. 1895
82-4-37	Amended	V. 17, p. 1895
82-4-42	Amended	V. 17, p. 1896
82-4-46	Amended	V. 17, p. 1896
82-4-48	Amended	V. 17, p. 1896
82-4-48a	Amended	V. 17, p. 1896
82-4-48c	Amended	V. 17, p. 1897
82-4-53	Amended	V. 17, p. 1897
82-4-54	Amended	V. 17, p. 1897
82-4-55	Amended	V. 17, p. 1897
82-4-56a	Amended	V. 17, p. 1898
82-4-57	Amended	V. 17, p. 1898
82-4-58a	Revoked	V. 17, p. 1898
82-4-58b	Revoked	V. 17, p. 1898
82-4-58c	Revoked	V. 17, p. 1899
82-4-58d	Amended	V. 17, p. 1899
82-4-59	Revoked	V. 17, p. 1899
82-4-62	Amended	V. 17, p. 1899
82-4-63	Amended	V. 17, p. 1899
82-4-64	Revoked	V. 17, p. 1899
82-4-65	Amended	V. 17, p. 1899
82-4-67	Revoked	V. 17, p. 1899
82-4-68	Amended	V. 17, p. 1899
82-4-69	Amended	V. 17, p. 1900
82-4-85	Amended	V. 17, p. 1900

AGENCY 88: BOARD OF REGENTS

Reg. No.	Action	Register
88-2-1	Amended	V. 17, p. 1087
88-3-1	Amended	V. 17, p. 1087
88-3-2	Amended	V. 17, p. 1087
88-3-5	Revoked	V. 17, p. 1088
88-3-9	Amended	V. 17, p. 208
88-3-11	Amended	V. 17, p. 1088
88-3-13	New	V. 17, p. 1088

AGENCY 91: DEPARTMENT OF EDUCATION

Reg. No.	Action	Register
91-5-1	Amended	V. 17, p. 1802
91-5-1a	Amended	V. 17, p. 1802
91-5-2	Revoked	V. 17, p. 1803
91-5-4	Amended	V. 17, p. 1803
91-5-8	Revoked	V. 17, p. 1803
91-5-9	Amended	V. 17, p. 1803
91-5-10	Revoked	V. 17, p. 1803
91-5-11	Revoked	V. 17, p. 1803
91-5-13	Amended	V. 17, p. 1803

AGENCY 92: DEPARTMENT OF REVENUE

Reg. No.	Action	Register
92-19-1a	Revoked	V. 17, p. 949
92-19-1b	New	V. 17, p. 949
92-19-3	Amended	V. 17, p. 949
92-19-8	Revoked	V. 17, p. 950
92-19-13	Revoked	V. 17, p. 950
92-19-13a	New	V. 17, p. 950
92-19-16	Revoked	V. 17, p. 950
92-19-18	Revoked	V. 17, p. 950
92-19-18a	New	V. 17, p. 950
92-19-19	Revoked	V. 17, p. 950
92-19-25a	Revoked	V. 17, p. 951
92-19-25b	New	V. 17, p. 951

92-19-27a	Revoked	V. 17, p. 952
92-19-30	Amended	V. 17, p. 952
92-19-32	Revoked	V. 17, p. 954
92-19-34	Revoked	V. 17, p. 954
92-19-35	Revoked	V. 17, p. 954
92-19-39	Revoked	V. 17, p. 954
92-19-49	Revoked	V. 17, p. 954
92-19-49a	New	V. 17, p. 954
92-19-66a	Revoked	V. 17, p. 956
92-19-66b	Amended	V. 17, p. 956
92-19-66d	Revoked	V. 17, p. 957
92-19-66e	New	V. 17, p. 957
92-19-68	Revoked	V. 17, p. 959
92-19-78	Revoked	V. 17, p. 959
92-21-18	Revoked	V. 17, p. 959
92-21-21	Revoked	V. 17, p. 959

AGENCY 93: DEPARTMENT OF REVENUE—DIVISION OF PROPERTY VALUATION

Reg. No.	Action	Register
93-3-1		
through		
93-3-4	Revoked	V. 17, p. 948
93-4-1	Revoked	V. 17, p. 948
93-4-2		
through		
93-4-6	New	V. 17, p. 948, 949

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

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

AGENCY 100: BOARD OF HEALING ARTS

Reg. No.	Action	Register
100-11-1	Amended	V. 17, p. 509
100-15-1	Amended	V. 16, p. 1176
100-22-1	Amended	V. 17, p. 1644
100-23-1	Amended	V. 17, p. 299
100-24-1	Amended	V. 17, p. 1644
100-24-2	New	V. 17, p. 1644
100-29-3a	New	V. 17, p. 1323
100-29-7	Amended	V. 17, p. 510
100-49-4	Amended	V. 17, p. 510
100-54-4	Amended	V. 17, p. 510
100-55-4	Amended	V. 17, p. 510
100-55-10	Revoked	V. 17, p. 510
100-60-1	Amended	V. 17, p. 510
100-69-5	Amended	V. 17, p. 510

AGENCY 102: BEHAVIORAL SCIENCES REGULATORY BOARD

Reg. No.	Action	Register
102-1-1	Amended	V. 17, p. 1799
102-1-8	Amended	V. 17, p. 1800
102-1-12	Amended	V. 17, p. 1800
102-3-7	Revoked	V. 17, p. 426
102-3-7a	New	V. 17, p. 426
102-4-7a	New	V. 17, p. 318
102-5-7	Revoked	V. 17, p. 427
102-5-7a	New	V. 17, p. 427

AGENCY 108: STATE EMPLOYEES HEALTH CARE COMMISSION

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

AGENCY 111: KANSAS LOTTERY

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

(continued)

111-1-5	Amended	V. 15, p. 1304	111-3-27	Amended	V. 11, p. 1149	111-4-336		
111-2-1	Amended	V. 17, p. 387	111-3-29	Revoked	V. 11, p. 1149	through		
111-2-2	Amended	V. 17, p. 387	111-3-31	Amended	V. 8, p. 209	111-4-340	Revoked	V. 16, p. 451
111-2-2a			111-3-32	Amended	V. 10, p. 883	111-4-341	Revoked	V. 11, p. 1473
through			111-3-33	New	V. 7, p. 1434	111-4-341a	Revoked	V. 12, p. 1372
111-2-2e	New	V. 14, p. 1633, 1634	111-3-34	New	V. 13, p. 149	111-4-341b	Revoked	V. 16, p. 451
111-2-2b	Amended	V. 17, p. 738	111-3-35	Amended	V. 17, p. 430	111-4-341c	Revoked	V. 16, p. 451
111-2-2d	Amended	V. 17, p. 739	111-3-36	New	V. 13, p. 877	111-4-342		
111-2-2e	Amended	V. 17, p. 1710	111-3-37	New	V. 13, p. 877	through		
111-2-4	Amended	V. 17, p. 429	111-4-1			111-4-345	Revoked	V. 16, p. 451
111-2-6	Revoked	V. 13, p. 149	through			111-4-346		
111-2-7	Revoked	V. 10, p. 1210	111-4-5	Revoked	V. 12, p. 113	through		
111-2-13	Revoked	V. 10, p. 881	111-4-5a	Revoked	V. 12, p. 113	111-4-349	Revoked	V. 12, p. 114
111-2-14	Amended	V. 14, p. 1634	111-4-6			111-4-350		
111-2-15	Revoked	V. 10, p. 881	through			through		
111-2-16	Revoked	V. 10, p. 1210	111-4-15	Revoked	V. 12, p. 113	111-4-355	Revoked	V. 16, p. 452
111-2-17	Revoked	V. 10, p. 1210	111-4-66			111-4-356		
111-2-18	Revoked	V. 11, p. 413	through			111-4-361	Revoked	V. 14, p. 7
111-2-19	Revoked	V. 11, p. 413	111-4-77	New	V. 7, p. 207-209	111-4-362		
111-2-20			111-4-96			through		
through			through			111-4-365	Revoked	V. 12, p. 114, 115
111-2-26	Revoked	V. 13, p. 1401	111-4-114	New	V. 7, p. 1606-1610	111-4-366		
111-2-27	Revoked	V. 14, p. 972	111-4-100	Amended	V. 14, p. 972	through		
111-2-28	New	V. 12, p. 1844	111-4-101			111-4-369	Revoked	V. 12, p. 1373
111-2-29	Revoked	V. 14, p. 972	through			111-4-370		
111-2-30	Amended	V. 17, p. 991	111-4-106	Revoked	V. 16, p. 450	through		
111-2-31	New	V. 14, p. 170	111-4-106a	Revoked	V. 16, p. 450	111-4-379	Revoked	V. 14, p. 7, 8
111-2-32			111-4-107			through		
through			through			111-4-380		
111-2-42	Revoked	V. 16, p. 448, 449	111-4-114	Revoked	V. 16, p. 450, 451	through		
111-2-43	Amended	V. 16, p. 1807	111-4-153			111-4-383	Revoked	V. 12, p. 1664
111-2-44	New	V. 15, p. 288	through			111-4-384		
111-2-45	New	V. 15, p. 288	111-4-160	Revoked	V. 9, p. 1676, 1677	through		
111-2-46	New	V. 15, p. 624	111-4-177			111-4-387	Revoked	V. 12, p. 1373
111-2-47	Amended	V. 16, p. 449	through			111-4-388		
111-2-48	New	V. 15, p. 1055	111-4-212	Revoked	V. 9, p. 1677, 1678	through		
111-2-49	New	V. 15, p. 1055	111-4-213			111-4-391	Revoked	V. 12, p. 1373
111-2-50	New	V. 15, p. 1056	through			111-4-392		
111-2-51	New	V. 15, p. 1440	111-4-220	Revoked	V. 10, p. 1213	through		
111-2-52	New	V. 15, p. 1441	111-4-221			111-4-400	Revoked	V. 16, p. 252
111-2-53	New	V. 15, p. 1710	through			111-4-401		
111-2-54	New	V. 15, p. 1920	111-4-224	Revoked	V. 10, p. 1585	111-4-404	Revoked	V. 12, p. 1373
111-2-55	New	V. 15, p. 1953	111-4-225			through		
111-2-56	New	V. 16, p. 449	through			111-4-405		
111-2-57	New	V. 16, p. 449	111-4-228	Revoked	V. 10, p. 1585	111-4-413	Revoked	V. 16, p. 452
111-2-58	New	V. 16, p. 689	111-4-229			111-4-414		
111-2-59	New	V. 16, p. 1043	through			through		
111-2-60	New	V. 16, p. 1209	111-4-236	Revoked	V. 10, p. 1585, 1586	111-4-428	Revoked	V. 14, p. 8
111-2-61	New	V. 16, p. 1473	111-4-237			111-4-429		
111-2-62	Amended	V. 17, p. 739	through			through		
111-2-63	New	V. 16, p. 1808	111-4-240	Revoked	V. 11, p. 413	111-4-432	Revoked	V. 12, p. 1373
111-2-64	New	V. 16, p. 1808	111-4-241			111-4-433		
111-2-65	New	V. 16, p. 1883	through			through		
111-2-66	Amended	V. 17, p. 467	111-4-244	Revoked	V. 12, p. 1371	111-4-436	Revoked	V. 12, p. 1374
111-2-67	Amended	V. 17, p. 387	111-4-245			111-4-437		
111-2-68	New	V. 16, p. 2069	through			111-4-440	Revoked	V. 12, p. 1374
111-2-69	New	V. 16, p. 2070	111-4-248	Revoked	V. 12, p. 1371	111-4-441		
111-2-70	New	V. 17, p. 388	111-4-249			through		
111-2-71	New	V. 17, p. 389	through			111-4-444	Revoked	V. 14, p. 8
111-2-72	New	V. 17, p. 430	111-4-256	Revoked	V. 12, p. 113, 114	111-4-445		
111-2-73	New	V. 17, p. 467	111-4-257			through		
111-2-74	New	V. 17, p. 739	through			111-4-448	Revoked	V. 12, p. 1374
111-2-75	New	V. 17, p. 991	111-4-286	Revoked	V. 11, p. 413, 414	111-4-449		
111-2-76	New	V. 17, p. 1168	111-4-287			through		
111-2-77	New	V. 17, p. 1553	through			111-4-453	Revoked	V. 14, p. 8
111-2-78	New	V. 17, p. 1710	111-4-290	Revoked	V. 12, p. 1371	111-4-454		
111-2-79	New	V. 17, p. 1710	111-4-291			through		
111-3-1	Amended	V. 17, p. 389	111-4-300	Revoked	V. 12, p. 114	111-4-465	Revoked	V. 12, p. 1664, 1665
111-3-6	Amended	V. 12, p. 677	111-4-301			111-4-466		
111-3-9	Revoked	V. 11, p. 1793	through			through		
111-3-10			111-4-307	Revoked	V. 13, p. 1402	111-4-469	Revoked	V. 12, p. 1665
through			111-4-308			111-4-470		
111-3-31	New	V. 7, p. 201-206	through			through		
111-3-11	Amended	V. 13, p. 35	111-4-317	Revoked	V. 16, p. 451	111-4-477	Revoked	V. 16, p. 452, 453
111-3-12	Amended	V. 13, p. 1826	111-4-318			111-4-478		
111-3-13	Amended	V. 17, p. 1323	through			111-4-492	Revoked	V. 14, p. 974, 975
111-3-14	Amended	V. 17, p. 391	111-4-321	Revoked	V. 12, p. 114	111-4-493		
111-3-16	Amended	V. 9, p. 1566	111-4-322			through		
111-3-19	Revoked	V. 13, p. 1827	111-4-327	Revoked	V. 12, p. 1371	111-4-496	Revoked	V. 16, p. 453
111-3-20	Amended	V. 11, p. 1148	111-4-328			111-4-497		
111-3-21	Amended	V. 11, p. 1148	through			through		
111-3-22	Amended	V. 11, p. 1148	111-4-327	Revoked	V. 12, p. 1371	111-4-512	Revoked	V. 14, p. 975
111-3-23	Revoked	V. 10, p. 883	111-4-328			111-4-513		
111-3-25	Amended	V. 17, p. 392	through			through		
111-3-26	Amended	V. 11, p. 1149	111-4-335	Revoked	V. 12, p. 114	111-4-521	Revoked	V. 16, p. 453

111-4-522 through			111-4-911 through			111-4-1266 through		
111-4-571	Revoked	V. 14, p. 975-977	111-4-918	New	V. 15, p. 1475, 1476	111-4-1278	New	V. 17, p. 1169-1172
111-4-572 through			111-4-915	Amended	V. 15, p. 1954	111-4-1279 through		
111-4-585	New	V. 13, p. 878-880	111-4-918	Amended	V. 15, p. 1954	111-4-1297	New	V. 17, p. 1326-1331
111-4-572	Amended	V. 17, p. 991	111-4-919 through			111-4-1298 through		
111-4-574	Amended	V. 17, p. 992	111-4-941	New	V. 15, p. 1710-1716	111-4-1315	New	V. 17, p. 1508-1512
111-4-575	Amended	V. 17, p. 992	111-4-942 through			111-4-1316 through		
111-4-576	Amended	V. 16, p. 1044	111-4-965	New	V. 15, p. 1921-1926	111-4-1324	New	V. 17, p. 1554-1556
111-4-577	Amended	V. 17, p. 992	111-4-946	Amended	V. 15, p. 1954	111-4-1325 through		
111-4-579	Amended	V. 17, p. 992	111-4-962	Amended	V. 16, p. 341	111-4-1350	New	V. 17, p. 1712-1718
111-4-581	Amended	V. 17, p. 992	111-4-963	Amended	V. 16, p. 341	111-4-1351 through		
111-4-582	Amended	V. 17, p. 992	111-4-966 through			111-4-1363	New	V. 17, p. 1747-1750
111-4-583	Amended	V. 15, p. 883	111-4-970	New	V. 15, p. 1954, 1955	111-5-1 through		
111-4-584	Amended	V. 17, p. 992	111-4-971 through			111-5-23	New	V. 7, p. 209-213
111-4-586 through			111-4-982	New	V. 16, p. 341-344	111-5-9 through		
111-4-606	Revoked	V. 14, p. 977, 978	111-4-983 through			111-5-19	Revoked	V. 15, p. 291
111-4-607 through			111-4-991	New	V. 16, p. 456, 457	111-5-21 through		
111-4-619	New	V. 13, p. 1436-1438	111-4-992 through			111-5-33	New	V. 11, p. 415-418
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111-4-607	Amended	V. 17, p. 1711	111-4-996a	New	V. 16, p. 1080	111-5-23	Amended	V. 16, p. 1814
111-4-610	Amended	V. 17, p. 1711	111-4-1013 through			111-5-24	Amended	V. 16, p. 1815
111-4-613	Amended	V. 17, p. 1507	111-4-1016	New	V. 16, p. 1045, 1046	111-5-25	Amended	V. 16, p. 1815
111-4-614	Amended	V. 17, p. 1508	111-4-1017 through			111-5-26	Amended	V. 16, p. 1815
111-4-615	Amended	V. 17, p. 1508	111-4-1037	New	V. 16, p. 1081-1085	111-5-27	Amended	V. 16, p. 1816
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111-4-623	Revoked	V. 14, p. 978	111-4-1038 through			111-5-29	Amended	V. 16, p. 1060
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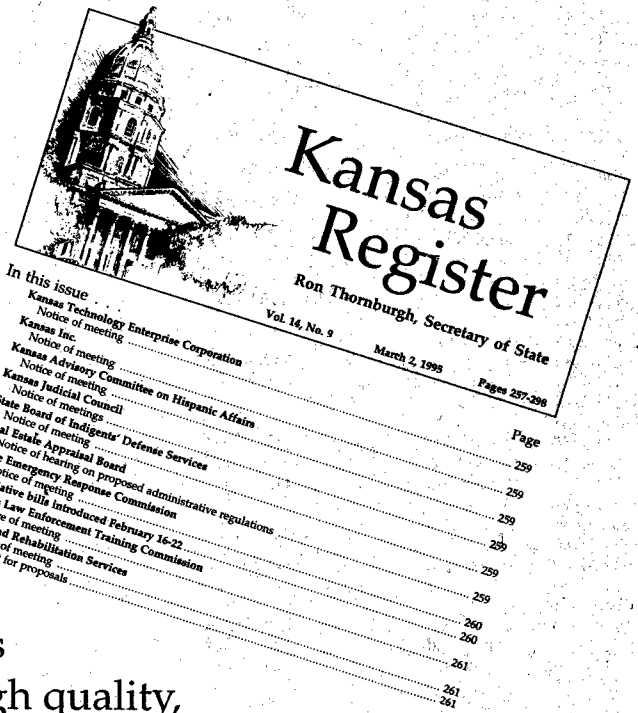
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