

Kansas Register

Ron Thornburgh, Secretary of State

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State of Kansas

Kansas Military Board**Notice of Meeting**

The Kansas Military Board of the Adjutant General's Department will meet at 10 a.m. Monday, February 8, at the State Defense Building, Conference Room 102, 2800 S.W. Topeka Blvd., Topeka. An agenda may be obtained by contacting Charles Bredahl, (785) 274-1004.

Charles G. Bredahl
Special Assistant to
The Adjutant General

Doc. No. 023360

State of Kansas

**Persian Gulf War Health Initiative
Advisory Board****Notice of Meeting**

The Persian Gulf War Health Initiative Advisory Board will meet at 1:30 p.m. Friday, January 22, in the Koch Crime Commission's conference room, 714 S.W. Jackson, Topeka. The public is invited to attend.

Don A. Myer
Executive Director

Doc. No. 023369

State of Kansas

Workforce Investment Partnership Council**Notice of Meeting**

The Kansas Workforce Investment Partnership Council will meet at 9:30 a.m. Friday, January 22, at the Marcus Center on the Wichita State University Campus, 4201 E. 21st, Room 111 (lower level), Wichita. The meeting is open to the public. For more information, contact Deann Tiede at (785) 296-3974.

David P. Thomas
Chair

Doc. No. 023380

State of Kansas

Workers Compensation Advisory Council**Notice of Meeting**

The Kansas Workers Compensation Advisory Council will meet at 9 a.m. Monday, January 25, at the Kansas Medical Society, 623 S.W. 10th, lower level, Topeka. All interested parties may submit comments prior to the hearing to Philip S. Harness, Director of Workers Compensation, 800 S.W. Jackson, Suite 600, Topeka, 66612-1227.

Wayne L. Franklin
Secretary of Human Resources

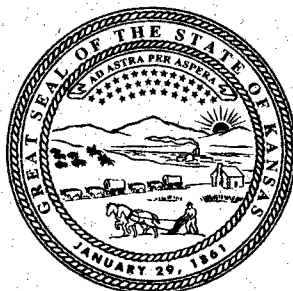
Doc. No. 023387

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State of Kansas

Continuing Legal Education Commission**Notice of Meeting**

The Kansas Continuing Legal Education Commission will meet at noon Monday, January 25, at 400 S. Kansas Ave., Suite 202, Topeka.

Martha E. Crow
Chair

Doc. No. 023378

State of Kansas

Department of Corrections**Notice of Hearing on Proposed Administrative Regulations**

A public hearing will be conducted at 10 a.m. Tuesday, March 23, in the conference room of the Department of Corrections, fourth floor, Landon State Office Building, 900 S.W. Jackson, Topeka, to consider the adoption of proposed changes in an existing rule and regulation of the Department of Corrections.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed rule and regulation. All interested parties may submit written comments prior to the hearing to Timothy G. Madden, Chief Legal Counsel, Kansas Department of Corrections, 4th Floor, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulation during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request 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 regulation and economic impact statement in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Timothy G. Madden at (785) 296-4508, fax (785) 296-0014. Handicapped parking is located at the south end of Landon State Office Building, and the north entrance to the building is accessible to individuals with disabilities.

The regulation is proposed for adoption on a permanent basis. A summary of the proposed regulation and its economic impact follows.

K.A.R. 44-1-103. Public or educational visits and tours. Amendment to this regulation reduces the minimum age of persons who can participate in educational programs and tours of correctional facilities from 13 to 10 years of age. This change does not have an economic impact. This change does not affect other governmental units, private citizens and consumers.

Copies of this regulation and the economic impact statement may be obtained by contacting the chief legal counsel, Department of Corrections.

Charles E. Simmons
Secretary of Corrections

Doc. No. 023371

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 directory also is available on the Secretary of State's website at www.ink.org/public/sos. The following appointments, which are effective immediately unless otherwise specified, were recently filed with the Secretary of State:

Franklin County Commissioner

Raymond R. Carey (4th District), Franklin County Courthouse, Ottawa, 66067. Term expires when a successor is elected and qualifies according to law. New position.

Harold R. Fuller (5th District), Franklin County Courthouse, Ottawa, 66067. Term expires when a successor is elected and qualifies according to law. New position.

Rice County Treasurer

Shawna Bieberle, Rice County Courthouse, Lyons, 67554. Term expires when a successor is elected and qualifies according to law. Succeeds Lila Blackburn.

Information Network of Kansas

Bill McBride, 2746 S.W. MacVicar Ave., Topeka, 66611. Term expires September 30, 2001. Reappointed.

Karla J. Pierce, Secretary of Revenue, 2nd Floor, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612. Serves at the pleasure of the Governor. Succeeds John J. Afafer.

Southeast Kansas Regional Library System

Doris Naylor, 10437 N.E. 30th, Weir, 66781. Term expires June 30, 2001. Succeeds Virginia Walkup.

Violet J. Pazzie, 279 N. 200th, Arma, 66712. Term expires June 30, 2001. Succeeds Bessie Chaussard.

Shirley J. Palmer, Route 5, Box 118, Fort Scott, 66701. Term expires June 30, 2001. Succeeds Roxie Armstrong.

Mandy Specht, Route 1, Iola, 66749. Term expires June 30, 2001. Succeeds Lena Norene Hobart.

Midwestern Higher Education Commission

Duane A. Goossen, 4421 S.W. 53rd, Topeka, 66610. Term expires January 13, 2003. Succeeds Gloria Timmer.

Kansas Water Authority

David Mueller, Route 2, Box 2, Tampa, 67483. Term expires May 1, 2000. Succeeds Dennis Schwartz, resigned.

Ron Thornburgh
Secretary of State

Doc. No. 023382

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. February 17 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.

Project No. 25-102 K-7432-01**Project No. 96-102 K-7382-01****Wichita County**

The scope of improvement is to provide for the replacement of Sand Creek Bridge (002) and Ladder Creek Bridge (004) on K-25 and the replacement of White Woman Creek Bridge (005) on K-96. Project No. 25-102 K-7432-01 is scheduled for plan completion in fiscal year 2005 and the estimated construction cost is \$1,963,000. Project No. 96-102 K-7382-01 is scheduled for plan completion in fiscal year 2003 and the estimated construction cost is \$1,136,000.

Project No. 34-13 K-7377-01**Clark County****Project No. 160-17 K-7447-01****Comanche County**

The scope of improvement is to provide for the replacement of Bluff Creek Drainage Bridge (028) on K-34, 10.8 km north of US-160, and the replacement of Mule Creek Bridge (009) on US-160, 3.7 km west of the Barber-Comanche county line. Project No. 34-13 K-7377-01 is scheduled for plan completion in fiscal year 2003 and the estimated construction cost is \$383,000. Project No. 160-17 K-7447-01 is scheduled for plan completion in fiscal year 2005 and the estimated construction cost is \$1,332,000.

Project No. 96-68 K-7383-01**Ness County****Project No. 96-83 K-7384-01****Rush County**

The scope of improvement is to provide for the replacement of Walnut Creek Drainage Bridge (046), 0.5 km west of the Ness-Rush county line, and Walnut Creek Drainage Bridge (024), 0.7 km east of the Ness-Rush county line. The projects are scheduled for plan completion in fiscal year 2003 and the estimated construction cost is \$1,508,000.

Project No. 4-21 K-7372-01**Dickinson County**

The scope of improvement is to provide for the replacement of East Holland Creek Bridge (041) and West Branch of Turkey Creek Bridge (042), 8.5 km and 11.0 km east of the Saline-Dickinson county line. The project is scheduled for plan completion in fiscal year 2003 and the estimated construction cost is \$1,166,000.

Project No. 7-3 K-7374-01**Atchison County**

The scope of improvement is to provide for the replacement of Deer Creek Bridge (026), 7.1 km north of US-73. The project is scheduled for plan completion in fiscal year 2003 and the construction estimate is \$793,000.

The scope of professional 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. 183-26 K-7422-01**Ellis County**

The scope of improvement is to provide for the surface rehabilitation of US-183 from the north city limits of Hays, north to the Ellis-Rooks county line. The project is scheduled for plan completion in fiscal year 2005 and the estimated construction cost is \$9,755,000.

Project No. 54-6 K-7396-01**Bourbon County**

The scope of improvement is to provide for the reconstruction of US-54 from old US-69, east and south to the south junction of US-69 in Fort Scott. The project will include the replacement of the Marmaton River Bridge (005). The project is scheduled for plan completion in fiscal year 2004 and the estimated construction cost is \$6,600,000.

**Project No. 81-85 K-7398-01
Saline County**

The scope of improvement is to provide for the surface rehabilitation of US-81 from I-70, north to the Saline-Ottawa county line. The project is scheduled for plan completion in fiscal year 2004 and the estimated construction cost is \$8,613,000.

**Project No. 75-70 K-7416-01
Osage County**

The scope of improvement is to provide for the reconstruction of US-75 from K-268, north 15.4 km to the existing 4-lane divided. The reconstruction will add 2 new lanes and rehabilitate the existing 2 lanes. The project is scheduled for plan completion in fiscal year 2005 and the estimated construction cost is \$28,316,000.

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. 023374

State of Kansas

Attorney General

Notice of Available Grant Funding

Grant funds are available from the State Crime Victims' Assistance Fund for fiscal year 2000. The purpose of the grant program is to provide services and assistance to victims of crime in order to speed their recovery from the financial loss, physical suffering and emotional trauma of victimization, and to assure proper and sensitive treatment of crime victims in the criminal justice process.

It is the intention of this grant program to provide as wide a range of coverage as possible to the citizens of the state. In distributing funds among urban and rural areas of the state, priority shall be given to those areas with the greatest need. Activities or services that can be funded include, but are not limited to, 24-hour crisis intervention, support or emergency services; counseling; assistance with compensation claims; community referrals; prosecutor/court related services; shelter support; criminal justice advocacy, etc.

Available funds may be awarded to units of state or local government or to private not-for-profit organizations for defined program activities. Each applicant may receive up to \$25,000 in grant funds, but not more than 50 percent of the total applicant agency's budget prior to grant award.

Applications can be obtained by contacting the Office of the Attorney General, 2nd Floor, Kansas Judicial Center, 301 S.W. 10th Ave., Topeka, 66612-1597, (785) 368-7063 or (800) 828-9745.

All grant applications are to be postmarked by Monday, March 1. No applications will be accepted after that date.

Carla J. Stovall
Attorney General

Doc. No. 023363

State of Kansas

**Department of Health
and Environment**

Notice of Hearing on Federal Block Grants

The Kansas Department of Health and Environment will conduct a public hearing from 9 to 11 a.m. Friday, February 19, in Room 108, Landon State Office Building, 900 S.W. Jackson, Topeka. The scheduled agenda includes the maternal and child health services block grant and the preventive health and health services block grant:

Clyde Graeber
Acting Secretary of Health
and Environment

Doc. No. 023383

State of Kansas

Attorney General

Notice of Available Grant Funding

Grant funds are available from the State Crime Victims' Assistance Fund Child Abuse and Neglect Grant Program for fiscal year 2000. The purpose of this grant program is to provide funds for ongoing operating expenses of programs (including court-appointed special advocate programs) providing temporary emergency shelter for victims of child abuse and neglect, counseling and assistance to those victims, or educational services directed at reducing the incidence of child abuse and neglect and diminishing its impact on the victim.

Available funds may be awarded to programs that meet the following requirements: are duly registered with the Secretary of State; meet the requirements of Section 501 (c) of the Internal Revenue Code of 1986; have trustees or a board of directors who represent the racial, ethnic and socioeconomic diversity of the county or counties served; meet normally accepted standards for nonprofit organizations; demonstrate ability to successfully administer programs; have obtained appropriate licensing or certification, or both; serve a significant number of residents of the county or counties served; and not unnecessarily duplicate services already adequately provided to county residents.

Each applicant must receive 50 percent or more of their funds from sources other than funds distributed through this fund. Other sources may be public or private.

Applications can be obtained by contacting the Office of the Attorney General, 2nd Floor, Kansas Judicial Center, 301 S.W. 10th Ave., Topeka, 66612-1597, (785) 368-7063 or (800) 828-9745.

All grant applications are to be postmarked by Monday, March 15. No applications will be accepted after that date.

Carla J. Stovall
Attorney General

Doc. No. 023364

State of Kansas

Department of Health
and Environment

Request for Comments

The Kansas Department of Health and Environment is soliciting comments regarding an air quality Class II operating permit amendment. Harcros Chemicals, Inc. has applied for a Class II operating permit amendment in accordance with the provisions of K.A.R. 28-19-544. Harcros Chemicals, Inc. custom manufactures, blends and distributes various industrial chemicals for use as surfactants, emulsifiers and antifoams. Emissions resulting from the sodium ether sulfate process were evaluated to determine the potential-to-emit. The purpose of the Class II operating permit amendment is to limit the potential-to-emit of volatile organic compounds (VOCs) to below 100 tons per year and individual and combined hazardous air pollutants (HAPs) below 10 tons per year and 25 tons per year, respectively.

Harcros Chemicals, Inc., Kansas City, Kansas, owns and operates the stationary source located at 5200 Speaker Road, Kansas City, Kansas.

A copy of the proposed permit, permit application, all supporting nonconfidential documentation and all information relied upon during the permit application review process is available for public review during normal business hours at the Department of Air Quality, Wyandotte County/Kansas City, Kansas Health Department, 619 Ann Ave., Kansas City, Kansas, and at the Bureau of Air and Radiation, Kansas Department of Health and Environment, Building 283, Forbes Field, Topeka. To obtain or review the proposed permit and supporting documentation, contact Andrew Beard at the Wyandotte County/Kansas City, Kansas Health Department, (913) 573-6700, or Connie Carreno at the Kansas Department of Health and Environment, (785) 296-6422. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Andrew Beard, Department of Air Quality, Wyandotte County/Kansas City, Kansas Health Department, 619 Ann Ave., Kansas City, KS 66101. Written comments must be received by the close of business February 22 in order to be considered in formulating a final permit decision.

A person may request a public hearing be conducted on the proposed permit amendment. 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, Kansas Department of Health and Environment, Building 283, Forbes Field, Topeka, 66620, not later than the close of business February 22 in order for the Secretary of Health and Environment to consider the request.

Clyde Graeber
Acting Secretary of Health
and Environment

Doc. No. 023370

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-99-009/013

Name and Address of Applicant	Waterway	Type of Discharge
City of Kingman P.O. Box 168 Kingman, KS 67068	South fork Ninnescah River	Treated domestic wastewater
Kansas Permit No. M-AR52-0001		Federal Permit No. KS0024627
Legal: NE $\frac{1}{4}$, S5, T28S, R7W, Kingman 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 and pH. In addition, water quality based limitations are established for ammonia, fecal coliform and total residual chlorine. Monitoring will be required for chlorides and weekday flow. The proposed permit contains a schedule of compliance to upgrade the facility to meet final fecal coliform limits. Also, the permittee has opted for the 1987 ammonia standards and the mandatory schedule of compliance to meet the 1994 water quality criteria ammonia 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 Leavenworth 100 N. 5th Leavenworth, KS 66048	Missouri River	Treated domestic wastewater
Kansas Permit No. M-MO12-IO01		Federal Permit No. KS0036366
Legal: NE $\frac{1}{4}$, S1, T9S, R22E, Leavenworth 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. This permit retains the existing limitations for biochemical oxygen demand, total suspended solids and pH. Fecal coliform and flow monitoring will be required. In addition, the permittee is required to conduct chronic whole effluent toxicity and heavy metals testing annually, and a priority pollutant scan will be required 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 Mulvane 211 N. 2nd Mulvane, KS 67110	Arkansas River	Treated domestic wastewater
Kansas Permit No. M-AR64-0001		Federal Permit No. KS0024635
Legal: SW $\frac{1}{4}$, S6, T30S, R2E, Sumner 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. This permit retains the existing limitations for biochemical oxygen demand, total suspended solids and pH. In addition, water quality based limitations are established for ammonia and fecal coliform. Chlorides and flow monitoring will be required. The permit requirements are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria.

Name and Address of Applicant	Waterway	Type of Discharge
City of LaCygne P.O. Box 600 LaCygne, KS 66040	Marais des Cygnes River via unnamed tributary	Treated processed wastewater
Kansas Permit No. I-MC18-PO08		Federal Permit No. KS0094617
Legal: SW¼, S33, T19S, R24E, Linn County		

Facility Description: The proposed action is to issue a new permit for the operation of a new wastewater treatment facility treating primarily treated processed wastewater. This facility is a public water treatment plant. Raw river water is settled and chlorinated followed by the addition of soda ash and alum, mixed and settled in two upflow clarifiers, filtered and rechlorinated/ammonia added and then pumped to storage. Sludge from the clarifiers and chlorinated filter backwash water are routed to the two-cell lagoon that overflows to the receiving stream. The permit requirements are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria.

Name and Address of Applicant	Waterway	Type of Discharge
Shawnee County Public Works Dept. 1515 N.W. Saline Topeka, KS 66618	Kansas River via Shunganunga Creek via Stinson Creek	Treated domestic wastewater
Kansas Permit No. M-KS72-DO08		Federal Permit No. KS0031046
Legal: NE¼, S14, T12S, R16E, Shawnee County		

Facility Description: The proposed action is to reissue an exiting 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 and pH. In addition, water quality based limitations are established for ammonia, fecal coliform and total residual chlorine. Monitoring will be required for weekday flow. The proposed permit contains a schedule of compliance to address improvements to the facility to meet final fecal coliform and ammonia 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.

Public Notice No. KS-PT-99/001

Name and Address of Applicant	Receiving Facility	Type of Discharge
Deluxe Tank Mfg. Co. P.O. Box 979 Hutchinson, KS 67504	Reno County Sewer District	Processed wastewater
Kansas Permit No. P-AR98-OO01		
Facility Address: P.O. Box 979, Hutchinson, KS 67504		

Facility Description: The proposed action is to reissue a pretreatment permit for an existing facility. This facility manufactures customized fuel tanks and oil reservoirs. Regulated operations and wastes generated include a three-stage conversion coating (phosphating) operation, hydrostatic test water, resistance cooling water and metal cleaning wastewater. The permit limits are pursuant to state and federal pretreatment requirements.

Public Notice No. KS-AG-99-1/2

Name and Address of Applicant	Legal Description	Receiving Water
Gordon Obermueller Route 1, Box 172 Lincoln, KS 67455	SE¼ of Section 5, T12S, R7W, Lincoln County	Saline River
Kansas Permit No. A-SALC-5004		

This is an expansion of an existing facility for a total of 1,760 head (224 animal units) of swine and 300 head (225 animal units) of cattle.

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

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

Name and Address of Applicant	Legal Description	Receiving Water
Gary Chaffee Chaffee Hog Farm 2008 11th Road Clay Center, KS 67432	NE¼ of Section 18, T9S, R4E, Clay County	Republican River
Kansas Permit No. A-LRCY-5022		

This is an expansion of an existing facility for a total of 2,800 head (820 animal units) of swine.

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

Compliance Schedule: Existing controls meet KDHE requirements.

Written comments on the draft permits must be submitted to the attention of Dena Endsley for agricultural permits or to the permit clerk for all other permits, Kansas Department of Health and Environment, Division of Environment, Bureau of Water, J Street and 2 North, Forbes Field, Building 283, Topeka, 66620. All comments post-marked or received on or before February 20 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate public notice number (KS-99-009/013, KS-PT-99-001, KS-AG-99-1/2) and the name of applicant as listed when preparing comments.

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

The applications, proposed permits, including proposed effluent limitations and special conditions, fact sheets as appropriate, comments received, and other information are on file and may be inspected at the Kansas Department of Health and Environment offices, Building 283, Forbes Field, Topeka, from 8 a.m. to 5 p.m. Monday through Friday. The documents are available upon request at the copying cost assessed by KDHE. Additional copies of this public notice also may be obtained at the Division of Environment.

Clyde Graeber
Acting Secretary of Health and Environment

Doc. No. 023384

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. 1998 Supp. 12-1675(b)(c)(d), and K.S.A. 75-4201(l) and 75-4209(a)(1)(B).

Effective 1-18-99 through 1-24-99	
Term	Rate
1-89 days	4.78%
3 months	4.40%
6 months	4.53%
9 months	4.57%
12 months	4.60%
18 months	4.63%
24 months	4.58%

Derl S. Treff
Director of Investments

Doc. No. 023366

State of Kansas

Kansas Development Finance Authority

Notice of Hearing

A public hearing will be conducted at 9 a.m. Thursday, February 4, in the office of the Kansas Development Finance Authority, Suite 1000, Jayhawk Tower, 700 S.W. Jackson, Topeka, on the proposal for the Kansas Development Finance Authority to issue approximately \$4,470,000 principal amount of Revenue Bonds for the Kansas Board of Regents, University of Kansas Child Care Facility. The bonds will be issued pursuant to K.S.A. 74-8901 *et seq.* to finance all or a portion of the costs of constructing a child care facility at the University of Kansas, Lawrence, Kansas.

The bonds, when issued, will be limited obligations of K DFA and will not constitute a general obligation or indebtedness of the State of Kansas, the University of Kansas or any political subdivision of the State of Kansas, nor will the bonds constitute an indebtedness for which the faith and credit and taxing powers of the state are pledged. The bonds will be payable solely from amounts received from the Kansas Board of Regents, the university or the Hilltop Child Development Center, Inc., a Kansas not-for-profit corporation that will operate the facility on behalf of the university.

All individuals who appear at the hearing will be given an opportunity to express their views for or against the proposal to issue bonds for the purposes stated herein, and all written comments filed with K DFA at its offices at Suite 1000, Jayhawk Tower, 700 S.W. Jackson, Topeka, 66603, will be considered. Additional information regarding the bonds may be obtained by contacting K DFA.

Kenneth Frahm
President

Doc. No. 023372

State of Kansas

Kansas Development Finance Authority

Notice of Hearing

A public hearing will be conducted at 9 a.m. Thursday, February 4, in the conference room in the office of the Kansas Development Finance Authority, Suite 1000, Jayhawk Tower, 700 S.W. Jackson, Topeka, on the proposal for the Kansas Development Finance Authority to issue its Agricultural Development Revenue Bond for the project numbered below in the respective maximum principal amount. The bond will be issued to assist the borrower named below (who will be the owner and operator of the project) to finance the cost in the amount of the bond of acquiring the project or for the purpose of refunding a bond previously issued to finance the project. The project shall be located as shown:

Project No. 000405, Maximum Principal Amount: \$132,000. Owner/Operator: Kevin L. and Kayla S. Hahn Wurm. Description: Acquisition of 480 acres of agricultural land and related improvements and equipment to be used by the owner/operator for farming purposes. The project is located at the Northeast Quarter of Section 14, Township 5 South, Range 29 West of the Sixth P.M., and the West Half of Section 13, Township 5 South, Range 29 West of the Sixth P.M., in Decatur County, Kansas; approximately 14 miles south of the Highway 83 and Highway 36 intersection in Oberlin.

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

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

Any individual affected by the project may, at or prior to the hearing, file a written request with the Authority that a local hearing be held on the proposal to issue a bond to finance said project. A local hearing, if requested, would be conducted in the county where the project is located.

Kenneth Frahm
President

Doc. No. 023386

State of Kansas

State Banking Board

Notice of Meeting

The State Banking Board will meet at 9 a.m. Monday, February 22, in the conference room of the office of the State Bank Commissioner, Suite 300, Jayhawk Tower, 700 S.W. Jackson, Topeka. The board reviews matters relating to its supervisory authority as set forth in K.S.A. 9-1801 *et seq.*

Judi M. Stork
Acting State Bank Commissioner

Doc. No. 023379

State of Kansas

Legislature

Legislative Bills and Resolutions Introduced

The following numbers and titles of bills and resolutions were recently introduced by the 1999 Legislature. Copies of bills and resolutions are available free of charge from the Legislative Document Room, 145-N, State Capitol, 300 S.W. 10th Ave., Topeka, 66612, (785) 296-4096.

Bills/Resolutions Introduced January 11-13:

House Bills

HB 2001, An act relating to property taxation; exempting certain student unions and dormitories therefrom; amending K.S.A. 1998 Supp. 79-201a and repealing the existing section, by Representative Morrison.

HB 2002, An act concerning children; relating to joint shared child custody and parenting time; concerning child support; amending K.S.A. 20-164, 21-3422, 21-3422a, 23-601, 23-602, 23-701, 38-1302, 38-1309, 38-1310, 38-1597, 60-1612, 60-1614, 60-1617 and 75-720 and K.S.A. 1998 Supp. 5-509, 20-302b, 23-9,305, 23-1001, 23-1002, 38-1121, 38-1138, 38-1563, 38-1569, 38-1583, 38-1641, 38-1664, 38-16119, 60-1607, 60-1610, 60-1616, 60-1621, 60-3107 and 74-7334 and repealing the existing sections, by Special Committee on Judiciary.

HB 2003, An act concerning civil procedure; relating to reconciliation of a marriage, by Special Committee on Judiciary.

HB 2004, An act relating to state finances; concerning biennial budget estimates for state agencies; amending K.S.A. 75-3717 and 75-6701 and repealing the existing sections, by Legislative Budget Committee.

HB 2005, An act relating to accident and health insurance; concerning mandated coverages; requirements, by Special Committee on Financial Institutions and Insurance.

HB 2006, An act relating to drivers' licenses; concerning certain restrictions; amending K.S.A. 1998 Supp. 8-237, 8-239 and 8-296 and repealing the existing sections, by Special Committee on Judiciary.

HB 2007, An act concerning abortion; amending K.S.A. 1998 Supp. 65-2837, 65-6701, 65-6703, 65-6709 and 65-6721 and repealing the existing sections; also repealing K.S.A. 1998 Supp. 65-2837b, by Special Committee on Judiciary.

HB 2008, An act concerning the payment of certain moneys to Brown and Jackson counties, by Special Committee on Federal and State Affairs.

HB 2009, An act relating to sales taxation; exempting sales of certain business machinery and equipment replacement parts and installation services; defining property which is consumed; amending K.S.A. 1998 Supp. 79-3602 and 79-3606 and repealing the existing sections, by Special Committee on Assessment and Taxation.

HB 2010, An act relating to the taxation of certain motorized vehicles; amending K.S.A. 79-5105 and K.S.A. 1998 Supp. 8-134a and 79-5101 and repealing the existing sections; also repealing K.S.A. 1998 Supp. 79-5105a, by Special Committee on Assessment and Taxation.

HB 2011, An act relating to sales taxation; exempting purchases by certain political subdivisions and water districts therefrom; amending K.S.A. 1998 Supp. 79-3606 and repealing the existing section, by Special Committee on Assessment and Taxation.

HB 2012, An act concerning the state fire marshal; relating to the powers and duties thereof; amending K.S.A. 31-133 and repealing the existing section, by Special Committee on Federal and State Affairs.

HB 2013, An act concerning bingo; relating to the regulation and taxation thereof; amending K.S.A. 79-4701, 79-4703, 79-4704, 79-4705, 79-4705a, 79-4706, 79-4707, 79-4708, 79-4710, 79-4711, 79-4712a, 79-4713 and 79-4714 and K.S.A. 1998 Supp. 74-8804, 74-8805 and 79-3603 and repealing the existing sections; also repealing K.S.A. 79-4702 and 79-4715, by Special Committee on Federal and State Affairs.

HB 2014, An act concerning higher education; relating to professional service scholarships for persons enrolled in courses of instruction leading to the practice of osteopathic medicine, optometry, nursing or teaching; amending K.S.A. 74-3267a, 74-3268, 74-3268a, 74-3271, 74-3272, 74-3273, 74-3291, 74-3293, 74-3294, 74-3297, 74-3299, 74-32,100, 74-32,101, 74-32,102, 74-32,103, 74-32,105 and 74-32,106 and K.S.A. 1998 Supp. 74-3265, 74-3266, 74-3267, 74-3292, 74-3295, 74-3296, 74-3298, 74-32,104, 74-32,107, 74-32,114, 74-32,115, 74-32,116, 74-32,117, 74-32,131, 74-32,132, 74-32,133, 74-32,134, 74-32,135, 74-32,136 and 74-32,137 and repealing the existing sections; also repealing K.S.A. 74-3223, 74-3224, 74-3225, 74-3226, 74-3227, 74-3228, 74-3246, 74-3247, 74-3248 and 74-3269, by Legislative Educational Planning Committee.

HB 2015, An act concerning civil procedure; relating to service of process upon insurance companies and fraternal benefit societies; amending K.S.A. 40-218 and repealing the existing section, by Representative O'Neal.

HB 2016, An act concerning the state tourism fund; amending K.S.A. 79-4801 and K.S.A. 1998 Supp. 74-9003 and repealing the existing sections; also repealing K.S.A. 1998 Supp. 74-9004 and 74-9005, by Joint Committee on Economic Development.

HB 2017, An act concerning state building construction; relating to change orders or changes in plans; amending K.S.A. 75-1264 and repealing the existing section, by Joint Committee on State Building Construction.

HB 2018, An act concerning identification numbers and their use, by Special Committee on Information Management.

HB 2019, An act concerning crimes and punishments; amending K.S.A. 21-4001 and repealing the existing section; also repealing K.S.A. 21-4002, by Special Committee on Information Management.

HB 2020, An act relating to property taxation; concerning certain appeals procedure; amending K.S.A. 79-1609 and 79-2005 and K.S.A. 1998 Supp. 74-2438 and repealing the existing sections, by Representative Sloan.

HB 2021, An act concerning rendering plants; relating to acceptance of certain refuse, by Representative Sloan.

HB 2022, An act concerning elections; relating to campaign finance; amending K.S.A. 25-4142 and K.S.A. 1998 Supp. 25-4143 and 25-4156 and repealing the existing sections, by Representative Jenkins.

HB 2023, An act concerning municipalities; relating to granting of franchises; amending K.S.A. 12-2001 and repealing the existing section, by Committee on Utilities.

HB 2024, An act concerning natural gas service; providing for competition in retail sales, by Committee on Utilities.

HB 2025, An act concerning the electric utility industry; relating to competition in retail sales of electric generation service; enacting the electric utility restructuring act; amending K.S.A. 66-128e, 66-128f, 66-128g, 75-4319 and 79-1439 and K.S.A. 1998 Supp. 45-221 and 66-128 and repealing the existing sections; also repealing K.S.A. 66-1,159 through 66-1,165, 66-1,168, 66-1,169a and 66-1,169c and K.S.A. 1998 Supp. 66-1,158 and 66-1,169b, by Committee on Utilities.

HB 2026, An act concerning electric service; authorizing the state corporation commission to provide for competition in retail sales of generation service; repealing K.S.A. 1998 Supp. 66-1902, by Committee on Utilities.

HB 2027, An act making and concerning appropriations for the fiscal year ending June 30, 1999, for the adjutant general; authorizing certain transfers and imposing certain restrictions and limitations, and directing or authorizing certain receipts and disbursements and acts incidental to the foregoing, by Committee on Appropriations.

HB 2028, An act concerning wildlife; providing for permits for and regulation of importation and possession of certain snakes; amending K.S.A. 1998 Supp. 32-988 and repealing the existing section, by Representative Sloan.

HB 2029, An act concerning retail electric and natural gas service; providing for competition under certain conditions, by Committee on Utilities.

(continued)

HB 2030, An act relating to income taxation; allowing a credit therefrom for certain motor vehicle taxes, by Representatives Powell, Palmer and Sharp.

HB 2031, An act concerning a state fish, by Representative P. Long.

House Concurrent Resolutions

HCR 5001, A concurrent resolution providing for a joint session of the Senate and House of Representatives for the purpose of hearing a message from the Governor.

HCR 5002, A proposition to amend section 13 of article 11 of the constitution of the state of Kansas, relating to exemption of property used for oil and gas development, exploration and production purposes.

HCR 5003, A proposition to amend section 3 of article 6 of the constitution of the state of Kansas.

HCR 5004, A concurrent resolution establishing a task force to study rail passenger service in Kansas.

HCR 5005, A concurrent resolution urging Congress to remove or restrict the use of trade sanctions as they apply to agricultural products.

HCR 5006, A concurrent resolution urging Congress to pass the Medical Privacy Act of 1998.

HCR 5007, A concurrent resolution adopting joint rules for the Senate and House of Representatives for the 1999-2000 biennium.

House Resolutions

HR 6001, A resolution relating to the organization of the House of Representatives.

HR 6002, A resolution relating to the assignment of seats of the House of Representatives.

HR 6003, A resolution relating to the rules of the House of Representatives for the 1999-2000 biennium.

HR 6004, A resolution requiring the Attorney General to bring suit challenging the provisions of Section 656(b) of P.L. 104-208.

HR 6005, A resolution adopting permanent rules of the House of Representatives for the 1999-2000 biennium.

Senate Bills

SB 1, An act concerning unclaimed property; amending K.S.A. 58-3936 and K.S.A. 1998 Supp. 58-3950 and repealing the existing sections, by Senator Becker.

SB 2, An act relating to sales taxation; classifying cities in Finney county for imposition authority for economic development purposes; amending K.S.A. 1998 Supp. 12-188 and repealing the existing section, by Senator Morris.

SB 3, An act relating to accident and health insurance; providing coverage for general anesthesia and medical care facility charges for certain dental care; amending K.S.A. 1998 Supp. 40-2,103 and 40-19c09 and repealing the existing sections; also repealing K.S.A. 1998 Supp. 40-1909, by Special Committee on Financial Institutions and Insurance.

SB 4, An act concerning criminal procedure; relating to expungement; amending K.S.A. 1998 Supp. 12-4516 and 21-4619 and repealing the existing sections, by Special Committee on Judiciary.

SB 5, An act concerning marriage; relating to marriage licenses; application and issuance by mail; amending K.S.A. 1998 Supp. 23-106 and repealing the existing section, by Special Committee on Judiciary.

SB 6, An act concerning alcoholic beverages; relating to the regulation thereof; relating to certain licensees; amending K.S.A. 41-330, 41-2610 and 41-2623 and K.S.A. 1998 Supp. 41-311 and repealing the existing sections, by Special Committee on Federal and State Affairs.

SB 7, An act concerning cities and counties; relating to the consolidation thereof; amending K.S.A. 12-301 and 12-3909 and K.S.A. 1998 Supp. 19-205 and repealing the existing sections, by Special Committee on Local Government.

SB 8, An act concerning special education services for exceptional children attending private schools; amending K.S.A. 72-5392, 72-5393 and 72-5394 and repealing the existing sections, by Legislative Budget Committee.

SB 9, An act relating to property taxation; concerning the timing of inspection of property for appraisal purposes; amending K.S.A. 79-1476 and repealing the existing section, by Special Committee on Assessment and Taxation.

SB 10, An act relating to property taxation; exempting certain property therefrom; amending K.S.A. 79-201c and repealing the existing section, by Special Committee on Assessment and Taxation.

SB 11, An act relating to property taxation; concerning the correction of clerical errors; amending K.S.A. 79-1701, 79-1701a and 79-1702 and

repealing the existing sections, by Special Committee on Assessment and Taxation.

SB 12, An act relating to property taxation; concerning the contents of appraised valuation notices; amending K.S.A. 79-1437f and 79-1460 and repealing the existing sections, by Special Committee on Assessment and Taxation.

SB 13, An act relating to the filing of plats; amending K.S.A. 1998 Supp. 12-752 and repealing the existing section, by Special Committee on Assessment and Taxation.

SB 14, An act relating to accident and health insurance; providing coverage for reconstructive breast surgery; amending K.S.A. 1998 Supp. 40-2,103 and 40-19c09 and repealing the existing sections; also repealing K.S.A. 1998 Supp. 40-1909, by Special Committee on Financial Institutions and Insurance.

SB 15, An act concerning the division of alcoholic beverage control; relating to the powers and duties of the director, agents and employees thereof; amending K.S.A. 1998 Supp. 41-201 and repealing the existing section, by Special Committee on Federal and State Affairs.

SB 16, An act concerning alcoholic liquor and cereal malt beverages; relating to the regulation thereof; amending K.S.A. 21-3610, 41-101, 41-103, 41-104, 41-105, 41-202, 41-204, 41-206, 41-207, 41-209, 41-211, 41-301, 41-303, 41-304, 41-309, 41-310, 41-313, 41-314, 41-315, 41-317, 41-319, 41-320, 41-321, 41-322, 41-323, 41-326, 41-328, 41-330, 41-331, 41-332, 41-333, 41-334, 41-339, 41-401, 41-402, 41-403, 41-405, 41-406, 41-407, 41-408, 41-410, 41-501, 41-501a, 41-502, 41-507, 41-508, 41-601, 41-602, 41-701, 41-702, 41-703, 41-704, 41-705, 41-706, 41-710, 41-713, 41-718, 41-720, 41-728, 41-729, 41-805, 41-806, 41-901, 41-902, 41-903, 41-904, 41-905, 41-1001, 41-1002, 41-1003, 41-1004, 41-1102, 41-1107, 41-1122, 41-1123, 41-1125, 41-2610, 41-2611, 41-2613, 41-2632, 41-2639, 41-2640, 41-2643, 41-2645, 41-2646, 41-2647, 41-2651, 41-2701, 41-2702, 41-2705, 41-2722 and 75-5118 and K.S.A. 1998 Supp. 8-241, 8-1599, 8-2110, 19-101a, 41-102, 41-201, 41-302, 41-306, 41-306a, 41-307, 41-308a, 41-311, 41-346, 41-347, 41-708, 41-712, 41-717, 41-719, 41-727, 41-1101, 41-1126, 41-2614, 41-2615, 41-2642, 44-706, 60-2313, 79-41a01, 79-41a03 and 79-41a07 and repealing the existing sections; also repealing K.S.A. 41-203, 41-205, 41-208, 41-210, 41-305, 41-308, 41-312, 41-316, 41-318, 41-324, 41-325, 41-327, 41-329, 41-335, 41-336, 41-337, 41-338, 41-340, 41-341, 41-342, 41-343, 41-344, 41-345, 41-409, 41-412, 41-501c, 41-510, 41-707, 41-711, 41-714, 41-715, 41-721, 41-722, 41-723, 41-724, 41-725, 41-726, 41-801, 41-803, 41-1105, 41-1111, 41-1112, 41-1114, 41-1115, 41-1116, 41-1117, 41-1118, 41-1119, 41-1120, 41-1121, 41-1124, 41-1127, 41-2604, 41-2605, 41-2606, 41-2607, 41-2608, 41-2609, 41-2612, 41-2619, 41-2620, 41-2621, 41-2623, 41-2625, 41-2626, 41-2627, 41-2628, 41-2629, 41-2630, 41-2631, 41-2633, 41-2633a, 41-2634, 41-2635, 41-2636, 41-2644, 41-2648, 41-2649 and 41-2650. and K.S.A. 1998 Supp. 19-101i, 41-308b, 41-709, 41-2601, 41-2622, 41-2637 and 41-2641, by Special Committee on Federal and State Affairs.

SB 17, An act concerning state building construction; relating to certain claims arising therefrom; providing for recovery and disposition of amounts received for costs incurred; amending K.S.A. 75-1267 and 75-3785 and repealing the existing sections, by Joint Committee on State Building Construction.

SB 18, An act relating to income taxation; allowing a credit therefrom for property tax paid upon the working interest of certain oil wells, by Senators Lee and Corbin.

SB 19, An act concerning the Kansas commission on veterans affairs; authorizing the establishment of a state system of veterans cemeteries, by Joint Committee on State Building Construction.

SB 20, An act concerning information; limitations on disclosure and use of health information, by Special Committee on Information Management.

SB 21, An act relating to the records of the division of vehicles; amending K.S.A. 1998 Supp. 74-2012 and repealing the existing section, by Special Committee on Information Management.

SB 22, An act concerning unlawful employment practices; relating to genetic testing; amending K.S.A. 44-1002 and 44-1009 and repealing the existing sections, by Special Committee on Information Management.

SB 23, An act concerning elections; concerning campaign finance; amending K.S.A. 1998 Supp. 25-4143, 25-4150 and 25-4152 and repealing the existing sections, by Senators Hensley, Barone, Biggs, Downey, Feliciano, Gooch, Goodwin, Jones, Lee, Petty and Steineger.

SB 24, An act repealing K.S.A. 1998 Supp. 46-2901; concerning the Joint Committee on Oversight of the University of Kansas Hospital Authority, by Joint Committee on Oversight of the University of Kansas Hospital Authority.

(Published in the Kansas Register January 21, 1999.)

**Summary Notice of Bond Sale
Unified School District No. 401
Rice County, Kansas (Chase-Raymond)
\$800,000
General Obligation School Building Bonds
Series 1999**

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

SB 25, An act concerning the university of Kansas medical center; authorizing certain capital improvement projects by the university of Kansas hospital authority, by Joint Committee on Oversight of the University of Kansas Hospital Authority.

SB 26, An act relating to the state library and the state librarian; state library advisory commission; amending K.S.A. 75-2535 and 75-2546 and repealing the existing sections, by Senator Hensley.

SB 27, An act repealing K.S.A. 72-64a01 and 72-64a02, concerning the Kansas committee on school district finance and quality performance, by Senator Emert.

SB 28, An act repealing K.S.A. 72-4409, 72-4409a and 72-4410, concerning the state council on vocational education and the state advisory council for vocational education, by Senator Emert.

SB 29, An act repealing K.S.A. 72-1106c and 72-1106d, concerning the school term and special exceptions thereto, by Senator Emert.

SB 30, An act repealing K.S.A. 72-120, concerning the publication of school laws by the state board of education, by Senator Emert.

SB 31, An act repealing K.S.A. 72-933, concerning special education services for developmentally disabled children, by Senator Emert.

SB 32, An act repealing K.S.A. 72-77a01, 72-77a02, 72-77a03 and 72-77a04, concerning the Kansas commission on education restructuring and accountability, by Senator Emert.

SB 33, An act repealing K.S.A. 72-1626b, concerning bond issuances authorized before school district unification, by Senator Emert.

SB 34, An act repealing K.S.A. 72-9401, 72-9402, 72-9403, 72-9404, 72-9406, 72-9407 and 72-9408, concerning the state minimum competency assessment program, by Senator Emert.

SB 35, An act repealing 72-6761a and 72-6761b, concerning the validation of certain bond issuances, by Senator Emert.

SB 36, An act repealing K.S.A. 72-5303, concerning the provision and maintenance of water closets by boards of education, by Senator Emert.

SB 37, An act repealing K.S.A. 72-1114, 72-1115 and 72-1116, concerning school district self evaluation and accreditation, by Senator Emert.

SB 38, An act concerning school districts; relating to state grants for provision of services at Flint Hills job corps center and certain juvenile detention facilities; amending K.S.A. 1998 Supp. 72-6407, 72-6430 and 72-8187 and repealing the existing sections, by Senator Clark.

SB 39, An act making and concerning appropriations for the fiscal year ending June 30, 1999, for the adjutant general; authorizing certain transfers and imposing certain restrictions and limitations, and directing or authorizing certain receipts and disbursements and acts incidental to the foregoing, by Committee on Ways and Means.

SB 40, An act concerning the Kansas public employees retirement system; relating to members of the legislature; service after retirement; amending K.S.A. 1998 Supp. 74-4914 and repealing the existing section, by Committee on Ways and Means.

SB 41, An act concerning retirement and pensions; relating to the Kansas public employees retirement system; employer contributions; amending K.S.A. 1998 Supp. 74-49,126 and repealing the existing section, by Joint Committee on Pensions, Investments and Benefits.

SB 42, An act relating to income taxation; amending the Kansas community services program act; amending K.S.A. 1998 Supp. 79-32,195 and repealing the existing section, by Senator Clark.

Senate Concurrent Resolutions

SCR 1601, A proposition to amend section 1 of article 10 of the constitution of the state of Kansas, relating to the reapportionment of senatorial and representative districts.

SCR 1602, A concurrent resolution urging the secretary of the United States Department of Agriculture to provide greater opportunities to the farmers of the United States by taking greater advantage of the export enhancement program.

SCR 1603, A concurrent resolution urging Congress to pass the Freedom and Privacy Restoration Act of 1998.

SCR 1604, A concurrent resolution relating to a committee to inform the governor that the two houses of the legislature are duly organized and ready to receive communications.

SCR 1605, A concurrent resolution urging Congress to remove or restrict the use of trade sanctions as they apply to agricultural products.

Senate Resolutions

SR 1801, A resolution relating to the organization of the Senate.

SR 1802, A resolution relating to assignment of seats of the Senate.

SR 1803, A resolution requiring the Attorney General to bring suit challenging the provisions of Section 656(b) of P.L. 104-208.

Doc. No. 023377

Sealed Bids

Subject to the notice of bond sale dated January 11, 1999, sealed bids will be received by the clerk of Unified School District No. 401, Rice County, Kansas (Chase-Raymond) (the issuer), on behalf of the governing body at the office of the Board of Education, 313 E. C Ave., P.O. Box 366, Chase, KS 67524-0366, until 7 p.m. February 8, 1999, for the purchase of \$800,000 principal amount of General Obligation School Building 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. The bonds will be dated February 1, 1999, and will become due on September 1 in the years as follows:

Year	Principal Amount
2000	\$ 35,000
2001	60,000
2002	75,000
2003	75,000
2004	80,000
2005	85,000
2006	90,000
2007	95,000
2008	100,000
2009	105,000

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 March 1, 2000.

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 \$16,000 (2 percent of the principal amount of the bonds).

Delivery

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered.

(continued)

tered without cost to the successful bidder on or before February 25, 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 \$11,360,673. The total general obligation indebtedness of the issuer as of the date of delivery of the bonds, including the bonds being sold, is \$800,000.

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) 938-2913, or from the financial advisor, Ranson & Associates, Inc., 250 N. Rock Road, Suite 150, Wichita, KS 67206, Attention: Stephen E. Shogren, (316) 681-3123.

Dated January 11, 1999.

Unified School District No. 401
Rice County, Kansas (Chase-Raymond)

Doc. No. 023368

(Published in the Kansas Register January 21, 1999.)

Summary Notice of Bond Sale Unified School District No. 368 Miami County, Kansas (Paola) \$2,100,000

General Obligation School Building Bonds Series 1999

(General obligation bonds payable from
unlimited ad valorem taxes)

Sealed Bids

Subject to the notice of bond sale dated January 5, 1999, sealed bids will be received by the clerk of Unified School District No. 368, Miami County, Kansas (Paola) (the issuer), on behalf of the governing body at the office of the Board of Education, 202 E. Wea, Paola, KS 66071-0268, until 7:30 p.m. February 2, 1999, for the purchase of \$2,100,000 principal amount of General Obligation School Building 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. The bonds will be dated February 1, 1999, and will become due on December 1 in the years as follows:

Year	Principal Amount
2001	\$ 50,000
2002	50,000

2003	50,000
2004	50,000
2005	50,000
2006	50,000
2007	50,000
2008	50,000
2009	330,000
2010	340,000
2011	350,000
2012	355,000
2013	325,000

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, 2000.

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 \$42,000 (2 percent of the principal amount of the bonds).

Delivery

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or before February 25, 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 \$79,998,392. The total general obligation indebtedness of the issuer as of the date of delivery of the bonds, including the bonds being sold, is \$19,555,000.

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, (913) 294-3646, or from the financial advisor, Ranson & Associates, Inc., 250 N. Rock Road, Suite 150, Wichita, KS 67206, Attention: Stephen E. Shogren, (316) 681-3123.

Dated January 5, 1999.

Unified School District No. 368
Miami County, Kansas (Paola)

Doc. No. 023361

State of Kansas

State Corporation Commission

Notice to Producers of Oil and Natural Gas

The State Corporation Commission has filed a Petition for Declaratory Order, requesting the commission to issue an interpretation of K.A.R. 82-3-111. The commission is being asked to find that shut-in oil, gas or injection wells as defined in the petition are not considered "temporarily abandoned" wells subject to K.A.R. 82-3-111.

Questions should be directed to Diana Edmiston, Senior Assistant General Counsel, State Corporation Commission, Conservation Division, Finney State Office Building, 130 S. Market, Wichita, 67202, (316) 337-6200.

David J. Heinemann
Executive Director

Doc. No. 023375

(Published in the Kansas Register January 21, 1999.)

Summary Notice of Bond Sale
Unified School District No. 443
Ford County, Kansas (Dodge City)
\$18,000,000

General Obligation School Building Bonds
Series 1999

(General obligation bonds payable from
unlimited ad valorem taxes)

Sealed Bids

Subject to the notice of bond sale dated January 11, 1999, sealed bids will be received by the clerk of Unified School District No. 443, Ford County, Kansas (Dodge City) (the issuer), on behalf of the governing body at the office of the Board of Education, 100 Second Ave., P.O. Box 460, Dodge City, KS 67001-0460, until noon February 3, 1999, for the purchase of \$18,000,000 principal amount of General Obligation School Building 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. The bonds will be dated February 1, 1999, and will become due on September 1 in the years as follows:

Year	Principal Amount
2000	\$ 145,000
2001	260,000
2002	305,000
2003	360,000
2004	410,000
2005	475,000
2006	535,000
2007	610,000
2008	680,000
2009	760,000
2010	840,000
2011	930,000
2012	1,020,000

2013	1,120,000
2014	1,220,000
2015	1,855,000
2016	2,000,000
2017	2,150,000
2018	2,325,000

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 March 1, 2000.

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 \$360,000 (2 percent of the principal amount of the bonds).

Delivery

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or before March 2, 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 \$146,609,637. The total general obligation indebtedness of the issuer as of the date of delivery of the bonds, including the bonds being sold, is \$42,080,000.

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) 227-1620, or from the financial advisor, Ranson & Associates, Inc., 250 N. Rock Road, Suite 150, Wichita, KS 67206, Attention: Stephen E. Shogren, (316) 681-3123.

Dated January 11, 1999.

Unified School District No. 443
Ford County, Kansas (Dodge City)

Doc. No. 023373

State of Kansas

Kansas State University-Salina

Public Notice

Kansas State University-Salina is offering the following aircraft for sale:

- Cessna, Model 150L, ACTT 7325.2, ENG TT 824.0 - \$18,000
- 1993 Beech, Model B58, AC/ENG (L&R) TT 390.3, EFIS - \$650,000
- 1986 Beech, Model F33C, AC/ENG TT 1237.1 - \$169,000

For further information, contact Pete Kennedy, KSU-Salina, 2310 Centennial Road, Salina, 67401, (785) 826-2679.

Peter J. Kennedy
Aviation Department

Doc. No. 023367

(Published in the Kansas Register January 21, 1999.)

Summary Notice of Bond Sale

Unified School District No. 235

Bourbon County, Kansas (Uniontown)

\$2,000,000

General Obligation School Building Bonds
Series 1999

(General obligation bonds payable from
unlimited ad valorem taxes)

Sealed Bids

Subject to the notice of bond sale dated January 4, 1999, sealed bids will be received by the clerk of Unified School District No. 235, Bourbon County, Kansas (Uniontown) (the issuer), on behalf of the governing body at the office of the Board of Education, 401 E. 5th, Route 1, P.O. Box 70, Uniontown, KS 66779, until 7:30 p.m. February 1, 1999, for the purchase of \$2,000,000 principal amount of General Obligation School Building 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. The bonds will be dated February 1, 1999, and will become due on September 1 in the years as follows:

Year	Principal Amount
2001	\$ 50,000
2002	70,000
2003	70,000
2004	75,000
2005	80,000
2006	85,000
2007	90,000
2008	90,000
2009	95,000
2010	100,000
2011	105,000
2012	115,000

2013	120,000
2014	125,000
2015	130,000
2016	140,000
2017	145,000
2018	155,000
2019	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 March 1, 2000.

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 \$40,000 (2 percent of the principal amount of the bonds).

Delivery

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or before February 25, 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 \$12,735,111. The total general obligation indebtedness of the issuer as of the date of delivery of the bonds, including the bonds being sold, is \$2,000,000.

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, (913) 756-4302, or from the financial advisor, Ranson & Associates, Inc., 250 N. Rock Road, Suite 150, Wichita, KS 67206, Attention: Stephen E. Shogren, (316) 681-3123.

Dated January 4, 1999.

Unified School District No. 235
Bourbon County, Kansas (Uniontown)

Doc. No. 023362

State of Kansas

Board of Technical Professions

Permanent Administrative
Regulations

Article 7.—APPLICATIONS

66-7-2. Application for certificate of authorization.

(a) A separate application shall be submitted for each technical profession for which a corporation wishes to become authorized.

(b) Each application submitted by a foreign corporation shall be accompanied by the following:

- (1) A certificate of good standing;
- (2) a copy of the articles of incorporation;
- (3) a copy of the most recent annual report filed with the state of domicile of the corporation; and
- (4) a copy of the certificate of authority to do business in the state of Kansas from the Kansas secretary of state if qualified pursuant to K.S.A. 17-7301 et seq., and amendments thereto.

(c) Each application submitted by a domestic corporation shall be accompanied by the following:

- (1) A copy of the articles of incorporation; and
- (2) a copy of the most recent annual report filed with the Kansas secretary of state. (Authorized by K.S.A. 1997 Supp. 74-7013; implementing K.S.A. 74-7036; effective May 1, 1984; amended May 4, 1992; amended Feb. 5, 1999.)

Betty L. Rose
Executive Director

Doc. No. 023365

State of Kansas

State Conservation Commission

Permanent Administrative
RegulationsArticle 9.—KANSAS WATER QUALITY
BUFFER INITIATIVE

11-9-1. Definitions. (a) "Buffer" is a strip or area of land maintained in permanent vegetation to help reduce potential pollution problems and achieve other conservation objectives. Buffers are appropriately installed along streams to enhance water quality.

(b) "Commission" means the state conservation commission (SCC).

(c) "Commissioners" means the commissioners of the state conservation commission.

(d) "Continuous sign-up" means that persons eligible for CRP may request to enroll certain acreage in the program at any time. The CRP practices available during continuous sign-up provide environmental benefits complementary to the initiative.

(e) "CRP" means the conservation reserve program administered by the USDA farm service agency (FSA) with technical responsibility assigned to the USDA natural resources conservation service (NRCS). The CRP may provide cost share assistance to establish vegetation on eligible land and provides annual rental payments on

a per acre basis to maintain enrolled acres for a period up to 15 years.

(f) "Director" means the executive director of the state conservation commission.

(g) "District" means a conservation district.

(h) "Filter strip" means a strip or area of grass for removing sediment, organic matter, and other pollutants from runoff and wastewater.

(i) "FSA" means the farm service agency.

(j) "Initiative" means the Kansas water quality buffer initiative.

(k) "NRCS" means the natural resources conservation service.

(l) "Practices" means cultural or structural measures that are installed or constructed on land for the purpose of improving or maintaining water quality.

(m) "Program" means the Kansas water quality buffer initiative, which shall be implemented in a manner to enhance participation under the continuous sign-up provision of the conservation reserve program by providing state incentives to supplement federal payments for riparian forest buffers and filter strips.

(n) "Riparian forest buffer" means a strip or area of vegetation containing trees and grass for removing sediment, organic matter, and other pollutants from runoff and wastewater.

(o) "Unfarmable field" means the remaining portion of a field in which 51% or more of the total acreage has been enrolled in the continuous sign-up.

(p) "USDA" means the United States department of agriculture. (Authorized by and implementing K.S.A. 2-1915, as amended by L. 1998, Ch. 143, Sec. 46; effective Feb. 5, 1999.)

11-9-2. Eligible areas. Any land within the designated pilot program within the state of Kansas and within the Kansas Lower Republican River Basin shall be eligible for the initiative. (Authorized by and implementing K.S.A. 2-1915, as amended by L. 1998, Ch. 143, Sec. 46; effective Feb. 5, 1999.)

11-9-3. Eligible applicants. Any individual, owner, or operator, excluding state units of government, who is eligible for CRP and owns land within the eligible area shall be eligible for the initiative. Applicants who are ineligible for CRP may be eligible under the initiative if all selection criteria are met. (Authorized by and implementing K.S.A. 2-1915, as amended by L. 1998, Ch. 143; Sec. 46; effective Feb. 5, 1999.)

11-9-4. Eligible practices. Practices that shall be eligible for incentive payments are filter strips and riparian forest buffers. Payments made through the buffer initiative shall be in addition to any CRP payments received by each applicant. (Authorized by and implementing K.S.A. 2-1915, as amended by L. 1998, Ch. 143, Sec. 46; effective Feb. 5, 1999.)

11-9-5. Annual payments. (a) Payments shall be made on an annual basis coinciding with federal payments for the purpose of providing an incentive to enroll in the CRP for 10 to 15 years.

(b) Incentive payments shall not exceed the following:

(continued)

(1) 30% of the total federal payment, excluding the maintenance fee for the establishment of filter strips; or
 (2) 50% of the total federal payment, excluding the maintenance fee for the establishment of riparian forest buffers.

(c) Any acres determined to be in an unfarmable field shall be eligible for the state incentive if the applicant agrees to establish and maintain permanent vegetative cover for the duration of the continuous CRP contract.

(d) The total state and federal payment shall not exceed \$150.00 per acre. (Authorized by and implementing K.S.A. 2-1915, as amended by L. 1998, Ch. 143, Sec. 46; effective Feb. 5, 1999.)

11-9-6. Contracts. Each contract shall be for no fewer than 10 years and no more than 15 years. Funding for contracts shall be subject to annual appropriations from the state legislature and may be canceled if the funding is not renewed after the first year. (Authorized by and implementing K.S.A. 2-1915, as amended by L. 1998, Ch. 143, Sec. 46; effective Feb. 5, 1999.)

11-9-7. Selection. Eligible applicants shall be approved for funding by the SCC and according to criteria developed by the director. These criteria may include the following:

- (a) The amount of existing vegetation;
- (b) the size of the area offered;
- (c) the type of vegetation offered;
- (d) the type of practice or practices offered; and
- (e) the proximity either to an intermittent or perennial stream or to other areas conducive to overland flow and length of contract. (Authorized by and implementing K.S.A. 2-1915, as amended by L. 1998, Ch. 143, Sec. 46; effective Feb. 5, 1999.)

11-9-8. Haying and grazing. If authorized by the CRP, haying, grazing, or both may occur without penalty under the state contract. A non-CRP participant shall be allowed to hay or graze a filter strip without penalty after development of a grazing management plan developed in cooperation with the USDA-NRCS. No grazing shall be allowed on a riparian forest buffer. (Authorized by and implementing K.S.A. 2-1915, as amended by L. 1998, Ch. 143, Sec. 46; effective Feb. 5, 1999.)

11-9-9. Termination. If the federal CRP is terminated by the FSA for any contract violation or for any other reason, the state contract may also be canceled. A refund of incentive payments earned may be required at the commission's discretion. A refund of incentive payments may be required by the commission if there is a failure to follow and maintain the program objective. (Authorized by and implementing K.S.A. 2-1915, as amended by L. 1998, Ch. 143, Sec. 46; effective Feb. 5, 1999.)

11-9-10. Review and appeal procedures. A landowner who wishes to appeal an adverse decision by the commission has 30 days to appeal the decision after the notice. (Authorized by and implementing K.S.A. 2-1915, as amended by L. 1998, Ch. 143, Sec. 46; effective Feb. 5, 1999.)

Tracy D. Streeter
 Executive Director

Doc. No: 023376

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, February 1, 1999

33484

Department of Social and Rehabilitation Services—
 Janitorial services, Lawrence

8635

Department of Administration, Division of
 Information Systems and Communications—Furnish
 and install Octel VMX voice mail system

Wednesday, February 3, 1999

33491

Statewide—Automotive spark plugs

33493

Kansas Department of Wildlife and Parks—
 Statewide—Channel catfish, Urban Stocking Program

Thursday, February 4, 1999

33487

Statewide—Ammunition

Friday, February 4, 1999

8656

Lansing Correctional Facility—Foam insulation

Friday, February 12, 1999

33489

University of Kansas Medical Center—Development
 of School of Nursing corporate image materials

Tuesday, February 16, 1999

A-8582

Osawatomie State Hospital—Reroof gymnasium

33119

Statewide—Wheelchairs and related equipment and
 supplies

Wednesday, February 17, 1999

A-7903

Osawatomie State Hospital—Isolation room, Biddle
 Building

A-8649

Kansas State University—Chapel bike path, All Faiths
 Chapel

Thursday, February 18, 1999

A-8583

Parsons State Hospital and Training Center—
 Window replacement, Spruce and Willow Cottages

A-8622

Wichita State University—24-hour study, Ablah
 Library

Request for Proposals**Thursday, February 11, 1999**

33481

Lease of Pittsburg SRS office space for the
Department of Social and Rehabilitation Services**Thursday, February 18, 1999**

33480

Advertising and public relations for the Kansas
LotteryJohn T. Houlihan
Director of Purchases

Doc. No. 023388

State of Kansas**Board of Pharmacy****Permanent Administrative
Regulations****Article 2.—DRUGSTORES****68-2-22. Electronic prescription transmission.** (a)

A prescription drug order transmitted electronically shall be issued for a legitimate medical purpose by a practitioner acting within the course of legitimate professional practice.

(b) All prescription drug orders communicated by way of electronic transmission shall fulfill these requirements:

(1) Be transmitted to a pharmacist in a licensed pharmacy of the patient's choice, exactly as transmitted by the prescriber, with no intervening person or entity having access to the prescription drug order;

(2) identify the transmitter's phone number for verbal confirmation, the time and date of transmission, and the identity of the pharmacy intended to receive the transmission, as well as any other information required by federal or state laws and regulations;

(3) be transmitted by an authorized practitioner or the practitioner's designated agent; and

(4) be deemed the original prescription drug order, if it meets the requirements of this regulation.

(c) The prescribing practitioner may authorize an agent to communicate a prescription drug order orally or electronically to a pharmacist in a licensed pharmacy, if the identity of the transmitting agent is included in the order.

(d) The pharmacist shall exercise professional judgment regarding the accuracy, validity, and authenticity of the prescription drug order communicated by way of electronic transmission, consistent with existing federal or state laws and regulations.

(e) All electronic equipment for receipt of prescription drug orders communicated by way of electronic transmission shall be maintained so as to ensure against unauthorized access.

(f) Persons other than those bound by a confidentiality agreement shall not have access to pharmacy records containing confidential information or personally identifiable information concerning the pharmacy's patients.

(g) If communicated by electronic transmission, the prescription drug order shall be maintained in hard copy

for the time required by existing federal or state laws and regulations.

(h) A prescription drug order, including that for a controlled substance listed in Schedules III, IV, and V, and in certain situations, that for a controlled substance listed in Schedule II, may be communicated by way of electronic transmission, provided all requirements of K.A.R. 60-20-10a are met.

(i) After the pharmacist views the prescription drug order, this order shall be immediately reduced to a hard copy and shall contain all information required by federal or state laws and regulations. (Authorized by K.S.A. 65-1630; implementing K.S.A. 1997 Supp. 65-1642; effective Feb. 5, 1999.)

Article 11.—FEES

68-11-1. Fees for examination and licensure as a pharmacist. The following fees shall be paid to the board by each applicant for examination and licensure as a pharmacist.

(a) Each applicant for examination shall pay a fee of \$50.00 to the Kansas board of pharmacy and a fee of \$250.00 to the national association of boards of pharmacy.

(b) Each applicant for reciprocal licensure shall pay a fee of \$250.00 to the Kansas board of pharmacy.

(c) An additional fee of \$250.00 to evaluate the education and training shall be paid by each applicant for reciprocal licensure or examination who graduated from a school or college of pharmacy or department of a university that has not met the requirements of accreditation established by the American council on pharmaceutical education (ACPE).

(d) Each licensed pharmacist shall pay a renewal fee of \$150.00.

(e) The penalty fee for a late renewal of a pharmacist license shall be \$200.00.

(f) The fee for a new or renewed pharmacist license shall be prorated to the nearest whole month for any period of time consisting of fewer than two years. (Authorized by K.S.A. 65-1630; implementing K.S.A. 65-1645, as amended by L. 1998, Ch. 98, Sec. 4; effective May 1, 1983; amended May 1, 1986; amended May 1, 1987; amended May 1, 1988; amended May 1, 1991; amended Nov. 30, 1992; amended June 6, 1994; amended July 31, 1998; amended Feb. 5, 1999.)

Article 20.—CONTROLLED SUBSTANCES

68-20-10a. Electronic prescription transmission of controlled substances. (a) A prescription drug order transmitted electronically shall be issued for a legitimate medical purpose by a practitioner acting within the course of legitimate professional practice.

(b) All prescription drug orders communicated by way of electronic transmission shall fulfill all the requirements of K.A.R. 68-2-22.

(c) If communicated by electronic transmission, the prescription drug order shall be maintained in hard copy for the time required by existing federal and state laws and regulations.

(d) A prescription drug order, including that for a controlled substance listed in schedules III, IV, and V, and in

(continued)

certain situations, that for a controlled substance listed in schedule II, may be communicated by electronic transmission.

(e) The electronic transmission of a prescription drug order for a schedule II controlled substance shall conform to these requirements:

(1) A prescription drug order for a schedule II controlled substance may be communicated by the practitioner or that practitioner's designated agent by way of electronic transmission, if the original written, signed prescription drug order is presented to the pharmacist for review before the actual dispensing of the controlled substance, except as noted in this subsection.

(2) A prescription drug order for a schedule II narcotic substance to be compounded for the direct administration to a patient by parenteral, intravenous, intramuscular, subcutaneous, or intraspinal infusion may be communicated by the practitioner or that practitioner's designated agent to the pharmacy by way of electronic transmission. The hard copy of such electronic transmission shall serve as the original, written prescription drug order for purposes of this subsection, and it shall be maintained as such.

(3) A prescription drug order for a schedule II controlled substance for a resident of a long-term care facility (LTCF) may be communicated by the practitioner or that practitioner's designated agent by way of electronic transmission. The hard copy of such electronic transmission shall serve as the original, written prescription drug order for purposes of this subsection, and it shall be maintained as such.

(4) A prescription drug order for a schedule II controlled substance for a patient released by a registered institution to a home hospice setting which continues to provide daily skilled nursing care to the home hospice setting may be transmitted by the practitioner or that practitioner's designated agent by way of electronic transmission to the dispensing pharmacy. The hard copy of such electronic transmission shall serve as the original, written prescription drug order for purposes of this subsection, and it shall be maintained as such.

(5) In the case of an emergency situation, a prescription drug order for a schedule II controlled substance may be communicated by the practitioner by way of electronic transmission, provided that these conditions are met:

(A) The quantity prescribed and dispensed is limited to the amount adequate to treat the patient during the emergency period. Dispensing beyond the emergency period shall be pursuant to a written prescription drug order signed by the prescribing practitioner.

(B) After the pharmacist views the prescription drug order, this order shall be immediately reduced to a hard copy and shall contain all information required by federal or state laws and regulations.

(C) The pharmacist shall exercise professional judgment regarding the accuracy, validity, and authenticity of the prescription drug order communicated by way of electronic transmission, consistent with existing federal or state laws and regulations.

(D) Within seven days after authorizing an emergency prescription drug order, the practitioner shall cause a written prescription drug order for the emergency quan-

tity prescribed to be delivered to the dispensing pharmacist. In addition to conforming to all other federal and state laws and regulations, the prescription drug order shall have written on its face "authorization for emergency dispensing" and the date of the transmitted prescription drug order. The written prescription drug order shall be delivered to the pharmacist in person within seven days of authorization, or if delivered by mail, it shall be postmarked within the seven-day period. Upon receipt, the dispensing pharmacist shall attach this written prescription drug order to the hard copy of the electronically transmitted prescription drug order. The pharmacist shall notify the nearest office of the U.S. drug enforcement administration (DEA) if the prescribing practitioner fails to deliver a written prescription drug order. (Authorized by and implementing K.S.A. 65-1630, K.S.A. 1997 Supp. 65-1642, K.S.A. 1997 Supp. 65-4102 and K.S.A. 65-4123; effective Feb. 5, 1999.)

68-20-15a. Security requirements. (a) General security requirements. Each applicant and registrant shall provide effective controls and procedures to guard against theft and diversion of controlled substances in conformance with the security requirements of federal law, including the requirements of 21 CFR 1301.71 as in effect on April 1, 1998, which are hereby adopted by reference.

(b) Physical security controls for nonpractitioners shall comply with the requirements of 21 CFR 1301.72 and 1301.73 as in effect on April 1, 1998, which are hereby adopted by reference.

(c) Other security controls for nonpractitioners.

(1) Good faith inquiry. Before distributing a controlled substance to any person who the registrant does not know to be registered to possess a controlled substance, each registrant shall make a good faith inquiry with the board to determine that the person is registered to possess a controlled substance.

(2) Suspicious orders. Each registrant shall design an operative system to disclose to the registrant any suspicious orders of controlled substances. Each registrant shall inform the board of suspicious orders when discovered. Suspicious orders shall include orders of unusual size, orders deviating from a normal pattern, and orders of unusual frequency.

(3) Any controlled substance listed in schedules II through V shall not be distributed on a gratuitous basis by a distributor to a practitioner, pharmacist, or any other person.

(d) Physical security controls for practitioners. Each practitioner shall provide effective controls and procedures to guard against theft and diversion of controlled substances in conformance with the security requirements of federal law, including the requirements of 21 CFR 1301.75 and 1301.76 as in effect on April 1, 1998, which are hereby adopted by reference.

(e) Other security controls for practitioners.

(1) In order to minimize the opportunities for diversion of controlled substances, each practitioner shall provide effective physical security, shall initiate additional procedures to reduce access by unauthorized personnel, and shall provide an alarm system if necessary.

(2) Minimum security standards for practitioners as set forth in these regulations shall be considered as guidelines to be used in evaluating security. Additional security controls and operating procedures may be required by the board to prevent diversion of controlled substances. (Authorized by K.S.A. 1997 Supp. 65-4102; implementing K.S.A. 65-4117; effective May 1, 1983; amended May 1, 1988; amended Sept. 9, 1991; amended March 20, 1995; amended Aug. 1, 1997; amended Feb. 5, 1999.)

68-20-17. Order forms. Every licensee shall transfer controlled substances in conformance with the requirements of section 308 of the federal controlled substances act (21 USC 828) as in effect the first day of the seventh calendar month that begins after the day immediately preceding October 27, 1977, and 21 CFR part 1305 as in effect on April 1, 1998, which are hereby adopted by reference. All transfers of schedule I and II controlled substances shall require the use of a drug enforcement agency (DEA) 222 form issued by the United States attorney general. (Authorized by K.S.A. 1997 Supp. 65-4102; implementing K.S.A. 1997 Supp. 65-4102 and K.S.A. 65-4122; effective, E-72-24, Aug. 25, 1972; effective Jan. 1, 1973; amended May 1, 1987; amended Feb. 5, 1999.)

68-20-19. Controlled substances listed in schedule II. (a) Requirements of prescription.

(1) A pharmacist shall dispense a controlled substance listed in schedule II, which is a prescription drug as determined under these regulations, only pursuant to a written prescription signed by the prescribing practitioner, except as provided in paragraph (4) of this subsection.

(2) Any written prescriptions signed by the prescribing practitioner falling under the above provisions of paragraph (1) shall not be filled if submitted more than six months after the original date appearing on the written prescription.

(3) A practitioner may administer or dispense a controlled substance listed in schedule II in the course of his professional practice without a prescription, subject to K.A.R. 68-20-18.

(4) (A) In the case of an emergency situation, as defined by paragraph (5) of this subsection, a pharmacist may dispense a controlled substance listed in schedule II upon receiving authorization of a prescribing practitioner, if all of the following conditions are met:

(i) The quantity prescribed and dispensed is limited to the amount adequate to treat the patient during the emergency period. Dispensing beyond the emergency period shall be pursuant to a written prescription signed by the prescribing practitioner.

(ii) The prescription shall be immediately reduced to a hard copy by the pharmacist and shall contain all information required under K.A.R. 68-20-18(c) except for the signature of the prescribing practitioner.

(iii) If the prescribing practitioner is not known to the pharmacist, the pharmacist shall make a reasonable effort to determine that the authorization came from the prescribing practitioner, which may include a call back to the practitioner, using the practitioner's phone number as

listed in the telephone directory or other good faith efforts to insure the practitioner's identity, or both.

(iv) Within seven days after authorizing an emergency prescription drug order, the practitioner shall cause a written prescription drug order for the emergency quantity prescribed to be delivered to the dispensing pharmacist.

(B) In addition to conforming to the requirements of K.A.R. 68-20-18(c), the prescription drug order shall have written on its face "Authorization for Emergency Dispensing" and the date of the prescription drug order.

(C) The written prescription drug order shall be delivered to the pharmacist in person within seven days of authorization or, if delivered by mail, it shall be post-marked within the seven-day period.

(D) Upon receipt, the dispensing pharmacist shall attach this written prescription drug order to the pharmacist's record of the emergency prescription drug order.

(E) The pharmacist shall notify the nearest office of the U.S. drug enforcement administration (DEA) if the prescribing practitioner fails to deliver a written prescription drug order to the pharmacist; failure of the pharmacist to do so shall void the authority conferred by this paragraph to dispense without a written prescription of a prescribing practitioner.

(5) For the purposes of authorizing a prescription of a controlled substance listed in schedule II of the federal or state uniform controlled substances act, the term "emergency situation" means those situations in which the prescribing practitioner determines the following:

(A) That immediate administration of the controlled substance is necessary for proper treatment of the intended ultimate user;

(B) that no appropriate alternative treatment is available, including administration of a drug that is not a controlled substance under schedule II of the act; and

(C) that it is not reasonably possible for the prescribing practitioner to provide a written prescription to be presented to the person dispensing the substance before dispensing.

(b) A medical care facility or other institution registered with the board shall administer or dispense a controlled substance listed in schedule II only pursuant to a written prescription signed by the prescribing practitioner or to an order for medication made by a practitioner that is dispensed for immediate administration to the ultimate user.

(c) Partial filling of prescriptions. The partial filling of a prescription for a controlled substance listed in schedule II shall be permissible, only as provided in this subsection.

(1) Whenever the pharmacist is unable to supply the full quantity called for in a written or emergency prescription and makes a notation of the quantity supplied on the face of the written prescription or written record of the emergency oral prescription, the pharmacist shall perform the following:

(A) Fill the remaining portion of the prescription within 72 hours of the first partial filling or, if the remaining portion cannot be filled within the 72-hour pe-

(continued)

riod, the pharmacist shall notify the prescribing practitioner of the situation; and

(B) supply no further quantity beyond 72 hours without a new prescription.

(2) Whenever written, prescriptions for schedule II controlled substances for patients in a long-term care facility (LTCF) or for a patient with a medical diagnosis documenting a terminal illness may be filled in partial quantities, including individual dosage units, as provided in this subsection. The pharmacist shall record on the prescription whether the patient is "terminally ill" or an "LTCF patient."

(A) For each partial filling, the dispensing pharmacist shall record on the back of the prescription, or on another appropriate, uniformly maintained, and readily retrievable record, the date of the partial filling, quantity dispensed, remaining quantity authorized to be dispensed, and the identification of the dispensing pharmacist.

(B) The total quantity of schedule II controlled substances dispensed in all partial fillings shall not exceed the total quantity prescribed.

(C) These schedule II prescriptions shall be valid for a period not to exceed 60 days from the issue date unless terminated sooner by the discontinuance of medication.

(d) Labeling of substances. The pharmacist filling a written or emergency prescription for a controlled substance listed in schedule II shall affix a label to the package showing the following information:

(1) The date of filling;

(2) the pharmacy name, address, and telephone number;

(3) the serial number of the prescription;

(4) the name of the patient;

(5) the name of the prescribing practitioner; and

(6) the directions for use and cautionary statements, if any, contained in the prescription or required by law.

(e) Filing of prescriptions.

(1) All written prescriptions and written records of emergency prescriptions shall be kept in accordance with K.A.R. 68-20-16.

(2) All written or emergency prescriptions for a controlled substance listed in schedule II shall be cancelled on the face of the prescription with the name of the pharmacist filling that prescription.

(3) All written or emergency prescriptions for controlled substances listed in schedule II and filled by a pharmacy student shall be cancelled on the face of the prescription with the names of the pharmacy student and preceptor authorizing the filling of that prescription. (Authorized by and implementing K.S.A. 1997 Supp. 65-4102 and K.S.A. 65-4123; effective, E-72-24, Aug. 25, 1972; effective Jan. 1, 1973; amended Sept. 9, 1991; amended March 29, 1993; amended March 20, 1995; amended Feb. 5, 1999.)

Larry Froelich
Executive Director

Doc. No. 023385

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. Temporary regulations are designated with a (T) in the Action column. This cumulative index supplements the index to the 1997 Volumes of the *Kansas Administrative Regulations* and the 1998 Supplement to the *Kansas Administrative Regulations*.

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1-5-10	Amended	V. 17, p. 1370
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1-6-30	Amended	V. 17, p. 1371
1-9-23	Amended	V. 17, p. 1371
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1-16-18	Amended	V. 17, p. 945
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28-18-1 through 28-18-4	Amended	V. 17, p. 1971-1974
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28-19-70	Amended	V. 17, p. 588
28-19-202	Amended	V. 17, p. 122
28-19-517	Amended	V. 17, p. 144
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28-19-562	Amended	V. 17, p. 145
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39-1-9	Amended	V. 17, p. 1935
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39-1-19	Amended	V. 17, p. 1936
39-3-1 through 39-3-8	Revoked	V. 17, p. 1936

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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
100-54-1	Amended	V. 17, p. 1969
100-54-2	Amended	V. 17, p. 1969
100-54-3	Amended	V. 17, p. 1969
100-54-4	Amended	V. 17, p. 510
100-54-5	Amended	V. 17, p. 1969
100-54-6	Amended	V. 17, p. 1970
100-54-8	Amended	V. 17, p. 1970
100-54-9	Amended	V. 17, p. 1970
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

A complete index listing all regulations filed by the Kansas Lottery can be found in the Vol. 17, No. 53, December 31, 1998 issue of the Kansas Register. The Kansas Lottery regulations listed below were published after December 31, 1998.

Reg. No.	Action	Register
111-1-5	Amended	V. 18, p. 54
111-2-80	New	V. 18, p. 54
111-2-81	New	V. 18, p. 14
111-2-82	New	V. 18, p. 55
111-2-83	New	V. 18, p. 55
111-2-84	New	V. 18, p. 55
111-4-1364		
through		
111-4-1380	New	V. 18, p. 14-19
111-4-1381		
through		
111-4-1396	New	V. 18, p. 55-59
111-5-75	New	V. 18, p. 59

AGENCY 112: KANSAS RACING AND GAMING COMMISSION

Reg. No.	Action	Register
112-4-1	Amended	V. 17, p. 511
112-4-22	Amended	V. 17, p. 512
112-4-22a	New	V. 17, p. 512
112-4-23	Amended	V. 17, p. 590
112-7-7	Amended	V. 17, p. 512
112-10-8	Amended	V. 17, p. 1968
112-12-9	Amended	V. 17, p. 213
112-16-11	Amended	V. 17, p. 590
112-18-21	Amended	V. 17, p. 60

AGENCY 115: DEPARTMENT OF WILDLIFE AND PARKS

Reg. No.	Action	Register
115-2-3	Amended	V. 17, p. 462
115-2-6	New	V. 17, p. 462
115-4-1	Amended	V. 17, p. 463
115-4-7	Amended	V. 17, p. 464
115-17-1	Amended	V. 17, p. 1707
115-17-2	Amended	V. 17, p. 1707
115-17-4	Amended	V. 17, p. 1708
115-17-5	Amended	V. 17, p. 1708
115-17-6	Amended	V. 17, p. 1708
115-17-14	Amended	V. 17, p. 1709
115-18-12	Amended	V. 17, p. 1086
115-18-13	Amended	V. 17, p. 1414
115-20-2	Amended	V. 17, p. 1709
115-35-1	New	V. 17, p. 1710

AGENCY 117: REAL ESTATE APPRAISAL BOARD

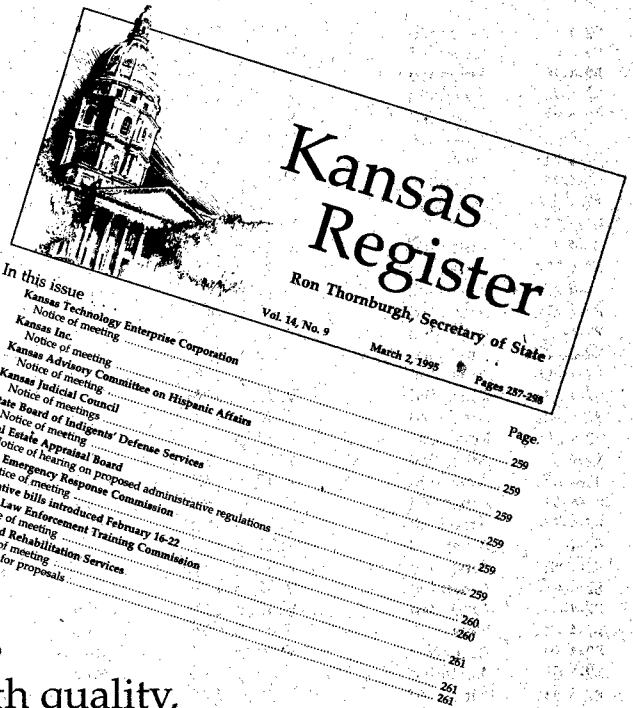
Reg. No.	Action	Register
117-5-1	Amended	V. 17, p. 465
117-5-2	New	V. 17, p. 465
117-5-3	New	V. 17, p. 465
117-6-3	Amended	V. 17, p. 1706
117-8-1	Amended	V. 17, p. 1167
117-8-2	New	V. 17, p. 1707

AGENCY 118: KANSAS STATE HISTORICAL SOCIETY

Reg. No.	Action	Register
118-1-1		
through		
118-1-4	Amended	V. 17, p. 1547, 1548
118-3-1		
through		
118-3-16	New	V. 17, p. 1549-1553

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