

Kansas Register

Ron Thornburgh, Secretary of State

Vol. 18, No. 13 April 1, 1999 Pages 375-402

In this issue . . .	Page
Department of Administration—Division of Architectural Services	
Notice of commencement of negotiations for architectural services.....	376
Kansas Racing and Gaming Commission	
Notice of hearing on proposed administrative regulations.....	376
Kansas Water Authority	
Notice of meeting.....	377
Department of Health and Environment	
Requests for comments on proposed air quality permits.....	377, 380, 381
Notice concerning Kansas water pollution control permits.....	378
Department of Administration—Division of Purchases	
Notice to bidders for state purchases.....	380
Notice of intent to issue request for proposals.....	381
Board of Emergency Medical Services	
Notice of meeting.....	381
Notice of hearing on proposed administrative regulations.....	383
Department of Transportation	
Notice to consulting engineers.....	381
Notice to contractors.....	385
Pooled Money Investment Board	
Notice of investment rates.....	387
State Corporation Commission	
Notice of motor carrier hearings.....	387
Legislative bills and resolutions introduced March 18-24	388
Notice of Bond Sale	
U.S.D. 416, Miami County.....	388
City of Baxter Springs.....	389
Permanent Administrative Regulations	
Department of Corrections.....	390
Index to administrative regulations	391
New State Laws	
House Bill 2086 , concerning cosmetologists; relating to qualifications for licensure by examination.....	394
House Bill 2046 , concerning school districts; relating to transportation of nonresident pupils.....	394
House Bill 2117 , concerning the optometry law.....	395
House Bill 2280 , concerning change of domicile of mutual holding companies.....	398
House Bill 2429 , concerning counties; relating to the establishment of a charter commission.....	399
Senate Bill 338 , concerning government projects; procedures, reviews and exemptions.....	399

State of Kansas

**Department of Administration
Division of Architectural Services**

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

Notice is hereby given of the commencement of negotiations for architectural services for remodeling and renovation of the basement and first floor of Axe Library at Pittsburg State University. Services will include improvement of humidity control, ADA modifications and minimal fire alarm upgrade.

For information regarding the scope of services, contact Kerry Beyeler, Director of Facilities Planning, Pittsburg State University, (316) 235-4130.

If interested, an original and six copies (seven total) of the SF 255 form (plus relevant attachments of information regarding similar projects) should be submitted. These submittals should be concise, relevant to the project and follow the State Building Advisory Commission guidelines for submittal. Copies of the guidelines have previously been distributed to firms; if copies of the guidelines are required, contact Gary Grimes, Division of Architectural Services, 1020 S. Kansas Ave., Topeka, 66612-1311, (785) 296-8899. Submittals not complying with the guidelines will be returned without consideration.

Expressions of interest and the SF 255 submittals should be received by Gary Grimes before 5 p.m. April 16.

Thaine Hoffman, AIA
Director, Division of
Architectural Services

Doc. No. 023626

State of Kansas

Racing and Gaming Commission

**Notice of Hearing on Proposed
Administrative Regulations**

A public hearing will be conducted at 9 a.m. Friday, June 18, at the Kansas Racing and Gaming Commission, conference room, 3400 S.W. Van Buren, Topeka, to consider the adoption of a proposed permanent regulation of the Kansas Racing and Gaming Commission. This 60-day notice constitutes a public comment period for the purpose of receiving written public comments on the proposed regulation.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulation and economic impact statement in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting the Kansas Racing and Gaming Commission, 3400 S.W. Van Buren, Topeka, 66611-2228, (785) 296-5800.

A copy of the full text of the regulation and the economic impact statement may be reviewed or obtained at the commission office. The following is a summary of the proposed amendment:

K.A.R. 112-10-6, Bleeder list. The amendments to this regulation require that the animal health officer or assistant animal health officer place a horse on the bleeder list when certain conditions are met.

Economic Impact: There are no costs anticipated to the agency or other governmental agencies or units as a result of this regulation.

Myron P. Scafe
Executive Director

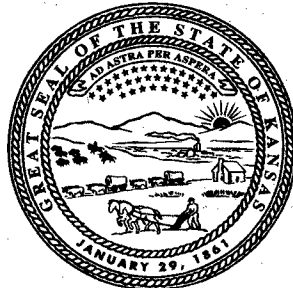
Doc. No. 023632

The Kansas Register (ISSN No. 0662-190) is an official publication of the State of Kansas, published by authority of K.S.A. 75-430. The Kansas Register is published weekly by the Kansas Secretary of State, State Capitol, Topeka, KS 66612-1594. One-year subscriptions are \$70 (Kansas residents must include \$4.31 state and local sales tax). Single copies may be purchased, if available, for \$2 each. Periodicals postage paid at Topeka, KS.

Postmaster: Send change of address form to Kansas Register, Secretary of State, State Capitol, 300 S.W. 10th Ave., Topeka, KS 66612-1594.

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PUBLISHED BY
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State of Kansas

Kansas Water Authority

Notice of Meeting

The Kansas Water Authority will conduct its quarterly meeting April 8-9 in Newton. The Planning Committee and the Public Water Supply Committee will meet concurrently at 9 a.m. April 8, followed by concurrent meetings of the Conservation and Evaluation Committee and the Education and Interagency Coordination Committee at 1 p.m., at the Days Inn, 105 Manchester. The full Authority will convene at 9 a.m. April 9 at the same location to receive the Kansas Water Office Director's Report and to conduct its regular business session, including reports from the four committees.

An agenda and other details of the meeting are available from the Kansas Water Office, 109 S.W. 9th, Topeka, 66612-1249, (785) 296-3185, (888) KAN-WATER (toll free). If accommodations are needed for persons with disabilities, please notify the Kansas Water Office at the above address at least two days prior to the meeting.

Kent Lamb
Chairman

Doc. No. 023633

State of Kansas

Department of Health
and Environment

Request for Comments

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

Inland Manufacturing owns and operates a SPA production facility located at 800 Ironwood, Olathe.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during the permit application review process is available for public review during normal business hours at the KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, and at the Johnson County Environmental Department, 11180 Thompson Ave., Lenexa. To obtain or review the proposed permit and supporting documentation, contact Donald J. Law, (785) 291-3271, at the KDHE central office, or Mike Boothe, (913) 492-0402, at the Johnson County Environmental Department. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Donald J. Law, KDHE, Bureau of Air Radiation, Building 283, Forbes Field, Topeka, 66620. In order to be considered in formulating a final permit decision, written comments must be received by the close of business May 3.

A person may request a public hearing be conducted on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Connie Carreno, Bureau of Air and Radiation, not later than the close of business May 3 in order for the Secretary of Health and Environment to consider the request.

Clyde D. Graeber
Acting Secretary of Health
and Environment

Doc. No. 023642

State of Kansas

Department of Health
and Environment

Request for Comments

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality construction permit. Hamm Asphalt, Inc. has applied for an air quality construction permit in accordance with the provisions of K.A.R. 28-19-300 to operate a portable hot-mix asphalt plant. Emissions of particulate matter, particulate matter less than 10 microns, oxides of nitrogen, sulfur dioxide, volatile organic compounds and carbon monoxide were evaluated during the permit review process.

Hamm Asphalt, Inc., Perry, owns and operates the portable hot-mix asphalt plant. The first location of the plant will be the NW ¼ of Section 20, Township 23 South, Range 19 East in Allen County.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during review of the permit application is available for public inspection during normal business hours at the KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, and at the KDHE southeast district office, 1500 W. 7th, Chanute. To obtain or review the proposed permit and supporting documentation, contact Eugene Sallee, (785) 296-1575, at the KDHE central office, or David Stutt, (316) 431-2390, at the KDHE southeast district office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Eugene Sallee, KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, 66620. In order to be considered in formulating a final permit decision, written comments must be received by the close of business May 3.

A person may request a public hearing be conducted on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Connie Carreno, Bureau of Air and Radiation, not later than the close of business May 3 in order for the Secretary of Health and Environment to consider the request.

Clyde D. Graeber
Acting Secretary of Health
and Environment

Doc. No. 023639

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-AG-99-30/31

Name and Address of Applicant	Legal Description	Receiving Water
WaKeeney Livestock Commission Kirk Hemmert 821 N. 6th WaKeeney, KS 67672	NE/4 of Section 8, T12S, R23W, Trego County	Saline River Basin

Kansas Permit No. A-SATR-BD01

This is a renewal of an existing permit for a 1,500 head/week sale barn.

Wastewater Control Facilities: This facility utilizes a grassed filter system to treat the runoff from the open pens. There are no retention structures associated with this operation. Manure and related agricultural wastes are removed from the sale barn and land applied.

Operation and Maintenance: The proposed permit does not allow confined feeding operations to be conducted at the sale barn. Livestock may be confined at the sale barn one day prior to the sale day, on the sale day, and one day after the sale day, except up to 75 animal units may be confined under a covered area to be built pursuant to consent order 97-E-0063 for short-term disposition. Also, livestock may be held under emergency situations in which animals in transit are dropped off because of weather conditions or transport mechanical problems. The proposed permit allows up to three special sales per year on days other than the normal sale days with the animals confined only during three days (the day before, the day of, and the day after the sale) unless confined under the covered area.

Compliance Schedule: The proposed permit contains a schedule of compliance requiring the permittee to provide KDHE a waste management plan within three months of the effective date of the permit.

Name and Address of Applicant	Legal Description	Receiving Water
Terry Smith Route 1, Box 76 Macksville, KS 67557	SW/4 of Section 05, T16S, R15W, Pratt County	Lower Arkansas River Basin

Kansas Permit No. A-ARPR-B005

This is a new facility for 999 head (999 animal units) of beef 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: Existing controls meet KDHE requirements. A livestock waste management plan for the facility shall be developed within six months following permit issuance. Permeability tests shall be conducted on the retention structure and shall be completed within six months of construction completion.

Public Notice No. KS-99-052/060

Name and Address of Applicant	Waterway	Type of Discharge
The Boeing Company— Wichita Division 3801 S. Oliver P.O. Box 7730, M/S K11-65 Wichita, KS 67277-7730	Arkansas River	Treated processed wastewater

Facility Name: Boeing Wichita—Landfill Air-stripper

Kansas Permit No. I-AR94-PO46

Federal Permit No. KS0088757

Legal: NE¼, S15, T28S, R1E, Sedgwick County

Facility Description: The proposed action is a modification to an existing permit for the operation of an existing wastewater treatment facility treating processed wastewater. This permit retains the existing limitations, but is being modified to include an acute whole effluent toxicity test. This facility is a construction/demolition landfill. It supports building and maintenance activities associated with the manufacture of aircraft components, subassembly of certain body structures and components, and the modification of aircraft. Contaminated groundwater is treated in an air stripper prior to discharge to the Arkansas River. The permit requirements are pursuant to the Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria.

Name and Address of Applicant	Waterway	Type of Discharge
City of Burlingame City Hall 101 E. Santa Fe Burlingame, KS 66413	Marais des Cygnes River via Dragoon Creek via Switzler Creek	Treated domestic wastewater

Kansas Permit No. M-MC07-0001

Federal Permit No. KS0024694

Legal: NE¼, S14, T15S, R14E, Osage 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. Monitoring for ammonia and fecal coliform will be required annually. The permit requirements are pursuant to the Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria, and are technology based.

Name and Address of Applicant	Waterway	Type of Discharge
City of Galena City Hall 315 W. 7th St. Galena, KS 66739	Spring River via unnamed tributary	Treated domestic wastewater

Kansas Permit No. M-NE28-0001

Federal Permit No. KS0048135

Legal: NE¼, S22, T34S, R25E, Cherokee 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. Monitoring for ammonia and fecal coliform will be required annually. The permit requirements are pursuant to the Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria, and are technology based.

Name and Address of Applicant	Waterway	Type of Discharge
Roger Morrison Morrison Ventures P.O. Box 737 Salina, KS 67402	Smoky Hill River via East Dry Creek	Treated processed wastewater

Facility Name: Scouler Elevator

Kansas Permit No. I-SH33-PO08

Federal Permit No. KS0090336

Legal: NE¼, S16, T14S, R2W, Saline County

Facility Description: The proposed action is to reissue an existing permit for the operation of an existing wastewater treatment facility treating processed wastewater. This facility is engaged in a groundwater cleanup. Groundwater contaminated with volatile organic compounds is pumped out of well #SC-3 at a maximum rate of 15 gpm

and routed through an air stripper before being discharged to the Smoky Hill River via East Dry Creek. Average daily discharge is about 36,000 gallons. The permit requirements are pursuant to the Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria.

Name and Address of Applicant	Waterway	Type of Discharge
City of Strong City P.O. Box 208 Strong City, KS 66869	Cottonwood River via Fox Creek	Treated domestic wastewater
Kansas Permit No. M-NE63-0001	Federal Permit No. KS0031178	

Legal: NE¼, S17, T19S, R8E, Chase 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. Monitoring for ammonia and fecal coliform will be required annually. Also, there is a schedule of compliance for the permittee to provide KDHE the name of a Class I certified operator to supervise the operation of this facility. The permit requirements are pursuant to the Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria, and are technology based.

Name and Address of Applicant	Waterway	Type of Discharge
City of Tipton 500 Main St. P.O. Box 22 Tipton, KS 67485	South fork Solomon River via Carr Creek via unnamed tributary	Treated domestic wastewater
Kansas Permit No. M-SO42-0001	Federal Permit No. KS0085219	

Legal: NW¼, S29, T8S, R10W, Mitchell 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. Monitoring for ammonia and fecal coliform will be required annually. The permit requirements are pursuant to the Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria, and are technology based.

Name and Address of Applicant	Waterway	Type of Discharge
Unified School District No. 288 Central Heights School 3521 Ellis Road Richmond, KS 66080	Marais des Cygnes River via Pottawatomie Creek via Sac Branch Creek via north fork Sac Branch Creek	Treated domestic wastewater
Kansas Permit No. M-MC43-0002	Federal Permit No. KS0078891	

Legal: SW¼, S22, T18S, R20E, Franklin 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. Monitoring for ammonia and fecal coliform will be required annually. The permit requirements are pursuant to the Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria, and are technology based.

Name and Address of Applicant	Waterway	Type of Discharge
Unified School District No. 362 Route 2 LaCygne, KS 66040	Marais des Cygnes River via Elm Creek via unnamed tributary	Treated domestic wastewater
Facility Name: Prairie View School		
Kansas Permit No. M-MC18-0002	Federal Permit No. KS0119971	

Legal: NE¼, S3, T20S, R23E, Linn 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 lim-

itations for biochemical oxygen demand, total suspended solids and pH. Monitoring for ammonia and fecal coliform will be required annually. The permit requirements are pursuant to the Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria, and are technology based.

Name and Address of Applicant	Waterway	Type of Discharge
Unified School District No. 450 4401 S.E. Shawnee Heights Road Tecumseh, KS 66542-9799	Whetstone Creek to Lake Jivaro	Treated domestic wastewater
Kansas Permit No. M-KS72-0014	Federal Permit No. KS0078956	

Legal: SE¼, S19, T12S, R17E, Shawnee 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, fecal coliform and pH. Monitoring for ammonia, phosphorus and flow will be required. In addition, monitoring will be required for fecal coliform and dissolved oxygen on Whetstone Creek downstream of the wastewater plant. The permit requirements are pursuant to the Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria, and are technology based.

Written comments on the draft permits must be submitted to the attention of 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 May 1 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate public notice number (KS-AG-99-30/31, KS-99-052/060) 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 D. Graeber
Acting Secretary of Health
and Environment

Doc. No. 023637

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, April 12, 1999

73

Department of Transportation—AB-special aggregate, various locations

Tuesday, April 13, 1999

8806-Rebid

Kansas Department of Wildlife and Parks—Fish feed

Wednesday, April 14, 1999

8875

Hutchinson Correctional Facility—Trace drug and explosives detector

Thursday, April 15, 1999

8881

University of Kansas—Inkjet imaging system

8882

Kansas Department of Wildlife and Parks—All labor and materials to construct concrete structures

Thursday, April 22, 1999

A-8127

University of Kansas—Chiller replacement, Robinson Center

A-8609

Wichita State University—Window and storefront replacement, Neff Hall

Friday, April 23, 1999

33616

Kansas Department of Wildlife and Parks—Hunting and fishing regulation booklets

Tuesday, April 27, 1999

A-8212(A)

Kansas State University—Partition installation, Ackert Hall

A-8580-Rebid

Osawatomie State Hospital—Air distribution systems cleaning, various buildings

A-8696

Kansas State University—Renovation of Room 20, Waters Hall

A-8768

Kansas State University—Vattier Street overlay and improvements

Tuesday, May 4, 1999

A-8575

Larned State Hospital—Miscellaneous electrical projects, various buildings

A-8577

Larned State Hospital—Miscellaneous mechanical projects, various buildings

A-8579

Larned State Hospital—Replace water main valves

A-8603

Beloit Juvenile Correctional Facility—Replace HVAC system, kitchen and commissary building

A-8619(A)

Kansas State University—Replacement of backup generator fuel oil storage tank, power plant

John T. Houlihan
Director of Purchases

Doc. No. 023641

State of Kansas

**Department of Health
and Environment**

Request for Comments

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality operating permit. The University of Kansas has applied for a Class II operating permit in accordance with the provisions of K.A.R. 28-19-540. Emissions of oxides of nitrogen, sulfur dioxide and carbon monoxide were evaluated during the permit review process. The purpose of a Class II permit is to limit the potential-to-emit for these pollutants to below major source thresholds.

The University of Kansas, Department of Facility Operations, Lawrence, owns and operates the campus located at the SE¼ of Section 36, Township 12 South, Range 19 East, Lawrence.

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

Direct written comments or questions regarding the proposed permit to Rick Bolfig, KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, 66620. In order to be considered in formulating a final permit decision, written comments must be received by the close of business May 3.

A person may request a public hearing be conducted on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Connie Carreno, Bureau of Air and Radiation, not later than the close of business May 3 in order for the Secretary of Health and Environment to consider the request.

Clyde D. Graeber
Acting Secretary of Health
and Environment

Doc. No. 023643

State of Kansas

Board of Emergency Medical Services

Notice of Meeting

The Board of Emergency Medical Services will meet at 9 a.m. Friday, April 16, at the State Defense Building, 2800 S. Topeka Blvd., Topeka. Committee meetings will begin at 12:30 p.m. Thursday, April 15. Agenda items include committee reports, EMSC grant report, e-mail/Internet update and a report on proposed regulations.

All meetings of the board are open to the public. For more information, contact the administrator at 109 S.W. 6th, Topeka, 66603, (785) 296-7296.

David Lake
Executive Director

Doc. No. 023636

State of Kansas

Department of Health
and Environment

Request for Comments

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality construction permit. Boeing has applied for an air quality construction permit in accordance with the provisions of K.A.R. 28-19-300 to construct a new skin polish process facility (SPPF). Emissions of particulate matter (PM) and particulate matter equal to or less than 10 microns in size (PM-10) were evaluated during the permit review process.

Boeing, Wichita, owns and operates the stationary source located at 3801 S. Oliver, Wichita, at which the facility is to be constructed.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during review of the permit application is available for public inspection during normal business hours at the KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, and at the Wichita-Sedgwick County Department of Community Health, 1900 E. 9th, Wichita. To obtain or review the proposed permit and supporting documentation, contact Daizy Dandass, (785) 296-6427, at the KDHE central office, or Randy Owen, (316) 268-8448, at the Wichita-Sedgwick County Department of Community Health. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Daizy Dandass, KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, 66620. In order to be considered in formulating a final permit decision, written comments must be received by the close of business May 3.

A person may request a public hearing be conducted on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Connie Carreno, Bureau of Air and Radiation, not later than the close of business May 3 in order for the Secretary of Health and Environment to consider the request.

Clyde D. Graeber
Acting Secretary of Health
and Environment

Doc. No. 023638

State of Kansas

Department of Administration
Division of PurchasesNotice of Intent to Issue
Request for Proposals

The State of Kansas is seeking to have resorts built on lakes located in the state, as required by 1998 HB 2899. A request for proposal from potential resort developers is currently in development and will be ready for distribution from the Division of Purchases on April 13. This is a joint project with Department of Commerce and Housing and Department of Wildlife and Parks pursuant to K.S.A. 32-874. For more information, call Fran Welch at the Division of Purchases, (785) 296-2373.

John T. Houlihan
Director of Purchases

Doc. No. 023635

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. April 28 for the consulting engineering firm to be considered. Seven signed copies of the response should be mailed to Neil Rusch, P.E., Assistant to the Director, Division of Engineering and Design, KDOT, Room 1084-West, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612-1568. Responses shall be limited to four pages.

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

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

The scope of professional services includes providing for the discovery phase on the following project. 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. 96-68 K-7422-01, Ness County
Project No. 4-83 K-7424-01, Rush County

The scope of improvement for Project No. 96-68 K-7422-01 is to provide for the replacement of the North Fork Walnut Creek

(continued)

Bridge (032) and North Fork Walnut Creek Drainage Bridge (033), west of US-283. The bridge design plans will be provided by KDOT. The project is scheduled for plan completion in fiscal year 2005, and the construction estimate is \$2,294,000. The scope of improvement for Project No. 4-83 K-7424-01 is to provide for the replacement of the Big Timber Creek Bridge (007) 4.1 miles southeast of the Ness County line. The project is scheduled for plan completion in fiscal year 2005, and the construction estimate is \$740,000.

Project No. 400-29 K-7450-01, Ford County
Project No. 160-17 K-7392-01, Comanche County

The scope of improvement for Project No. 400-29 K-7450-01 is to provide for the replacement of the Arkansas River Drainage Bridge (015) in Dodge City. The project is scheduled for plan completion in fiscal year 2005, and the construction estimate is \$558,000. The scope of improvement for Project No. 160-17 K-7392-01 is to provide for the replacement of the Kiowa Creek Bridge (002) and the Cavalry Creek Bridge (003), east of the Clark County line. The project is scheduled for plan completion in fiscal year 2004, and the construction estimate is \$2,958,000.

Project No. 160-4 K-7448-01, Barber County
Project No. 44-96 K-7434-01, Sumner County

The scope of improvement for Project No. 160-4 K-7448-01 is to provide for the replacement of the Bitter Creek Bridge (004) and Cedar Creek Bridge (006), west of US-281. The bridge plans will be provided by KDOT. The project is scheduled for plan completion in fiscal year 2005, and the construction estimate is \$1,920,000. The scope of improvement for Project No. 44-96 K-7434-01 is to provide for the replacement of the Fall Creek Bridge (089), east of Harper County. The project is scheduled for plan completion in fiscal year 2005, and the construction estimate is \$697,000.

Project No. 70-21 K-7440-01, Dickinson County
Project No. 4-64 K-7425-01, Morris County

The scope of improvement is to provide for the replacement of Bridge (026) over a local road, 3.4 miles east of K-43. The project is scheduled for plan completion in fiscal year 2005 and the construction estimate is \$524,000. The scope of improvement for Project No. 4-64 K-7425-01 is for the replacement of the Clark Creek Drainage Bridge (010), 3.1 miles east of US-77. The project is scheduled for plan completion in fiscal year 2005, and the construction estimate is \$395,000.

Project No. 99-56 K-7443-01
Project No. 130-56 K-7445-01, Lyon County
Project No. 50-9 K-7709-01, Chase County

The scope of improvement for Project No. 99-56 K-7443-01 is to provide for the replacement of the Elm Creek Bridge (056), 4.1 miles north of US-56. The bridge plans will be provided by KDOT. The project is scheduled for plan completion in fiscal year 2005 and the construction estimate is \$949,000. The scope of improvement for Project No. 130-56 K-7445-01 is to provide for the replacement of the Neosho River Bridge (057), 7.6 miles south of I-35. The bridge plans will be provided by KDOT. The project is scheduled for plan completion in fiscal year 2005, and the construction estimate is \$2,990,000. The scope of improvement for Project No. 50-9 K-7709-01 is to provide for the pavement replacement through Strong City to provide for a center left-turn lane. The survey has been completed by KDOT and plan sheets are available in GEO PAK. The project is scheduled for plan completion in September 2001, and the construction estimate is \$740,000.

Project No. 139-79 K-7446-01, Republic County
Project No. 77-81 K-7441-01, Riley County

The scope of improvement for Project No. 139-79 K-7446-01

is to provide for the replacement of the south fork of the Mill Creek Bridge (027), 0.5 miles south of US-36. The project is scheduled for plan completion in fiscal year 2005, and the construction estimate is \$562,000. The scope of improvement for Project No. 77-81 K-7441-01 is to provide for the replacement of the Fancy Creek Bridge (015), 2.1 miles north of K-16. The bridge plans will be completed by KDOT. The project is scheduled for plan completion in fiscal year 2005 and the construction estimate is \$3,085,000.

Project No. 56-46 K-7436-01, Johnson County
Project No. 68-61 K-7439-01, Miami County

The scope of improvement for Project No. 56-46 K-7436-01 is to provide for the replacement of the Martin Creek Bridge (081), 1.7 miles east of Douglas County. The project is scheduled for plan completion in fiscal year 2005 and the construction estimate is \$578,000. The scope of improvement for Project No. 68-61 K-7439-01 is to provide for the replacement of the South Wea Creek Bridge (044), 0.7 miles west of US-69. The project is scheduled for plan completion in fiscal year 2005, and the construction estimate is \$406,000.

Project No. 169-105 K-7449-01, Wyandotte County

The scope of improvement is to provide for the replacement of the US-169 Bridge (073) over the Union Pacific Railroad, 0.2 miles north of K-132. The project is scheduled for plan completion in fiscal year 2005, and the construction estimate is \$4,838,000.

Project No. 59-2 K-7437-01
Project No. 31-2 K-7376-01, Anderson County
Project No. 39-67 K-7433-01, Neosho County

The scope of improvement for Project No. 59-2 K-7437-01 is to provide for the replacement of the South Fork Pottawatomie Creek Drainage Bridge (002), 0.9 miles north of the south junction of US-169. The project is scheduled for plan completion in fiscal year 2005 and the construction estimate is \$925,000. The scope of improvement for Project No. 31-2 K-7376-01 is to provide for the replacement of the North Fork Osage River Drainage Bridge (033), 1.3 miles east of US-59. The project is scheduled for plan completion in fiscal year 2003, and the construction estimate is \$498,000. The scope of improvement for Project No. 39-67 K-7433-01 is to provide for the replacement of the K-39 Bridge (015) over the BN-SF Railroad, 1.6 miles east of US-169. The bridge plans will be provided by KDOT. The project is scheduled for plan completion in fiscal year 2005, and the construction estimate is \$3,198,000.

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. 023623

State of Kansas

Board of Emergency Medical Services

Notice of Hearing on Proposed
Administrative Regulations

The Kansas Board of Emergency Medical Services is conducting three public hearings to consider the adoption of amendments to and revocations of existing permanent Kansas administrative regulations and the adoption of a proposed new administrative regulation. The public hearings will be held at 1 p.m. Tuesday, June 15, in Centennial Room C, Pozez Education Center, 1505 S.W. 8th, Topeka; at 1 p.m. Thursday, June 17, at the Butler County EMS, 701 N. Haverhill Road, El Dorado; and at 1 p.m. Saturday, June 19, at the Conference Center, Hays Medical Center, 2220 Canterbury Drive, Hays.

The adoption of these regulations is not required by federal law, nor is the board participating in or implementing a federally subsidized or assisted program relating to these proposed regulation changes.

This notice constitutes the initiation of a 60-day public comment period for the purpose of receiving written public comments on the proposed rules and regulations. Written comments may be submitted to David Lake, Administrator, Kansas Board of Emergency Medical Services, 109 S.W. 6th, Topeka, 66603-3826.

Individuals will be given a reasonable opportunity to orally present their views at any of the public hearings. A written summary of testimony should be provided. Oral presentations may be limited to five minutes, depending on the number of individuals desiring to provide testimony.

A complete copy of the proposed rules and regulations and the economic impact statement may be obtained from the Kansas Board of Emergency Medical Services, (785) 296-7296 or (785) 296-6237 (TTY).

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulations and economic impact statements in an accessible format. Requests for accommodation should be made at least five days in advance of the hearing by contacting David Lake. A summary of the proposed regulations and their economic impact follows.

Article 1.—DEFINITIONS

109-1-1. Definitions. The changes to this existing regulation will define terms used in other regulations being changed. There is no economic impact because of changes to this regulation.

Article 5.—CONTINUING EDUCATION

109-5-1. Continuing education. The proposed changes to this regulation will discard language that was temporarily kept in the last revision, which is no longer applicable; change the certification renewal requirements of instructor-coordinators (I-C); authorize the acceptance of programs approved by the Continuing Education Coordinating Board for EMS (CECBEMS) as approved continuing education; and move training officer requirements to a different regulation (109-12-1).

The estimated economic impact on persons subject to the proposed changes of this regulation is related to I-Cs.

The individual costs incurred may range from \$165 to \$200. The total costs incurred by all affected is approximately \$33,000 to \$35,200.

The fiscal impact to the board with the changes to this regulation is approximately \$825 to \$1,000.

109-5-2. Documentation of continuing education. Proposed changes to this permanent regulation will clarify that attendants are to keep their verification of attendance at continuing education for two years and must provide verification upon request of the administrator. Proposed changes also require that correspondence training be approved by CECBEMS and other training conducted by CECBEMS be acceptable forms of verification. Additionally, the proposed changes also will define the information necessary on a certificate of attendance.

The fiscal impact to the individuals affected pertains to certified attendants in the cost of mailing verification of attendance when audited. The cost per attendant may be as high as \$1. Since the board audits approximately 3 percent of the total registry, the total impact to all attendants is approximately \$300. The fiscal impact on the board is lowering staff time necessary to process each audit.

109-5-3. Continuing education approval for providers. Proposed changes to this permanent regulation will transfer continuing education program management responsibilities from an individual to an organization; modify program management requirements of long term approved providers of continuing education training; require applications be received (rather than submitted) in the board's office 15 days before the first class; deny applications submitted by fax; and increase the time frame that records must be kept by the program providers.

There is no economic impact incurred on persons subject to the proposed changes of this regulation or on the general public. There is no fiscal impact to the board.

Article 9.—INSTRUCTOR-COORDINATORS

109-9-1. Instructor-coordinator certification. Proposed changes to this permanent regulation will add requirements to becoming a certified I-C and I-C advanced endorsements, and require the I-C candidate to be supervised and evaluated in an assistant teaching role.

The estimated economic impact on persons subject to the proposed changes of this regulation is approximately \$100 per individual plus an unknown cost of obtaining the assistant teaching experience. The fiscal impact to the board is approximately \$300.

109-9-2. Instructor-coordinator authorized activities. This regulation is being proposed for revocation. The passing of 1998 SB 535 rendered this regulation unnecessary and redundant. There is no economic impact associated with the revocation of this regulation.

109-9-4. Instructor-coordinator training. Proposed changes to this permanent regulation will modify the requirements of an individual to be eligible to take an I-C course.

The proposed changes will require an applicant to be a CPR instructor; require that the applicant has taught a minimum of 15 hours of material and either have a teaching certificate issued by the State Board of Education or be a training officer II; require that the applicant submit

(continued)

letters of recommendation; and increase the passing score required on the pre-selection written examination over EMT-Basic level of medical and operational knowledge from 70 percent to 75 percent.

The proposed new requirements will require verification of an available assistant teaching experience, modify the letters of recommendation required, and modify the pre-selection process.

The economic impact will only be imposed on individuals desiring to become an I-C. There is no fiscal impact to the board.

109-9-5. Instructor-coordinator standards. Proposed changes to this permanent regulation will add three records to be maintained by the I-C and eliminate other records required to be maintained; increase the time the I-C has to keep records from two years to three years; and change terminology to be consistent with other terminology used in other regulations.

There is no economic impact on persons subject to the proposed changes of this regulation or on the board.

Article 10.—CURRICULA

109-10-1. Curricula approval. Proposed changes to this permanent regulation will make the regulation less confusing to those trying to interpret it; eliminate an old AED curriculum; adopt a new EMS instructor curriculum; and require the organization conducting an EMS instructor course verify that students have a mechanism to achieve the assistant teaching experience.

There is no estimated economic impact on persons subject to the proposed changes of this regulation or on the board.

109-10-2. Sponsoring organization. Proposed changes to this permanent regulation will allow organizations conducting initial courses of instruction to achieve long-term accreditation of their training program; require MICT-approved training programs to confer an associate degree to graduates by January 1, 2003, and to become nationally accredited; clarify when the administrator may withdraw training program approval; and require the training program submit records when requested by the administrator.

The estimated economic impact is on the training programs and individuals desiring to take the training. The costs for training programs to implement a quality assurance program is unknown. National accreditation of paramedic training programs will cost the college an average of approximately \$1,000 per year over a five-year approval period. The cost to graduates of a paramedic (MICT) course is approximately \$800 per individual. There is no imposed economic impact for this component except at the paramedic level.

The fiscal impact to the board is approximately \$900 per year.

109-10-6. Required training equipment and supplies. This proposed new permanent regulation will clarify what training equipment is required by the board to conduct training. The previous regulations simply stated that the training program must meet or exceed the requirements of the DOT national standard curriculum course guide. In many cases, it was difficult to determine the required equipment from the course guide. In other cases,

the course guide required some unreasonable training equipment, such as an ambulance fully stocked.

There is no estimated economic impact to existing training programs because of this regulation since they already have this equipment. There is no fiscal impact to the board.

Article 11.—COURSE APPROVAL

109-11-1. First responder course approval. Proposed changes to this permanent regulation will eliminate minimum hours of which a first responder initial course of instruction will have to consist and replace the hours with terminal competencies; transfer the responsibility of conducting the course from an individual to an approved training program; require the application for course approval to be received in the board's office (rather than submitted) 15 days in advance; deny applications submitted by fax; require the training program verify support of the local ambulance service to conduct this training; clarify that course approval may be withdrawn by the administrator; and require that the training program submit records when requested by the administrator.

There is no estimated economic impact on persons subject to the proposed changes of this regulation or on the general public. There is no fiscal impact to the board.

109-11-2. Crash injury management course approval. This regulation is being proposed for revocation. There no longer is a crash injury management course. There is no economic impact.

109-11-3. Emergency medical technician course approval. Proposed changes to this permanent regulation will eliminate minimum hours of which an emergency medical technician initial course of instruction will have to consist and replace the hours with terminal competencies and contact-specific experiences; transfer the responsibility of conducting the course from an individual to an approved training program; require the application for course approval to be received, rather than submitted, in the board's office in advance; deny applications submitted by fax; clarify that course approval may be withdrawn by the administrator; and require the training program to submit records when requested by the administrator.

The estimated economic impact is applicable to EMT students and may increase the cost to the student to take the training by as much as \$200 for the course. There is no fiscal impact to the board.

109-11-4. Emergency medical technician-intermediate course approval. Proposed changes to this permanent regulation will eliminate minimum hours of which an emergency medical technician-intermediate initial course of instruction will have to consist and replace the hours with terminal competencies and contact-specific experiences; transfer the responsibility of conducting the course from an individual to an approved training program; require the application for course approval to be received, rather than submitted, in the board's office in advance; deny applications submitted by fax; clarify that course approval may be withdrawn by the administrator; and require the training program to submit records when requested by the administrator.

The estimated economic impact is applicable to EMT-I students and may increase the cost to take the course by as much as \$800. There is no fiscal impact to the board.

109-11-5. Emergency medical technician-defibrillator course approval. Proposed changes to this permanent regulation will eliminate minimum hours of which an emergency medical technician-defibrillator initial course of instruction will have to consist and replace the hours with terminal competencies; transfer the responsibility of conducting the course from an individual to an approved training program; require the application for course approval to be received, rather than submitted, in the board's office in advance; deny applications submitted by fax; clarify that course approval may be withdrawn by the administrator; and require the training program to submit records when requested by the administrator. There is no economic impact created by this regulation.

109-11-6. Mobile intensive care technician course approval. Proposed changes to this permanent regulation will add the requirement of the course to conduct outcome assessments and to assure the students are provided with contact-specific experiences; transfer the responsibility of conducting the course from an individual to an approved training program; require the application for course approval to be received, rather than submitted, in the board's office in advance; deny applications submitted by fax; clarify that course approval may be withdrawn by the administrator; and require the training program to submit records when requested by the administrator.

There is no estimated economic impact on persons subject to the proposed changes of this regulation or on the general public. There is no fiscal impact to the board.

109-11-7. Instructor-coordinator course approval. Proposed changes to this permanent regulation define records that must be kept and documents that must be provided to each student. The changes in this regulation do not impose any new requirements that have not been a part of a request for proposals in the past.

There is no imposed economic impact caused by these regulation changes.

Article 12.—AUTOMATED DEFIBRILLATOR

109-12-1. Automated external defibrillator training program. Proposed revocation of this permanent regulation will eliminate the board's separate course for AED. There is no economic impact imposed because of the proposed changes to this regulation.

109-12-2. Automated external defibrillator protocols. This regulation is proposed for revocation. January 31, 1997 changes to K.A.R. 109-2-5, coupled with the passage of 1998 Senate Bill 535, render this regulation unnecessary. There is no estimated economic impact imposed because of the proposed revocation of this regulation.

Article 13.—TRAINING OFFICERS

109-13-1. Training officer training. Proposed changes to this permanent regulation will transfer policy that the board has held training officers responsible for and put them into regulation, and transfer training officer continuing education requirements from K.A.R. 109-5-1 to this regulation.

There is no economic impact imposed because of the proposed changes to this regulation.

109-13-3. Training officer authorized activities. This regulation is being proposed for revocation. There is no

economic impact imposed because of the proposed revocation to this regulation.

Fiscal Impact

Other than those already addressed above, the fiscal impact to the board in adopting these regulations include conducting three public hearings to adopt, publishing this notice of public hearings in the Kansas Register, publishing the notice of adoption in the Kansas Register, and notifying all instructor-coordinators, training officers and training programs by mail of the new requirements. These costs are anticipated to be approximately \$800. The estimated grand total fiscal impact to the board is approximately \$8,425 to \$8,600 over a five-year period.

David Lake
Administrator

Doc. No. 023624

State of Kansas

Department of Transportation

Notice to Contractors

Sealed proposals for the construction of road and bridge work in the following Kansas counties will be received at the Bureau of Construction and Maintenance, KDOT, Topeka, or at the Capitol Plaza Hotel, Topeka, until 2 p.m. April 21, and then publicly opened:

District One—Northeast

Atchison—3-C-3417-01—County road 1.2 miles (1.9 kilometers) west and 2 miles (3.2 kilometers) south of Huron, 0.3 mile (0.5 kilometer), grading and bridge. (Federal Funds)

Atchison—3 C-3449-01—County road 2 miles (3.2 kilometers) west and 2 miles (3.2 kilometers) south of Huron, 0.18 mile (0.3 kilometer), grading and bridge. (Federal Funds)

Brown—7 C-3506-01—County road 0.2 mile (0.3 kilometer) north and 0.2 kilometer west of Padonia, 0.2 mile (0.32 kilometer), grading, bridge and surfacing. (Federal Funds)

Douglas—23 U-1705-01—Monterey Way from Harvard Road to 15th Street in Lawrence, 0.5 mile (0.8 kilometer), grading and surfacing. (Federal Funds)

Douglas—56-23 K-5486-01—U.S. 56, 9th Street east to 3rd Street in Baldwin City, 0.5 mile (0.8 kilometer), grading and surfacing. (State Funds)

Leavenworth—52 C-3327-01—County road 1.1 miles (1.7 kilometers) south and 0.8 mile (1.25 kilometers) west of Lansing, 0.12 mile (0.2 kilometer), grading and bridge. (Federal Funds)

Marshall—9-58 K-7106-01—K-9 Robidoux Creek, bridge repair. (State Funds)

Wabaunsee—99 C-3459-01—County road 3.5 miles (5.6 kilometers) west and 1 mile (1.6 kilometers) south of Maple Hill, 0.09 mile (0.16 kilometer), grading and bridge. (Federal Funds)

Riley—24-81 K-5647-01—U.S. 24, Phiel Creek Bridge 0.6 mile (1 kilometer) southeast of the north junction of K-13, bridge replacement. (Federal Funds)

(continued)

Wyandotte—70-105 K-7351-01—I-70 Lewis and Clark Viaduct westbound to U.S. 24, signing. (State Funds)

District Two—Northcentral

Chase—177-9 K-6590-01—K-177 culvert 3.5 miles (5.7 kilometers) north of the north city limits of Matfield Green, bridge repair. (State Funds)

Dickinson—21 C-3471-01—County road 1.5 mile (2.4 kilometers) east and 4.1 miles (6.6 kilometers) north of Woodbine, 0.06 mile (0.1 kilometer), grading, bridge and surfacing. (Federal Funds)

Jewell—45 C-3340-01—County road, 0.5 mile (0.8 kilometer) south and 5 miles (8 kilometers) east of Iona, 0.19 mile (0.32 kilometer), grading and culvert. (Federal Funds)

Jewell—14-45 K-7114-01—K-14 Middle Buffalo Creek 1.2 miles (2 kilometers) north of K-28, bridge repair. (State Funds)

McPherson—59 C-3508-01—County road 3.5 miles (5.6 kilometers) east of Mound Ridge, 0.24 mile (0.38 kilometer), grading, bridge and surfacing. (Federal Funds)

Saline—85 C-3378-01—County road 5.5 miles (8.9 kilometers) south and 3.5 miles (5.6 kilometers) west of Gypsum, 0.15 mile (0.24 kilometer), grading and bridge. (Federal Funds)

Saline—85 C-3379-01—County road 1.2 miles (1.9 kilometers) east of Bridgeport, 0.09 mile (0.16 kilometer), grading and bridge. (Federal Funds)

District Three—Northwest

Sherman—70-91 K-6028-01—Various locations on I-70 in Sherman County, guard fence. (State Funds)

District Four—Southeast

Allen—1 C-3515-01—County road 1.6 miles (2.6 kilometers) south and 6.4 miles (10.3 kilometers) east of Humboldt, 0.2 mile (0.3 kilometer), grading and bridge. (Federal Funds)

Crawford—19 C-3468-01—County road 5 miles (8 kilometers) south and 12 miles (19.3 kilometers) west of the junction of K-57 and K-7, 0.10 mile (0.16 kilometer), grading, bridge and surfacing. (Federal Funds)

Elk—25 C-3473-01—County road 0.5 mile (0.8 kilometer) north and 0.8 mile east of Howard at Snake Creek, 0.14 mile (0.22 kilometer), grading and bridge. (Federal Funds)

Franklin—30 C-3474-01—County road 3.5 miles (5.6 kilometers) north of Ottawa at Tauy Creek, 0.19 mile (0.31 kilometer), grading and bridge. (Federal Funds)

Labette—50 C-3480-01—County road 9 miles (14.5 kilometers) east and 1 mile (1.6 kilometers) north of the junction of U.S. 59 and U.S. 160, 0.15 mile (0.24 kilometer), grading and bridge. (Federal Funds)

Montgomery—63 C-3540-01—County road 0.5 mile (0.8 kilometer) north of Lehunt, 0.20 mile (0.32 kilometer), grading, bridge and surfacing. (Federal Funds)

Neosho—67 C-3545-01—Drum Creek on county road 1 mile (1.6 kilometers) east and 1.5 miles (2.4 kilometers) north of the southwest corner of Neosho County, 0.012 mile (0.02 kilometer), grading and bridge. (Federal Funds)

Greenwood—96-37 K-3292-05—K-96, 3.6 miles (5.8 kilometers) east of the Butler-Greenwood county line east 0.5 mile (0.8 kilometer), grading and surfacing. (State Funds)

Wilson—47-103 K-5648-01—K-47, Little Cedar Creek and Big Cedar Creek, bridge replacement. (Federal Funds)

District Five—Southcentral

Cowley—18 C-3461-01—County road 5.1 miles (8.2 kilometers) east of Wilmont 0.09 mile (0.16 kilometer), grading and bridge. (Federal Funds)

Harvey—40 C-3313-01—West edge of Halstead then north 0.3 mile (0.5 kilometer), grading and bridge. (Federal Funds)

Reno—78 C-3553-01—County road 9 miles (14.5 kilometers) west and 0.8 mile (1.3 kilometers) north of Nickerson, 0.16 mile (0.26 kilometer), grading, bridge and surfacing. (Federal Funds)

Sedgwick—87 N-0094-01—Central Avenue from West Street to McLean in Wichita, 1 mile (1.6 kilometers); grading and surfacing. (Federal Funds)

District Six—Southwest

Meade—60 C-3483-01—County road 12.2 miles (19.6 kilometers) east and 13 miles (20.6 kilometers) south of Meade, 0.10 mile (0.16 kilometer), grading and bridge. (Federal Funds)

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

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

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

E. Dean Carlson
Secretary of Transportation

Doc. No. 023614

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 3-29-99 through 4-4-99

Term	Rate
1-89 days	4.83%
3 months	4.47%
6 months	4.62%
9 months	4.69%
12 months	4.81%
18 months	5.00%
24 months	4.99%

Derl S. Treff
Director of Investments

Doc. No. 023621

State of Kansas

State Corporation Commission

Notice of Motor Carrier Hearings

The following motor carriers have filed various applications and are scheduled for hearing at 9:30 a.m. April 20 before the commission at its offices, 1500 S.W. Arrowhead Road, Topeka, as indicated below. All applications listed herein are for statewide authority, unless otherwise stated. This list does not include cases that have been continued from earlier assigned hearing dates for which parties of record have received notice.

Requests to inspect and copy the notices provided to the parties and questions in regard to these hearings should be addressed to the State Corporation Commission, Transportation Division, 1500 S.W. Arrowhead Road, Topeka, 66604-4027, (785) 271-3225 or 271-3151. The presiding officer for these matters is Paula Lentz, Assistant General Counsel, (785) 271-3279. Anyone needing special accommodations should give notice to the commission 10 days prior to the scheduled hearing date.

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

Applications for Certificate of Public Service:

- A & D Cattle Co., LLC**, Route 2, Box 71, Mankato, KS 66956; MC ID No. 156546; General commodities (except household goods, hazardous materials and passengers).
- Cedar Valley Transport, L.L.C.**, 803 S. Vine, Garnett, KS 66032; MC ID No. 157042; Clyde Christey, Attorney; General commodities (except explosives and household goods).
- Donald E. Coolberth, dba D & J Auto Recovery**, 1020 S.E. Republican, Topeka, KS 66607; MC ID No. 156306; Wrecked, disabled, repossessed and replacement vehicles.
- Allen F. Gewecke, dba Gewecke Transport**, 2850 Washington St., Lincoln, NE 68502-3150; MC ID No. 219106; General commodities (except household goods and hazardous materials).
- Greenleaf Hay Co., Inc.**, P.O. Box 610, Lakin, KS 67860; MC ID No. 155963; Clyde Christey, Attorney; General commodities (except household goods and hazardous materials).

- Harry W. Hall, dba Hall's Trucking**, 32790 W. 363rd, Osawatomie, KS 66064; MC ID No. 156336; General commodities (except household goods and hazardous materials).
- Marcus L. Hefner, dba Hefner Trucking**, 1343 Frontier Way, Emporia, KS 66801; MC ID No. 156337; General commodities (except household goods and hazardous materials).
- Arlan Huser, dba Huser Custom Farming**, 409 N. Hamilton, Syracuse, KS 67878; MC ID No. 157240; General commodities (except household goods and hazardous materials).
- L & D Oilfield Service, Inc.**, P.O. Box 1242, Liberal, KS 67905; MC ID No. 157019; General commodities (except household goods and hazardous materials).
- Daniel J. Koehn, dba D J Trucking**, 13000 N. Cherokee Road, Scott City, KS 67871; MC ID No. 157241; General commodities (except household goods and hazardous materials).
- Brian J. Nelson, dba B J Express**, 201 Cherokee Road, North Platte, NE 69101; MC ID No. 223461; General commodities (except household goods).
- Heath Nordhausen, dba Nordhausen Trucking**, 619 W. Kiowa, Wauneta, NE 69045; MC ID No. 155675; General commodities (except household goods and hazardous materials).
- S & V Enterprises, Inc.**, 209 Blue Spruce, Hutchinson, KS 67502; MC ID No. 157242; Joseph Weiler, Attorney; General commodities (except Classes A and B explosives and household goods).
- Thomas M. Tregellas, dba Tregellas Trucking**, 108 Cherokee Road, Inman, KS 67546; MC ID No. 157243; General commodities (except household goods and hazardous materials).

Applications for Transfer of Certificate of Public Service:

- Dennis Fitzsimmons, dba Fitzsimmons Trucking**, 120182 N.E. 5th, Cunningham, KS 67035, MC ID No. 152366, to: Fitzsimmons Trucking, Inc., 120182 N.E. 5th, Cunningham, KS 67035; William Barker, Attorney; General commodities (except hazardous materials and household goods).
- Kris Kowalsky, dba Kris Kowalsky Alfalfa Operations**, 333 S.E. 110th Ave., Ellinwood, KS 67526, MC ID No. 151669, to: Fastrak Trucking, Inc., 333 S.E. 110th Ave., Ellinwood, KS 67526; General commodities (except household goods, Classes A and B explosives and hazardous materials).

Application for Name Change of Certificate of Public Service:

- Jay E. Roberts**, 12099 N.W. 140, Newton, KS 67114, MC ID No. 156154, to: Jay E. Roberts, dba Circle R Operations, 12099 N.W. 140, Newton, KS 67114; General commodities (except household goods and hazardous materials).

Applications for Abandonment of Certificate of Public Service:

- The Boy's Inc.**, 4950 N. Broadway, Wichita, KS 67219-2724; MC ID No. 100262.
- Tom Frick, dba Tom Frick & Family Trucking**, 500 Monroe 7, Oskaloosa, KS 66066; MC ID No. 156182.
- Roy Joe Huddleston, dba Huddleston Land & Cattle**, Route 1, Box 1, Goodwell, OK 73939-9701; MC ID No. 145781.
- Robison Farms, Inc.**, Route 1, Box 505, Scandia, KS 66966; MC ID No. 150855.

Jacquelyn S. Miller
Administrator
Transportation Division

Doc. No. 023640

State of Kansas

Legislature

Legislative Bills and Resolutions Introduced

The following numbers and titles of bills and resolutions were introduced March 18-24 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.

House Bills

HB 2564, An act concerning the regulation and application of state and local laws, rules, regulations and ordinances to sport shooting ranges; providing civil immunity to persons who operate or use such ranges, by Committee on Federal and State Affairs.

HB 2565, An act relating to Washburn University of Topeka; concerning the financing and governance thereof; amending K.S.A. 13-13a04, 13-13a05, 13-13a18, 13-13a25 and 13-13a26 and K.S.A. 1998 Supp. 13-13a23 and repealing the existing sections, by Committee on Taxation.

HB 2566, An act concerning legislative compensation and benefits; amending K.S.A. 74-4995 and K.S.A. 1998 Supp. 46-137a and 74-4911f and repealing the existing sections, by Committee on Federal and State Affairs.

HB 2567, An act concerning legislative compensation; amending K.S.A. 46-137e and repealing the existing section, by Committee on Federal and State Affairs.

HB 2568, An act concerning tobacco; relating to the master settlement agreement; concerning payment of moneys into escrow; concerning enforcement, by House Select Committee on Tobacco Settlement Funds.

HB 2569, An act concerning municipalities; relating to recreation systems and districts; amending K.S.A. 12-1929 and 12-1932 and repealing the existing sections, by Committee on Taxation.

House Concurrent Resolutions

HCR 5040, A concurrent resolution establishing a task force on agricultural issues.

House Resolutions

HR 6015, A resolution relating to the rules of the House of Representatives for the 1999-2000 biennium; amending Rule 2105 and Rule 2309 concerning dividing amendments and motions; adopting Rule 2108 and Rule 2109 concerning motions to strike out and insert and identical motions.

HR 6016, A resolution establishing Legislative Families Day.

HR 6017, A resolution requiring the attorney general to bring action to determine the constitutionality of Kansas statutes, administrative orders and executive orders that allow the termination, or the use of state funds or facilities in the termination, of the lives of innocent human beings including the unborn.

Senate Bills

SB 355, An act concerning the Kansas code for care of children; relating to permanent guardians; hearings; amending K.S.A. 38-1542 and K.S.A. 1998 Supp. 38-1502, 38-1528, 38-1543, 38-1562, 38-1565 and 38-1583 and repealing the existing sections; also repealing K.S.A. 1998 Supp. 38-1502c, by Committee on Ways and Means.

SB 356, An act concerning insurance; establishing a procedure for the conversion of a stock or mutual insurance company into an insurance reciprocal, by Committee on Federal and State Affairs.

Senate Concurrent Resolutions

SCR 1615, A concurrent resolution relating to the adjournment of the Senate and House of Representatives for periods during the 1999 regular session of the legislature.

SCR 1616, A concurrent resolution urging Congress to remove or restrict the use of trade sanctions as they apply to agricultural products, and to work for the reduction or elimination of trade barriers and sanctions imposed by other countries against agricultural products; 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; urging Congress to require country of origin labeling on foreign meat and dairy products

raised and produced in other countries; urging Congress to investigate the need for mandatory price reporting by packers in the livestock industry; and urging Congress, the Justice Department and the packers and stockyard division of the United States Department of Agriculture to investigate market concentration and pending mergers in the livestock and grain industry.

SCR 1617, A concurrent resolution memorializing the Congress of the United States to authorize the placement in Statuary Hall of a statue of Dwight David Eisenhower in lieu of George W. Glick and encouraging the Eisenhower Foundation, Inc. to organize and direct funding for creation of a statue of Dwight David Eisenhower for placement in Statuary Hall.

SCR 1618, A concurrent resolution memorializing Congress to strengthen Social Security.

Senate Resolutions

SR 1835, A resolution congratulating and commending the McPherson High School girls and boys basketball teams and Coaches Scott Schaefer and Kurt Kinnamon for winning the 1999 Class 5A state basketball championships.

SCR 1836, A resolution recognizing and welcoming a General Consulate from the Republic of Paraguay.

SR 1837, A resolution congratulating the City of Westwood on its 50th anniversary.

SR 1838, A resolution congratulating the City of Fairway on its 50th anniversary.

SR 1839, A resolution congratulating the City of Mission Hills on its 50th anniversary.

SR 1840, A resolution recognizing and congratulating the City of Westwood Hills on the celebration of its 50th year anniversary.

SR 1841, A resolution establishing Legislative Families Day.

Doc. No. 023622

(Published in the Kansas Register April 1, 1999.)

Summary Notice of Bond Sale Unified School District No. 416 Miami County, Kansas (Louisburg) \$9,500,000

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 March 24, 1999, sealed bids will be received by the clerk of Unified School District No. 416, Miami County, Kansas (Louisburg) (the issuer), on behalf of the governing body at the office of the Board of Education, 105 E. 5th, Louisburg, KS 66053, until 7 p.m. April 14, 1999, for the purchase of \$9,500,000 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 April 1, 1999, and will become due on September 1 in the years as follows:

Table with 2 columns: Year, Principal Amount. Rows: 2003 (\$40,000), 2004 (105,000), 2005 (175,000), 2006 (255,000), 2007 (425,000)

(Published in the Kansas Register April 1, 1999.)

2008	830,000
2009	915,000
2010	1,005,000
2011	1,105,000
2012	1,205,000
2013	1,320,000
2014	1,435,000
2015	685,000

Summary Notice of Bond Sale
City of Baxter Springs, Kansas
\$285,000
General Obligation Sewer Bonds
Series 1999

(General obligation bonds payable from unlimited ad valorem taxes)

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 \$190,000 (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 about May 11, 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 \$65,803,939. The total general obligation indebtedness of the issuer as of the date of delivery of the bonds, including the bonds being sold, is \$23,380,000.

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) 837-2944, 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 March 24, 1999.

Unified School District No. 416
 Miami County, Kansas (Louisburg)

Sealed Bids

Subject to a notice of bond sale dated March 23, 1999, sealed bids will be received by the clerk of the City of Baxter Springs, Kansas (the issuer), on behalf of the governing body at City Hall, 1445 Military, Baxter Springs, KS 66713, until 6 p.m. Tuesday, April 13, 1999, for the purchase of \$285,000 principal amount of General Obligation Sewer Bonds, Series 1999. No bid of less than the entire par value of the bonds and accrued interest to the date of delivery will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated April 15, 1999, and will become due on October 1 in the years as follows:

Maturity October 1	Principal Amount
2000	\$10,000
2001	15,000
2002	15,000
2003	15,000
2004	15,000
2005	15,000
2006	20,000
2007	20,000
2008	20,000
2009	20,000
2010	20,000
2011	25,000
2012	25,000
2013	25,000
2014	25,000

The bonds will bear interest from their dated date at rates to be determined when the bonds are sold, which interest will be payable semiannually on April 1 and October 1 in each year, beginning April 1, 2000.

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Security

The bonds and the interest thereon constitute general obligations of the city, and the full faith, credit and resources of the city will be pledged to the payment thereof. (Reference is made to the official notice of bond sale and the city's preliminary official statement for a further discussion of the security for the bonds.)

Redemption

Certain of the bonds are subject to redemption as set forth in the official notice of bond sale.

(continued)

Good Faith Deposit

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States or a financial surety bond in a form that complies with the requirements set forth in the notice of sale in the amount of \$5,700 (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 within 30 days of the sale of the bonds 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 is \$20,428,056. The total general obligation indebtedness of the issuer as of the date of the bonds, including the bonds being sold, is \$285,000.

Official Statement

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

Continuing Disclosure

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

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

Approval of Bonds

The bonds will be sold subject to the legal opinion of Cosgrove, Webb & Oman, Topeka, Kansas, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the issuer, printed on the bonds and delivered to the successful bidder when the bonds are delivered.

Additional Information

Additional information regarding the bonds may be obtained from Darla Snook, city clerk of the issuer, (316) 856-2114; or from the financial advisor, Cooper Malone

McClain, Incorporated, 7701 E. Kellogg, Suite 700, Wichita, KS 67207, Attention: Dave Malone, (316) 657-5730.

Dated March 23, 1999.

City of Baxter Springs, Kansas
by Darla Snook
City Clerk
1445 Military
Baxter Springs, KS 66713

Doc. No. 023627

State of Kansas**Department of Corrections****Permanent Administrative
Regulations****Article 1.—GENERAL ADMINISTRATION****44-1-103. Public or educational visits and tours.**

(a)(1) As part of an overall program of crime prevention and aversion, any institution or facility warden may develop a program, in cooperation with the courts and other agencies, to educate the public concerning the consequences of felony conviction and incarceration.

(2) Request for participation in this program may be made by the court or court services, school districts, state and local governmental agencies, criminal justice agencies, service organizations, and religious denominations. Participation by citizens may be by a group or by an individual. Adults and juveniles 10 years of age or older may participate in this educational program. The number of participants in any group and the conditions and time of the program shall be at the discretion of the institutional or facility warden. Sponsoring agencies shall apply to the warden at least 10 days before the desired date of participation.

(3) No recordings by video or audio methods, including film and videotape, shall be made without the approval of the warden and the written consent of any person who is identifiable in the recording.

(b) The general public, groups, or individuals may tour an institution or facility only while escorted by appointed personnel. Tours shall be conducted only at times convenient for the staff and conducive to efficient operation of the institution or facility, and to the safety and security of the staff, inmates, and general public.

(c) No group or individual shall be permitted in the institution without the approval of the institutional or facility warden. While on the premises, the visitors shall be subject to the regulations of the secretary of corrections and the orders of the warden. All visitors shall be subject to search and fingerprinting at the discretion of the warden. (Authorized by and implementing K.S.A. 75-5251, K.S.A. 75-5210; effective May 1, 1980; amended May 1, 1984; amended, T-44-1-25-99, Jan. 25, 1999; amended April 16, 1999.)

Charles E. Simmons
Secretary of Corrections

Doc. No. 023634

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*.

AGENCY 1: DEPARTMENT OF ADMINISTRATION		
Reg. No.	Action	Register
1-2-46	Amended	V. 17, p. 1369
1-2-77	New	V. 17, p. 1370
1-5-9	Amended	V. 17, p. 1370
1-5-10	Amended	V. 17, p. 1370
1-5-14	Amended	V. 17, p. 1370
1-5-15	Amended	V. 17, p. 1370
1-6-22a	Amended	V. 17, p. 1371
1-6-30	Amended	V. 17, p. 1371
1-9-23	Amended	V. 17, p. 1371
1-9-25	Amended	V. 17, p. 1372
1-9-26	Amended	V. 17, p. 1375
1-10-6	Amended	V. 17, p. 1376
1-16-18	Amended	V. 17, p. 945
1-16-18a	Amended	V. 17, p. 946
1-18-1a	Amended (T)	V. 18, p. 356
1-39-1 through 1-39-4	New	V. 17, p. 1678
AGENCY 4: DEPARTMENT OF AGRICULTURE		
Reg. No.	Action	Register
4-7-213	Amended	V. 17, p. 171
4-7-213a	New	V. 17, p. 171
4-20-11	Amended (T)	V. 18, p. 13
4-20-15	New (T)	V. 18, p. 11
4-21-1 through 4-21-6	New (T)	V. 18, p. 11-13
AGENCY 7: SECRETARY OF STATE		
Reg. No.	Action	Register
7-34-1	Revoked	V. 17, p. 1679
7-39-1	New	V. 17, p. 1679
AGENCY 9: ANIMAL HEALTH DEPARTMENT		
Reg. No.	Action	Register
9-7-10	Amended	V. 17, p. 364
9-10-33 through 9-10-39	New	V. 17, p. 364, 365
9-20-4	New	V. 18, p. 161
AGENCY 11: STATE CONSERVATION COMMISSION		
Reg. No.	Action	Register
11-9-1 through 11-9-10	New	V. 18, p. 79, 80
AGENCY 16: ATTORNEY GENERAL		
Reg. No.	Action	Register
16-1-7	New	V. 17, p. 1620
16-2-1	Revoked	V. 17, p. 1620
16-2-1a	New	V. 17, p. 1620
16-3-1	Amended	V. 17, p. 1620
16-5-1	Amended	V. 17, p. 1621
16-6-1	Amended	V. 17, p. 1621

16-6-3	New	V. 17, p. 1621
AGENCY 25: DEPARTMENT OF AGRICULTURE (KANSAS STATE GRAIN INSPECTION)		
Reg. No.	Action	Register
25-5-1	New	V. 18, p. 53
AGENCY 26: DEPARTMENT ON AGING		
Reg. No.	Action	Register
26-1-2	Amended	V. 18, p. 188
26-1-9	New	V. 18, p. 188
AGENCY 27: STATE CORPORATION COMMISSION (KANSAS ENERGY OFFICE)		
Reg. No.	Action	Register
27-2-1	Revoked	V. 18, p. 231
AGENCY 28: DEPARTMENT OF HEALTH AND ENVIRONMENT		
Reg. No.	Action	Register
28-1-4	Amended	V. 17, p. 1505
28-1-13	Amended	V. 17, p. 461
28-1-25	Revoked	V. 18, p. 105
28-4-525 through 28-4-529	Revoked	V. 17, p. 1149
28-18-1 through 28-18-4	Amended	V. 17, p. 1971-1974
28-18-5 through 28-18-15	New	V. 17, p. 1974-1977
28-18a-1 through 28-18a-32	New	V. 17, p. 1977-1994
28-19-50	Revoked	V. 18, p. 50
28-19-52	Revoked	V. 18, p. 50
28-19-70	Amended	V. 17, p. 588
28-19-201	Amended	V. 18, p. 106
28-19-202	Amended	V. 17, p. 122
28-19-517	Amended	V. 17, p. 144
28-19-546	Amended	V. 17, p. 144
28-19-561	Amended	V. 17, p. 144
28-19-562	Amended	V. 17, p. 145
28-19-563	Amended	V. 17, p. 146
28-19-564	New	V. 17, p. 589
28-19-650	New	V. 18, p. 50
28-29-12	Amended	V. 17, p. 1026
28-29-25d	New	V. 17, p. 1931
28-29-27	Amended	V. 17, p. 1026
28-29-98	Amended	V. 17, p. 1087
28-29-108	Amended	V. 17, p. 1027
28-29-109	New	V. 17, p. 1031
28-36-30	Amended	V. 17, p. 1679
28-52-2	New	V. 17, p. 168
28-52-3	New	V. 17, p. 168
28-52-4	New	V. 17, p. 168
28-68-3	Amended	V. 17, p. 547
28-70-1	New	V. 17, p. 168
28-70-2	New	V. 17, p. 168
28-70-3	New	V. 17, p. 169
28-71-1 through 28-71-12	New	V. 17, p. 959-964
AGENCY 30: SOCIAL AND REHABILITATION SERVICES		
Reg. No.	Action	Register
30-2-12	Amended	V. 18, p. 271
30-4-39	Amended	V. 17, p. 932
30-4-50	Amended	V. 17, p. 933
30-4-52	Amended	V. 17, p. 933
30-4-54	Amended	V. 17, p. 933
30-4-55	Amended	V. 17, p. 934
30-4-64	Amended	V. 18, p. 271
30-4-70	Amended	V. 17, p. 935
30-4-110	Amended	V. 17, p. 936
30-4-111	Amended	V. 17, p. 1837
30-4-140	Amended	V. 17, p. 938
30-5-64	Amended	V. 17, p. 1838
30-5-70	Amended	V. 17, p. 1376
30-5-78	Amended	V. 17, p. 1378
30-5-82	Amended	V. 17, p. 1839
30-5-82a	Amended	V. 17, p. 1840

30-5-88	Amended	V. 17, p. 938
30-5-118	Amended	V. 17, p. 1840
30-5-118a	Amended	V. 17, p. 1841
30-5-118b	New	V. 17, p. 1842
30-5-300	Amended	V. 17, p. 300
30-5-310	New	V. 17, p. 302
30-6-35	Amended	V. 17, p. 1580
30-6-36	Amended	V. 17, p. 1580
30-6-41	Amended	V. 17, p. 1581
30-6-52	Amended	V. 17, p. 939
30-6-54	Amended	V. 17, p. 940
30-6-65	Amended	V. 17, p. 940
30-6-70	Amended	V. 17, p. 941
30-6-77	Amended	V. 17, p. 1581
30-6-103	Amended	V. 17, p. 941
30-6-111	Amended	V. 17, p. 1844
30-6-112	Amended	V. 17, p. 943
30-10-1a	Amended	V. 17, p. 1845
30-10-2	Amended	V. 17, p. 1847
30-10-14	Amended	V. 17, p. 1168
30-10-15a	Amended	V. 17, p. 1848
30-10-15b	Amended	V. 17, p. 1850
30-10-17	Amended	V. 17, p. 1850
30-10-18	Amended	V. 17, p. 1852
30-10-25	Amended	V. 17, p. 1854
30-10-26	Amended	V. 17, p. 1855
30-10-28	Amended	V. 17, p. 1856
30-10-209	Amended	V. 17, p. 1168
30-14-1	New	V. 17, p. 1583
30-14-2	New	V. 17, p. 1583
30-14-3	New	V. 17, p. 1583
30-14-20 through 30-14-31	New	V. 17, p. 1584-1586
30-14-50	New	V. 17, p. 1586
30-63-1	Amended	V. 17, p. 1378
30-63-10	Amended	V. 17, p. 1378
30-63-13	Amended	V. 17, p. 1379
30-63-20 through 30-63-25	Amended	V. 17, p. 1380-1382
30-63-28	Amended	V. 17, p. 1383
30-63-30	Amended	V. 17, p. 1383
30-64-12	Amended	V. 17, p. 1384
30-64-22	Amended	V. 17, p. 1384
30-64-23	Amended	V. 17, p. 1385
30-64-24	Amended	V. 17, p. 1385
30-64-25	Amended	V. 17, p. 1386
30-64-27	Amended	V. 17, p. 1386
30-64-28	Amended	V. 17, p. 1386
30-64-29	Amended	V. 17, p. 1387
30-64-31	Amended	V. 17, p. 1387
30-64-32	Amended	V. 17, p. 1387
AGENCY 39: KANSAS TURNPIKE AUTHORITY		
Reg. No.	Action	Register
39-1-1	Amended	V. 17, p. 1935
39-1-8	Revoked	V. 17, p. 1935
39-1-9	Amended	V. 17, p. 1935
39-1-14	Revoked	V. 17, p. 1936
39-1-19	Amended	V. 17, p. 1936
39-3-1 through 39-3-8	Revoked	V. 17, p. 1936
39-5-1	Revoked	V. 17, p. 1936
39-6-1	Revoked	V. 17, p. 1936
39-6-2	Revoked	V. 17, p. 1936
AGENCY 40: KANSAS INSURANCE DEPARTMENT		
Reg. No.	Action	Register
40-1-35	Revoked	V. 17, p. 1837
40-1-45	New	V. 17, p. 1211
40-2-25	Amended	V. 17, p. 1546
40-4-34	Amended	V. 18, p. 124
40-4-35	Amended (T)	V. 18, p. 358
40-4-36	Amended	V. 17, p. 689
40-5-10	Amended	V. 17, p. 1578
40-9-118	Amended	V. 17, p. 1033
40-15b-1	Amended	V. 17, p. 1547
AGENCY 44: DEPARTMENT OF CORRECTIONS		
Reg. No.	Action	Register
44-1-103	Amended (T)	V. 18, p. 131
44-12-601	Amended	V. 17, p. 424

(continued)

AGENCY 45: KANSAS PAROLE BOARD

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

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

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

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

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

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

Reg. No.	Action	Register
51-1-22	Revoked	V. 17, p. 628
51-2-4	Amended	V. 17, p. 628
51-2-5	Amended	V. 17, p. 629
51-3-1	Amended	V. 17, p. 629
51-3-5	Amended	V. 17, p. 629
51-3-5a	Amended	V. 17, p. 629
51-3-6	Amended	V. 17, p. 630
51-3-8	Amended	V. 17, p. 630
51-3-17	Revoked	V. 17, p. 631
51-4-1	Revoked	V. 17, p. 631
51-7-5	Revoked	V. 17, p. 631
51-7-6	Revoked	V. 17, p. 631
51-7-8	Amended	V. 17, p. 631
51-8-2		
through		
51-8-7	Revoked	V. 17, p. 631
51-8-9	Revoked	V. 17, p. 631
51-8-10	Revoked	V. 17, p. 631
51-9-5	Amended	V. 17, p. 632
51-9-10	Amended	V. 17, p. 632
51-9-11	Amended	V. 17, p. 632
51-9-12	New	V. 17, p. 632
51-9-13	New	V. 17, p. 633
51-9-14	New	V. 17, p. 634
51-10-6	Amended	V. 17, p. 634
51-12-2	New	V. 17, p. 635
51-13-1	Amended	V. 17, p. 635
51-15-2	Amended	V. 17, p. 635
51-17-2	New	V. 17, p. 635
51-18-2	Amended	V. 17, p. 636
51-18-3		
through		
51-18-6	New	V. 17, p. 637
51-19-1	Amended	V. 17, p. 637
51-21-1	Amended	V. 17, p. 637
51-24-1	Amended	V. 17, p. 637
51-24-2	Revoked	V. 17, p. 637
51-24-7	Revoked	V. 17, p. 637

AGENCY 60: BOARD OF NURSING

Reg. No.	Action	Register
60-3-101	Amended	V. 18, p. 51
60-3-106	Amended	V. 18, p. 51
60-3-106a	Amended	V. 17, p. 357
60-3-107	Amended	V. 17, p. 357
60-3-112	New	V. 17, p. 357
60-4-101	Amended	V. 17, p. 358
60-7-101	Amended	V. 18, p. 52
60-7-109	New	V. 17, p. 358
60-7-110	New	V. 17, p. 358
60-8-101	Amended	V. 17, p. 358

60-9-105	Amended	V. 17, p. 358
60-9-106	Amended	V. 17, p. 359
60-9-107	Amended	V. 17, p. 360
60-11-119	Amended	V. 17, p. 361
60-11-120	New	V. 17, p. 361
60-11-121	New	V. 17, p. 361
60-15-101		
through		
60-15-104	Amended	V. 17, p. 1321-1323
60-16-101	Amended	V. 17, p. 796
60-16-102	Amended	V. 17, p. 796

AGENCY 65: BOARD OF EXAMINERS IN OPTOMETRY

Reg. No.	Action	Register
65-4-3	Amended	V. 17, p. 1270
65-9-1	Amended	V. 18, p. 357
65-10-2	Amended	V. 18, p. 357
65-11-3	Amended	V. 18, p. 357

AGENCY 66: BOARD OF TECHNICAL PROFESSIONS

Reg. No.	Action	Register
66-6-1	Amended	V. 17, p. 102
66-7-2	Amended	V. 18, p. 79
66-10-1	Amended	V. 17, p. 102

AGENCY 68: BOARD OF PHARMACY

Reg. No.	Action	Register
68-1-1b	Amended	V. 17, p. 1107
68-2-20	Amended	V. 17, p. 1167
68-2-22	New	V. 18, p. 81
68-7-12	Amended	V. 17, p. 170
68-11-1	Amended	V. 18, p. 81
68-20-10a	New	V. 18, p. 81
68-20-15a	Amended	V. 18, p. 82
68-20-16	Amended	V. 17, p. 1107
68-20-17	Amended	V. 18, p. 83
68-20-19	Amended	V. 18, p. 83

AGENCY 69: BOARD OF COSMETOLOGY

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

AGENCY 71: KANSAS DENTAL BOARD

Reg. No.	Action	Register
71-3-7	New	V. 18, p. 104
71-6-1		
through		
71-6-6	New	V. 18, p. 104, 105

AGENCY 74: BOARD OF ACCOUNTANCY

Reg. No.	Action	Register
74-2-7	Amended	V. 17, p. 1415
74-4-1	Amended	V. 17, p. 1415
74-4-4	Amended	V. 17, p. 1415
74-4-7	Amended	V. 17, p. 1415
74-4-8	Amended	V. 17, p. 1416
74-4-9	Amended	V. 17, p. 1416
74-4-10	Amended	V. 17, p. 1416
74-5-2	Amended	V. 17, p. 1932
74-5-103	Amended	V. 17, p. 1933
74-5-104	Amended	V. 17, p. 1934
74-5-202	Amended	V. 17, p. 1417
74-5-203	Amended	V. 17, p. 1417
74-5-301	Amended	V. 17, p. 1417
74-5-404	New	V. 17, p. 1934
74-5-406	Amended	V. 17, p. 1417
74-5-407	Amended	V. 17, p. 1418
74-6-2	Amended	V. 17, p. 1418
74-11-6		
through		
74-11-14	Amended	V. 17, p. 1418-142

AGENCY 75: CONSUMER CREDIT COMMISSIONER

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

AGENCY 82: STATE CORPORATION COMMISSION

Reg. No.	Action	Register
82-1-221a	New	V. 18, p. 231
82-1-221b	New	V. 18, p. 232
82-1-228	Amended	V. 18, p. 232

82-1-235	Amended	V. 18, p. 233
82-3-101	Amended	V. 18, p. 273
82-3-401b	New	V. 18, p. 276
82-3-408	Amended	V. 18, p. 276
82-3-800		
through		
82-3-804	New	V. 17, p. 362, 363
82-3-900		
through		
82-3-908	New	V. 18, p. 276, 277
82-4-1	Amended	V. 17, p. 1887
82-4-3	Amended	V. 17, p. 1888
82-4-6d	Amended	V. 17, p. 1888
82-4-20	Amended	V. 17, p. 1889
82-4-21	Amended	V. 17, p. 1889
82-4-22	Amended	V. 17, p. 1890
82-4-23	Amended	V. 17, p. 1890
82-4-24a	Amended	V. 17, p. 1890
82-4-26	Amended	V. 17, p. 1890
82-4-27	Amended	V. 17, p. 1891
82-4-27a	Amended	V. 17, p. 1891
82-4-27c	Amended	V. 17, p. 1892
82-4-27e	Amended	V. 17, p. 1892
82-4-27f	Amended	V. 17, p. 1893
82-4-27g	Amended	V. 17, p. 1893
82-4-28	Amended	V. 17, p. 1893
82-24-28a	Amended	V. 17, p. 1894
82-4-28b	Amended	V. 17, p. 1894
82-4-29a	Amended	V. 17, p. 1894
82-4-30a	Amended	V. 17, p. 1894
82-4-30b	Revoked	V. 17, p. 1895
82-4-31	Amended	V. 17, p. 1895
82-4-32	Amended	V. 17, p. 1895
82-4-33	Amended	V. 17, p. 1895
82-4-35a	Amended	V. 17, p. 1895
82-4-37	Amended	V. 17, p. 1895
82-4-42	Amended	V. 17, p. 1896
82-4-46	Amended	V. 17, p. 1896
82-4-48	Amended	V. 17, p. 1896
82-4-48a	New	V. 17, p. 1896
82-4-49c	Amended	V. 17, p. 1897
82-4-53	Amended	V. 17, p. 1897
82-4-54	Amended	V. 17, p. 1897
82-4-55	Amended	V. 17, p. 1897
82-4-56a	Amended	V. 17, p. 1898
82-4-57	Amended	V. 17, p. 1898
82-4-58a	Revoked	V. 17, p. 1898
82-4-58b	Revoked	V. 17, p. 1898
82-4-58c	Revoked	V. 17, p. 1899
82-4-58d	Amended	V. 17, p. 1899
82-4-59	Revoked	V. 17, p. 1899
82-4-62	Amended	V. 17, p. 1899
82-4-63	Amended	V. 17, p. 1899
82-4-64	Revoked	V. 17, p. 1899
82-4-65	Amended	V. 17, p. 1899
82-4-67	Revoked	V. 17, p. 1899
82-4-68	Amended	V. 17, p. 1899
82-4-69	Amended	V. 17, p. 1900
82-4-85	Amended	V. 17, p. 1900
82-11-3	Amended	V. 18, p. 234
82-11-4	Amended	V. 18, p. 234
82-11-9	Amended	V. 18, p. 238
82-11-10	Amended	V. 18, p. 239
82-11-11	New	V. 18, p. 239
82-12-2	Amended	V. 18, p. 239

AGENCY 86: KANSAS REAL ESTATE COMMISSION

Reg. No.	Action	Register
86-1-5	Amended	V. 17, p. 246

AGENCY 88: BOARD OF REGENTS

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

AGENCY 91: DEPARTMENT OF EDUCATION

Reg. No.	Action	Register
91-5-1	Amended	V. 17, p. 1802
91-5-1a	Amended	V. 17, p. 1802

91-5-2	Revoked	V. 17, p. 1803
91-5-4	Amended	V. 17, p. 1803
91-5-8	Revoked	V. 17, p. 1803
91-5-9	Amended	V. 17, p. 1803
91-5-10	Revoked	V. 17, p. 1803
91-5-11	Revoked	V. 17, p. 1803
91-5-13	Amended	V. 17, p. 1803

AGENCY 92: DEPARTMENT OF REVENUE

Reg. No.	Action	Register
92-19-1a	Revoked	V. 17, p. 949
92-19-1b	New	V. 17, p. 949
92-19-3	Amended	V. 17, p. 949
92-19-8	Revoked	V. 17, p. 950
92-19-13	Revoked	V. 17, p. 950
92-19-13a	New	V. 17, p. 950
92-19-16	Revoked	V. 17, p. 950
92-19-18	Revoked	V. 17, p. 950
92-19-18a	New	V. 17, p. 950
92-19-19	Revoked	V. 17, p. 950
92-19-25a	Revoked	V. 17, p. 951
92-19-25b	New	V. 17, p. 951
92-19-27a	Revoked	V. 17, p. 952
92-19-30	Amended	V. 17, p. 952
92-19-32	Revoked	V. 17, p. 954
92-19-34	Revoked	V. 17, p. 954
92-19-35	Revoked	V. 17, p. 954
92-19-39	Revoked	V. 17, p. 954
92-19-49	Revoked	V. 17, p. 954
92-19-49a	New	V. 17, p. 954
92-19-66a	Revoked	V. 17, p. 956
92-19-66b	Amended	V. 17, p. 956
92-19-66d	Revoked	V. 17, p. 957
92-19-66e	New	V. 17, p. 957
92-19-68	Revoked	V. 17, p. 959
92-19-78	Revoked	V. 17, p. 959
92-21-18	Revoked	V. 17, p. 959
92-21-21	Revoked	V. 17, p. 959

AGENCY 93: DEPARTMENT OF REVENUE—DIVISION OF PROPERTY VALUATION

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

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

Reg. No.	Action	Register
99-25-1	Amended	V. 18, p. 189
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
99-40-47	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
111-2-43 through 111-2-65	Revoked	V. 18, p. 330
111-2-67 through 111-2-71	Revoked	V. 18, p. 330, 331
111-2-74	Revoked	V. 18, p. 331
111-2-75	Revoked	V. 18, p. 331
111-2-76	Revoked	V. 18, p. 331
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
111-2-85	New	V. 18, p. 125
111-2-86	New	V. 18, p. 125
111-2-87	New	V. 18, p. 331
111-3-14	Amended	V. 18, p. 331
111-3-21	Amended	V. 18, p. 332
111-3-22	Amended	V. 18, p. 332
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

111-4-1397 through 111-4-1412	New	V. 18, p. 125-129
111-4-1413 through 111-4-1430	New	V. 18, p. 332-336
111-5-24	Amended	V. 18, p. 130
111-5-28	Amended	V. 18, p. 130
111-5-75	New	V. 18, p. 59
111-7-134	Amended	V. 18, p. 336
111-9-97 through 111-9-102	New	V. 18, p. 337

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
117-2-1	Amended	V. 18, p. 294
117-2-2	Amended	V. 18, p. 295
117-3-1	Amended	V. 18, p. 296
117-3-2	Amended	V. 18, p. 296
117-4-1	Amended	V. 18, p. 297
117-4-2	Amended	V. 18, p. 298
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

State of Kansas

Secretary of State

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

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

Ron Thornburgh
Secretary of State

(Published in the Kansas Register April 1, 1999.)

HOUSE BILL No. 2086

AN ACT concerning cosmetologists; relating to qualifications for licensure by examination; amending K.S.A. 1998 Supp. 65-1905 and repealing the existing section.

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

Section 1. K.S.A. 1998 Supp. 65-1905 is hereby amended to read as follows: 65-1905. (a) All examinations held or conducted by the board shall be in accordance with rules and regulations adopted by the board. The examinations shall include practical and written tests; except that. Examinations to qualify for an instructor's license shall be limited to written tests.

(b) Each applicant for licensure by examination shall:

(1) Be at least 17 years of age and;

(2) be a graduate of an accredited high school, or equivalent thereof.

The provisions of this paragraph shall not apply to any applicant who was at least 25 years of age and licensed as an apprentice on May 21, 1998;

(3) submit to the board verification of date of birth;

(4) submit to the board a written statement from a person licensed to practice medicine and surgery under the laws of any state showing that the applicant is free from contagious and infectious diseases; and

(5) have served as an apprentice for the period of time provided by K.S.A. 65-1912, and amendments thereto.

(c) Any person making application who apparently possesses the necessary qualifications to take an examination provided herein, upon application and payment of the nonrefundable temporary permit fee, may be issued a temporary permit by the board to practice cosmetology until the next regular examination conducted by the board.

Sec. 2. K.S.A. 1998 Supp. 65-1905 is hereby repealed.

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

(Published in the Kansas Register April 1, 1999.)

HOUSE BILL No. 2046

AN ACT concerning school districts; relating to transportation of nonresident pupils; amending K.S.A. 1998 Supp. 72-1046b, 72-8303 and 72-8309 and repealing the existing sections.

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

Section 1. K.S.A. 1998 Supp. 72-1046b is hereby amended to read as follows: 72-1046b. (a) As used in this section:

(1) "School district" means a school district organized and operating under the laws of this state and no part of which is located in Johnson county, Sedgwick county, Shawnee county, or Wyandotte county.

(2) "Receiving school district" means a school district of nonresidence of a pupil who is enrolled and in attendance at school in such school district.

(3) "Sending school district" means a school district of residence of a pupil who is enrolled and in attendance at school in a school district not of the pupil's residence.

(b) The parent or legal guardian of a pupil authorized or required to attend kindergarten or any of grades one through 12 may apply to the board of education of a proposed sending school district on or before July 15 of the current school year for authority for such pupil to attend school

in a receiving school district and to be furnished or provided transportation to school from the pupil's residence and from school to the pupil's residence by the receiving school district if the pupil lives 10 or more miles from the attendance center the pupil would attend in the proposed sending school district and nearer to an appropriate attendance center in the proposed receiving school district. The application shall be made upon forms prescribed by the state board of education.

(c) Upon receiving any application under this section, the board of education of the proposed sending school district shall inquire of the proposed receiving school district whether it is willing to receive and furnish or provide transportation for the pupil named in the application. If the board of education of the proposed sending school district determines that the proposed receiving school district is willing to receive and furnish or provide transportation for the pupil and the board of education of the proposed sending school district and the board of education of the proposed receiving school district agree that the condition specified in subsection (b) exists, the board of the proposed sending school district shall issue its order authorizing enrollment and attendance of the pupil at school in the proposed receiving school district. An order issued by a board of education in accordance with the provisions of this section shall operate so as to constitute consent of the board of education of the sending school district to the furnishing or provision of transportation by the receiving school district for the affected pupil to school from the pupil's residence and to the pupil's residence from school.

(d) Pupils attending school in a receiving school district under an order issued by a board of education in accordance with the provisions of this section shall be counted as regularly enrolled in and attending school in the receiving school district for the purpose of computations, except computation of transportation weighting, under the school district finance and quality performance act and for the purposes of the statutory provisions contained in article 83 of chapter 72 of Kansas Statutes Annotated. No such pupil shall be charged for the costs of attendance at school in a receiving school district.

(e) The provisions of this section shall expire on July 1, 1999 2002.

Sec. 2. K.S.A. 1998 Supp. 72-8303 is hereby amended to read as follows: 72-8303. (a) The board of education of a school district may prescribe the regular school routes on which transportation of its pupils is to be provided, and shall schedule the school bus and motor vehicle routes so that each pupil entitled to transportation will be transported to and from school on every school day.

(b) For the purposes of this section, the term regular school route means and includes any route arranged by the board of education for (1) transportation of its pupils to and from the residence of such pupils in another school district when such pupils are enrolled in the transporting school district in accordance with an order issued by a board of education under the provisions of K.S.A. 1998 Supp. 72-1046b, and amendments thereto, until expiration of such section on July 1, 1999 2002; and (2) transportation of its pupils to and from any school attended in another school district in accordance with the provisions of an agreement entered into under authority of K.S.A. 72-8233, and amendments thereto.

Sec. 3. K.S.A. 1998 Supp. 72-8309 is hereby amended to read as follows: 72-8309. (a) The board of education of a school district shall not furnish or provide transportation for pupils or students who reside in another school district except in accordance with the written consent of the board of education of the school district in which such pupil or student resides, or in accordance with consent constituted by operation of an order issued by a board of education under the provisions of K.S.A. 1998 Supp. 72-1046b, and amendments thereto, until expiration of such section on July 1, 1999 2002, or in accordance with the provisions of an agreement entered into under authority of K.S.A. 72-8233, and amendments thereto.

(b) A school district may transport a nonresident pupil or student if such pupil or student boards the school bus within the boundaries or on the boundary of the transporting school district. To the extent that the provisions of this subsection conflict with the provisions of subsection (a), the provisions of subsection (a) shall control.

(c) No pupil or student who is furnished or provided transportation by a school district which is not the school district in which the pupil or student resides shall be counted in the computation of the school district's transportation weighting under article 64 of chapter 72 of Kansas Statutes Annotated.

Sec. 4. K.S.A. 1998 Supp. 72-1046b, 72-8303 and 72-8309 are hereby repealed.

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

(Published in the Kansas Register April 1, 1999.)

HOUSE BILL No. 2117

AN ACT concerning the optometry law; amending K.S.A. 65-1509, 65-1509a, 65-1516 and 65-1524 and K.S.A. 1998 Supp. 65-1501, 65-1501a, 65-1505, 65-1522 and 74-1505 and repealing the existing sections.

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

Section 1. K.S.A. 1998 Supp. 65-1501 is hereby amended to read as follows: 65-1501. (a) The practice of optometry means:

(1) The examination of the human eye and its adnexae and the employment of objective or subjective means or methods (including the administering, prescribing or dispensing, of topical pharmaceutical drugs) for the purpose of diagnosing the refractive, muscular, or pathological condition thereof;

(2) the prescribing or adapting of lenses (including any ophthalmic lenses which are classified as drugs by any law of the United States or of this state), prisms, *low vision rehabilitation services*, orthoptic exercises and visual training therapy for the relief of any insufficiencies or abnormal conditions of the human eye and its adnexae; and

(3) except as otherwise limited by this section, the prescribing, administering or dispensing of topical pharmaceutical drugs and oral drugs for the examination, diagnosis and treatment of any insufficiencies or abnormal conditions of the human eye and its adnexae.

(b) The practice of optometry shall not include: (1) The management and treatment of glaucoma, except as provided in subsection (d); (2) the performance of surgery, including the use of lasers for surgical purposes, except that therapeutic licensees may remove superficial foreign bodies from the cornea and the conjunctiva; and (3) the use of topical pharmaceutical drugs for diagnostic or therapeutic purposes by a person licensed to practice optometry unless such person successfully meets and completes the requirements of K.S.A. 65-1505 and amendments thereto a diagnostic licensee or a therapeutic licensee; and (4) the prescribing, administering and dispensing of oral drugs for ocular conditions by a person licensed to practice optometry unless such person successfully meets the requirements of a therapeutic licensee, except that such therapeutic licensee may prescribe or administer oral steroids or oral antiglaucoma drugs for ocular conditions following consultation with an ophthalmologist, which consultation shall be noted in writing in the patient's file. No optometrist may prescribe or administer oral drugs to persons less than six years of age.

(c) An optometrist certified to use topical pharmaceutical drugs and an optometrist A therapeutic licensee certified to treat adult open-angle glaucoma as provided herein shall be held to a standard of care in the use of such agents in diagnosis and treatment commensurate to that of a person licensed to practice medicine and surgery, who exercises that degree of skill and proficiency commonly exercised by an ordinary, skillful, careful and prudent person licensed to practice medicine and surgery.

(d) An optometrist may prescribe, administer and dispense topical pharmaceutical drugs and oral drugs for the treatment of adult open-angle glaucoma only following glaucoma licensure as provided in subsection (l) of K.S.A. 65-1501a and amendments thereto. After the initial diagnosis of adult open-angle glaucoma, by an optometrist during the co-management period described in subsection (s) of K.S.A. 65-1501a and amendments thereto, the patient shall be notified that the diagnosis must be confirmed by an ophthalmologist and that any subsequent treatment requires a written co-management plan with an ophthalmologist of the patient's choice.

(e) Under the direction and supervision of a therapeutic licensee, a licensed professional nurse, licensed practical nurse, registered physical therapist and registered occupational therapist may assist in the provision of low vision rehabilitation services in addition to such other services which such licensed professional nurse, licensed practical nurse, registered physical therapist and registered occupational therapist is authorized by law to provide under subsection (d) of K.S.A. 65-1113, subsection (h) of K.S.A. 65-1124, subsection (b) of K.S.A. 65-2901 and subsection (b) of K.S.A. 65-5402, and amendments thereto.

Sec. 2. K.S.A. 1998 Supp. 65-1501a is hereby amended to read as follows: 65-1501a. For the purposes of this act the following terms shall have the meanings respectively ascribed to them unless the context requires otherwise:

(a) "Board" means the board of examiners in optometry established under K.S.A. 74-1501 and amendments thereto.

(b) "License" means a license to practice optometry granted under the optometry law.

(c) "Licensee" means a person licensed under the optometry law to practice optometry.

(d) "Adapt" means the determination, selection, fitting or use of lenses, prisms, orthoptic exercises or visual training therapy for the aid of any insufficiencies or abnormal conditions of the eyes after or by examination or testing.

(e) "Lenses" means any type of ophthalmic lenses, which are lenses prescribed or used for the aid of any insufficiencies or abnormal conditions of the eyes.

(f) "Prescription" means a verbal or written order directly from a licensee giving or containing the name and address of the prescriber, the license registration number of the licensee, the name and address of the patient, the specifications and directions for lenses, prisms, orthoptic exercises, *low vision rehabilitation services* or visual training therapy to be used for the aid of any insufficiencies or abnormal conditions of the eyes, including instructions necessary for the fabrication or use thereof and the date of issue.

(g) "Prescription for topical pharmaceutical drugs or oral drugs" means a verbal or written order directly from a licensee expressly certified to prescribe drugs under the optometry law and giving or containing the name and address of the prescriber, the license registration number of the licensee, the name and address of the patient, the name and quantity of the drug prescribed, directions for use, the number of refills permitted, the date of issue and expiration date.

(h) "Topical pharmaceutical drugs" means drugs administered topically and not by other means for the examination, diagnosis and treatment of the human eye and its adnexae.

(i) "Dispense" means to deliver prescription-only medication or ophthalmic lenses to the ultimate user pursuant to the lawful prescription of a licensee and dispensing of prescription-only medication by a licensee shall be limited to a twenty-four-hour supply or minimal quantity necessary until a prescription can be filled by a licensed pharmacist.

(j) "Diagnostic licensee" means a person licensed under the optometry law and certified by the board to administer or dispense topical pharmaceutical drugs for diagnostic purposes.

(k) "Therapeutic licensee" means a person licensed under the optometry law and certified by the board to prescribe, administer or dispense topical pharmaceutical drugs for therapeutic purposes and oral drugs, following completion of a fifteen-hour course approved by the board pertaining to the use of oral drugs in ocular therapeutics, except that a person applying for therapeutic licensure who has graduated after January 1, 1999, from a school or college of optometry approved by the board shall not be required to take such course. Therapeutic licensees on the effective date of this act shall complete the fifteen-hour course described in this subsection before May 31, 2000.

(l) "Glaucoma licensee" means a person described in subsections (j) and (k) of this section who is also licensed under the optometry law to manage and treat adult open-angle glaucoma by nonsurgical means, including the prescribing, administering and dispensing of topical pharmaceutical drugs; but not other pharmaceutical drugs and oral drugs.

(m) "False advertisement" means any advertisement which is false, misleading or deceptive in a material respect. In determining whether any advertisement is misleading, there shall be taken into account not only representations made or suggested by statement, word, design, device, sound or any combination thereof, but also the extent to which the advertisement fails to reveal facts material in the light of such representations made.

(n) "Advertisement" means all representations disseminated in any manner or by any means, for the purpose of inducing, or which are likely to induce, directly or indirectly, the purchase of professional services or ophthalmic goods.

(o) "Health care provider" shall have the meaning ascribed to that term in subsection (f) of K.S.A. 40-3401 and amendments thereto.

(p) "Medical facility" shall have the meaning ascribed to that term in subsection (c) of K.S.A. 65-411 and amendments thereto.

(q) "Medical care facility" shall have the meaning ascribed to that term in K.S.A. 65-425 and amendments thereto.

(r) "Co-management" means confirmation by an ophthalmologist of a licensee's diagnosis of adult open-angle glaucoma together with a written treatment plan which includes (1) all tests and examinations supporting the diagnosis, (2) a schedule of tests and examinations necessary to treat the patient's condition, (3) a medication plan, (4) a target intraocular pressure, (5) periodic review of the patient's progress and (6) criteria for referral of the patient to an ophthalmologist for additional treatment or surgical intervention, except that any co-management plan may

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be modified only with the consent of both the ophthalmologist and the optometrist and the modification noted in writing on the patient's record.

(s) "Co-management period" means that period of time during which an optometrist co-manages patients either suspected of having or diagnosed as having adult open-angle glaucoma with an ophthalmologist.

(t) "Ophthalmologist" means a person licensed to practice medicine and surgery by the state board of healing arts who specializes in the diagnosis and medical and surgical treatment of diseases and defects of the human eye and related structures.

(u) "Low vision rehabilitation services" means the evaluation, diagnosis, management and care of the low vision patient including low vision rehabilitation therapy, education and interdisciplinary consultation under the direction and supervision of an ophthalmologist or optometrist.

(v) "Oral drugs" means oral antibacterial drugs; oral antiviral drugs, oral antihistamines, oral analgesic drugs, oral steroids and oral antiglaucoma drugs.

Sec. 3. K.S.A. 1998 Supp. 65-1505 is hereby amended to read as follows: 65-1505. (a) Persons entitled to practice optometry in Kansas shall be those persons licensed in accordance with the provisions of the optometry law. A person shall be qualified to be licensed and to receive a license as an optometrist: (1) Who is of good moral character; and in determining the moral character of any such person, the board may take into consideration any felony conviction of such person, but such conviction shall not automatically operate as a bar to licensure; (2) who has graduated from a school or college of optometry approved by the board; and (3) who successfully meets and completes the requirements set by the board and passes an examination given by the board. All licenses issued on and after the effective date of this act, to persons not licensed in this state or in another state prior to July 1, 1996, shall be diagnostic, therapeutic and glaucoma licenses.

(b) All applicants for licensure or reciprocal licensure, except as provided in subsection (a) and (f), in addition to successfully completing all other requirements for licensure, shall take and successfully pass an examination required by the board before being certified by the board as a diagnostic and therapeutic licensee.

(c) All persons before taking the examination required by the board to be certified as a diagnostic and therapeutic licensee shall submit evidence satisfactory to the board of having successfully completed a course approved by the board in didactic education and clinical training in the examination, diagnosis and treatment of conditions of the human eye and its adnexae, totaling at least 100 hours.

(d) All applicants for glaucoma licensure, in addition to successfully completing all other requirements for licensure, shall submit evidence satisfactory to the board of: (1) Professional liability insurance in an amount acceptable to the board, (2) completion of a course of instruction approved by the board after consultation with the interprofessional advisory committee which includes at least 24 hours of training in the treatment and co-management of adult open-angle glaucoma and (3) co-management for a period of at least 24 months and not less than 20 diagnoses of suspected or confirmed glaucoma, except that the board may eliminate or shorten the co-management period, and eliminate or reduce the number of diagnoses of suspected or confirmed glaucoma for applicants for glaucoma licensure who graduate from approved optometric schools or colleges after July 1, 1998.

(e) Any person applying for examination by the board shall fill out and swear to an application furnished by the board, accompanied by a fee fixed by the board by rules and regulations in an amount of not to exceed \$150, and file the same with the secretary of the board at least 30 days prior to the holding of the examination. At such examinations the board shall examine each applicant in subjects taught in schools or colleges of optometry approved by the board, as may be required by the board. If such person complies with the other qualifications for licensing and passes such examination, such person shall receive from the board, upon the payment of a fee fixed by the board by rules and regulations in an amount of not to exceed \$30, a license entitling such person to practice optometry. In the event of the failure on the part of the applicant to pass the first examination, such person may, with the consent of the board, within 18 months, by filing an application accompanied by a fee fixed by the board by rules and regulations in an amount of not to exceed \$75, take a second examination; for the third and each subsequent examination a fee fixed by the board by rules and regulations in an amount of not to exceed \$45. Any examination fee and license fee fixed by the board under this subsection which is in effect on the day preceding the effective date

of this act shall continue in effect until the board adopts rules and regulations under this subsection fixing a different fee therefor.

(f) Any applicant for reciprocal licensure may in the board's discretion be licensed and issued a license without examination in the category of licensure under the optometry law for which application is made if the applicant has been in the active practice of optometry in another state for at least the three-year period immediately preceding the application for reciprocal licensure and the applicant:

(1) Presents a certified copy of a certificate of registration or license which has been issued to the applicant by another state where the requirements for licensure are deemed by the board to be equivalent to the requirements for licensure in the category of licensure under this act for which application is made, if such state accords a like privilege to holders of a license issued by the board;

(2) submits a sworn statement of the licensing authority of such other state that the applicant's license has never been limited, suspended or revoked and that the applicant has never been censured or had other disciplinary action taken; and

(3) successfully passes an examination of Kansas law administered by the board and such clinical practice examination as the board deems necessary.

Such If such applicant was first licensed in another state prior to July 1, 1987, the applicant shall be required to satisfy only the requirements of the category of licensure under the optometry law for which application is made and which existed in this state at the time of the applicant's licensure in such other state; or, if such requirements did not exist in this state at the time of the applicant's licensure in such other state, the applicant shall be required to satisfy only the requirements of the category of licensure under the optometry law for which application is made which originally were required for that category of licensure. If such applicant was first licensed in another state on or after July 1, 1987, the applicant shall apply to initially be issued a diagnostic and therapeutic license and shall be required to satisfy all the requirements of that category of licensure under this act. The fee for licensing such applicants shall be fixed by the board by rules and regulations in an amount of not to exceed \$150. The reciprocal license fee fixed by the board under this subsection which is in effect on the day preceding the effective date of this act shall continue in effect until the board adopts rules and regulations under this subsection fixing a different fee therefor.

(g) The board shall adopt rules and regulations establishing the criteria which a school or college of optometry shall satisfy in meeting the requirement of approval by the board established under subsection (a). The board may send a questionnaire developed by the board to any school or college of optometry for which the board does not have sufficient information to determine whether the school or college meets the requirements for approval and rules and regulations adopted under this act. The questionnaire providing the necessary information shall be completed and returned to the board in order for the school or college to be considered for approval. The board may contract with investigative agencies, commissions or consultants to assist the board in obtaining information about schools or colleges. In entering such contracts the authority to approve schools or colleges shall remain solely with the board.

Sec. 4. K.S.A. 65-1509 is hereby amended to read as follows: 65-1509.-(a) Before engaging in the practice of optometry in this state, it shall be the duty of each licensed optometrist to notify the board in writing of the address of the office or offices where such licensee is to engage or intends to engage in the practice of optometry and of any changes in the licensee's location of practice. Any notice required to be given by the board to any licensed optometrist may be given by mailing to such address through the United States mail, postpaid.

(b) Any license to practice optometry issued by the board shall expire on May 31 of each year and may be renewed annually upon request of the licensee. The request for renewal shall be on a form provided by the board and shall be accompanied by the prescribed fee, which shall be paid no later than the expiration date of the license.

(c) On or before May 1 each year, the board shall determine the amount that may be necessary for the next ensuing fiscal year to carry out and enforce the provisions of the optometry law, and shall fix by rules and regulations the renewal fee and the fees provided for in K.S.A. 65-1505 and amendments thereto, in such amounts as may be necessary for that purpose. The renewal fee shall not exceed \$150. Upon fixing such fees, the board shall immediately notify all licensees of the amount of such fees for the ensuing year. In every year hereafter, every licensed optometrist shall pay to the board of examiners a fee for a renewal of

such license for each year. The license renewal fee fixed by the board under this subsection which is in effect on the day preceding the effective date of this act shall continue in effect until the board adopts rules and regulations under this subsection fixing a different fee therefor.

(d) At least 30 days before the expiration of the licensee's license, the board shall notify each licensee of the expiration by mail addressed to the licensee's last known address. If the licensee fails to pay the annual fee or show proof of compliance with the continuing education requirements by the date of the expiration of the license, the licensee shall be mailed a second notice that the licensee's license has expired, that the board shall suspend action for 30 days following the date of expiration, that upon receipt of the annual fee together with an additional fee not to exceed \$500, within the thirty-day period, no order of cancellation will be entered and that, if both fees are not received within the thirty-day period, the license shall be canceled.

(e) Any licensee who allows the licensee's license to lapse or be canceled by failing to renew as herein provided, may be reinstated by the board upon payment of the renewal fees then due and upon proof of compliance with the continuing education requirements established by the board. *As an additional requirement of reinstatement, in cases in which the board deems it appropriate, the licensee may be required to successfully pass the examination given by the board to applicants for licensure or such other competency examination as the board may choose.*

Sec. 5. K.S.A. 65-1509a is hereby amended to read as follows: 65-1509a. In addition to the payment of the license renewal fee, each licensee, other than one who has graduated from an optometry school within 12 months of the date of the application for renewal, applying for license renewal shall furnish to the secretary of the board satisfactory evidence of successfully completing a minimum of ~~20~~ 24 hours of continuing education programs, *five hours of which shall relate to ocular pharmacology, therapeutics or related topics of study*, approved by the board in the year just preceding such application for the renewal of the license. The board, in its discretion, may increase the required hours of continuing education by rules and regulations adopted by the board. On or before April 1 of each year, the secretary of the board shall send a written notice of continuing education requirements to this effect to every person holding a valid license to practice optometry within the state. Such notice shall be directed to the last known address of such licensee.

Sec. 6. K.S.A. 65-1516 is hereby amended to read as follows: 65-1516. As used in this act:

- (a) "Professional incompetence" means:
- (1) One or more instances involving failure to adhere to the applicable standard of care to a degree which constitutes gross negligence as determined by the board.
 - (2) Repeated instances involving failure to adhere to the applicable standard of care to a degree which constitutes ordinary negligence, as determined by the board.
 - (3) A pattern of practice or other behavior which demonstrates a manifest incapacity or incompetence to practice optometry.
- (b) "Unprofessional conduct" means:
- (1) Using fraudulent or false advertisement.
 - (2) Engaging in the practice of optometry as an agent or employee of a person not licensed under the optometry law.
 - (3) Conduct likely to deceive, defraud or harm the public.
 - (4) Making a false or misleading statement regarding the licensee's skill or the efficacy or value of the drug, treatment or remedy prescribed by the licensee or at the licensee's direction.
 - (5) Aiding or abetting the practice of optometry by an unlicensed, incompetent or impaired person.
 - (6) Allowing another person or organization to use the licensee's license to practice optometry.
 - (7) Commission of any act of sexual abuse, misconduct or exploitation related to the licensee's professional practice.
 - (8) The use of any false, fraudulent or deceptive statement in any document connected with the practice of optometry.
 - (9) Obtaining any fee by fraud, deceit or misrepresentation.
 - (10) Directly or indirectly giving or receiving any fee, commission, rebate or other compensation for professional services not actually and personally rendered, other than through the legal functioning of lawful professional partnerships, corporations or associations.
 - (11) Performing unnecessary tests, examinations or services which have no legitimate optometric purpose.
 - (12) Charging an excessive fee for services rendered.

(13) Prescribing, dispensing, administering, distributing a prescription drug or substances, in an excessive, improper or inappropriate manner or quantity or not in the course of the licensee's professional practice.

(14) Repeated failure to practice optometry with that level of care, skill and treatment which is recognized by a reasonably prudent similar practitioner as being acceptable under similar conditions and circumstances.

(15) Failure to keep written optometry records which describe the services rendered to the patient, including patient histories, pertinent findings, examination results and test results.

(16) Delegating professional responsibilities to a person when the licensee knows or has reason to know that such person is not qualified by training, experience or licensure to perform them.

(17) Using experimental forms of therapy without proper informed patient consent, without conforming to generally accepted criteria or standard protocols, without keeping detailed legible records or without having periodic analysis of the study and results reviewed by a committee of peers.

(18) Allowing improper interference with the licensee's professional judgment in providing patient care.

(19) Allowing optometric services to be provided by a person or entity not qualified to do so under state law.

(20) Failure to disclose to the patient the identity of the licensee who performs optometric services before the time optometric services are performed.

(21) Failure to maintain minimum standards for ophthalmic goods and services provided by the licensee determined by rules and regulations of the board.

(22) Willful betrayal of a patient's confidence.

(23) *Prescribing, purchasing, administering, selling or giving away prescription drugs, including a controlled substance, for other than legal and legitimate purposes.*

Sec. 7. K.S.A. 1998 Supp. 65-1522 is hereby amended to read as follows: 65-1522. (a) A licensee may practice optometry under the name of a professional corporation, authorized by K.S.A. 17-2706 and amendments thereto or a limited liability company authorized by K.S.A. 17-7657 et seq. and amendments thereto. Such professional corporate name or limited liability company name may contain a trade name or assumed name approved by the board.

(b) A licensee may practice as a sole practitioner or may associate with other licensees or health care providers licensed under the laws of the state of Kansas and may practice optometry as a sole practitioner or in such associations under a trade or assumed name approved by the board.

(c) A licensee may practice in a medical facility, medical care facility or a governmental institution or agency.

(d) A licensee shall not be limited in the number of locations from which the licensee may engage in the practice of optometry pursuant to subsections (a), (b) and (c).

(e) In all office locations a licensee shall:

(1) Provide adequate staff during the hours of its operation and shall provide the necessary optometric equipment to enable a licensee to provide adequate optometric care on the premises; and

(2) provide that there shall be present at the office location a person licensed by optometry law when optometric practice acts requiring a license are performed at the office location.

(f) Nothing herein contained shall be construed to permit the franchised practice of optometry except that a licensee may purchase a franchise to engage in the business of optical dispensing separate and apart from any of the licensee's offices for the practice of optometry so long as the terms of the franchise agreement do not violate the optometry law.

Sec. 8. K.S.A. 65-1524 is hereby amended to read as follows: 65-1524. Nothing contained herein shall be construed to allow a corporation except as provided in K.S.A. 17-2706 and amendments thereto or a limited liability company except as provided in K.S.A. 17-7657 et seq. and amendments thereto to practice, offer, or undertake to practice or hold itself out as practicing optometry.

New Sec. 9. Upon a finding of the existence of any of the grounds listed in K.S.A. 65-1517 and amendments thereto or upon a finding of any violation of the optometry law, in lieu of or in addition to any other action, the board may assess a civil fine not in excess of \$10,000 against a licensee. All fines collected pursuant to this section shall be remitted to

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the state treasurer. Of the amount so remitted, an amount equal to the board's actual costs, including attorney fees, related to fine assessment and enforcement, as certified by the president of the board to the state treasurer, shall be credited to the optometry board fee fund and the balance shall be credited to the state general fund.

Sec. 10. K.S.A. 1998 Supp. 74-1505 is hereby amended to read as follows: 74-1505. (a) No later than 30 days following the effective date of this act, the board shall appoint a seven-member committee to be known as the interprofessional advisory committee which, subject to approval of the board, shall have general responsibility for the establishment, review and monitoring of the procedures for co-management by optometrists and ophthalmologists of adult open-angle glaucoma.

(b) The interprofessional advisory committee shall consist of one member of the board appointed by the board who shall serve as a non-voting chair, together with three optometrists licensed to practice optometry in this state chosen by the board from those nominated by the Kansas optometric association and three ophthalmologists licensed to practice in this state chosen by the board from those nominated by the Kansas medical society and the Kansas association of osteopathic medicine. The Kansas optometric association and Kansas medical society shall submit six nominees to the board. The Kansas association of osteopathic medicine shall submit two nominees to the board. Persons appointed to the committee shall serve terms of three years and without compensation. All expenses of the committee shall be paid by the board.

(c) The committee shall submit recommendations to the board on the following:

(1) An ongoing quality assessment program including the monitoring and review of co-management of patients pursuant to subsection (d) of K.S.A. 65-1505 and amendments thereto;

(2) requirements for the education and clinical training necessary for glaucoma licensure, which shall be submitted to the board within 90 days following appointment;

(3) criteria for evaluating the training or experience acquired in other states by applicants for glaucoma licensure;

(4) requirements for annual reporting during a glaucoma licensee's co-management period to the committee and the board which shall be submitted to the board within 90 days following appointment;

(5) the classes and mix of patients either suspected of having or diagnosed as having adult open-angle glaucoma who may be included in the number of co-management cases required by subsection (d) of K.S.A. 65-1505 and amendments thereto, which shall be submitted to the board within 90 days following appointment; and

(6) requirements for annual continuing education by glaucoma licensees.

(d) After considering the recommendations of the committee pursuant to subparagraph (c), the board shall proceed to adopt procedures to confirm that each applicant has completed the requirements for glaucoma licensure.

(e) The interprofessional advisory committee shall also review the educational and clinical prerequisites of optometrists to use oral pharmaceutical drugs and identify those classes of oral pharmaceutical drugs which are effective treatments for ocular diseases and conditions. The interprofessional advisory committee and the board shall prepare a report of the results of co-management pursuant to subsection (r) of K.S.A. 65-1501a and amendments thereto and findings on the subject of the advisability of expanding the scope of practice of optometrists to prescribe, administer and dispense oral pharmaceutical drugs, which report shall be submitted to the legislature not later than January 1, 1999.

(f) The interprofessional advisory committee may continue after January 1, 2001, if authorized by the board. The interprofessional advisory committee shall review the advisability of expanding the scope of practice of optometrists to prescribe certain oral drugs for ocular conditions for children under six years of age. The committee and the board shall prepare a report on the findings of the committee on the advisability of such a scope of practice expansion. Such report shall be submitted to the legislature not later than January 1, 2002.

(g) This section shall be part of and supplemental to the optometry law.

Sec. 11. K.S.A. 65-1509, 65-1509a, 65-1516 and 65-1524 and K.S.A. 1998 Supp. 65-1501, 65-1501a, 65-1505, 65-1522 and 74-1505 are hereby repealed.

Sec. 12. This act shall take effect and be in force from and after its publication in the Kansas register.

(Published in the Kansas Register April 1, 1999.)

HOUSE BILL No. 2280

AN ACT concerning change of domicile of mutual holding companies; amending K.S.A. 1998 Supp. 40-2,162 and repealing the existing section; also repealing K.S.A. 1998 Supp. 40-2,162a.

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

Section 1. K.S.A. 1998 Supp. 40-2,162 is hereby amended to read as follows: 40-2,162. (a) An insurer organized under the laws of any other state and admitted to do business in this state for the purpose of writing insurance may become a domestic insurer by complying with all of the requirements of law relative to the organization and licensing of a domestic insurer of the same type and by designating the insurer's principal place of business at a place in this state. The domestic insurer will be entitled to like certificates and licenses to transact business in this state, and shall be subject to the authority and jurisdiction of this state.

(b) A mutual holding company organized under the laws of any other state may become a domestic mutual holding company by complying with all of the requirements of law relative to the organization of a domestic mutual holding company and by designating the mutual holding company's principal place of business at a place in this state. The domestic mutual holding company shall be subject to the authority and jurisdiction of this state.

(b)(c) A domestic insurer, upon the approval of the commissioner of insurance, may transfer the insurer's domicile to any other state in which it is admitted to transact the business of insurance, and upon such a transfer shall cease to be a domestic insurer, and shall be admitted to this state if qualified as a foreign insurer. The commissioner of insurance shall approve the proposed transfer unless the commissioner determines the transfer is not in the interest of the policyholders of this state.

(c)(d) The certificate of authority, agents' appointments and licenses, rates and other items which the commissioner allows, in the commissioner's discretion, that are in existence at the time an insurer licensed to transact the business of insurance in this state transfers the insurer's corporate domicile to this or any other state by merger, consolidation or any other lawful method shall continue in full force and effect upon transfer if the insurer remains duly qualified to transact the business of insurance in this state. For purposes of existing authorizations and all other corporate purposes, the insurer or mutual holding company is deemed the same entity as it was prior to the transfer of its domicile. All outstanding policies of a transferring insurer shall remain in full force and effect and need not be endorsed as to the new name of the company or the company's new location unless so ordered by the commissioner. A transferring insurer shall file new policy forms with the commissioner on or before the effective date of the transfer, but may use existing policy forms with appropriate endorsements if allowed by, and under such conditions as approved by, the commissioner. However, every transferring insurer or mutual holding company shall notify the commissioner of the details of the proposed transfer and shall file promptly any resulting amendments to corporate documents filed or required to be filed with the commissioner.

(d)(e) The commissioner may promulgate rules and regulations to carry out the purposes of this act.

(f) A foreign insurer or mutual holding company shall file restated articles of incorporation and certificate of domestication with the secretary of state in a form prescribed by the secretary of state and approved by the insurance commissioner to transfer to this state. A domestic insurer shall file with the secretary of state a certificate or order issued by the insurance commissioner approving the transfer to another state. An insurer who has transferred to this state prior to the effective date of this subsection, with the approval of the insurance commissioner pursuant to this act, shall be deemed in compliance with the provisions of this act.

Sec. 2. K.S.A. 1998 Supp. 40-2,162 and 40-2,162a are hereby repealed.

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

(Published in the Kansas Register April 1, 1999.)

HOUSE BILL No. 2429

AN ACT concerning counties; relating to the establishment of a charter commission; relating to the preparation and submission of charters; amending K.S.A. 19-2681, 19-2682, 19-2684 and 19-2685 and repealing the existing sections.

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

Section 1. K.S.A. 19-2681 is hereby amended to read as follows: 19-2681. In every (a) *The board of county commissioners of any county which has been declared to be an urban area under the provisions of K.S.A. 19-2654, there shall be established and amendments thereto, may establish a charter commission for such county for the purpose of studying, proposing, drafting or amending a charter for the government of such county. The charter commission shall be established by resolution and shall be appointed in the manner and have the powers and duties as hereinafter provided.*

(b) *A new charter commission shall not be established until four years after the date of the establishment of a prior commission.*

Sec. 2. K.S.A. 19-2682 is hereby amended to read as follows: 19-2682. Members of the charter commissions established under the provisions of this act shall be appointed in the following manner: One (1) shall be appointed by each of the county commissioners of the county; one (1) shall be chosen by the central committee of each of the two (2) political parties casting the highest number of votes for nominees for the office of secretary of state at the last preceding primary election; one (1) shall be appointed by the council of mayors of the incorporated cities located in the county; and one (1) shall be appointed by each member of the legislative delegation from such county (a) *A charter commission established pursuant to K.S.A. 19-2681, and amendments thereto, shall consist of 25 members and shall be appointed as follows:*

(1) (A) *Three members shall be appointed by the members of the senate of the state of Kansas who are residents of Johnson county; and*

(B) *three members shall be appointed by the members of the house of representatives of the state of Kansas who are residents of Johnson county;*

Each member appointed pursuant to this subsection (1) shall reside in a different senatorial district;

(2) *two members shall be appointed by the governing body of the Johnson county republican central committee;*

(3) *two members shall be appointed by the governing body of the Johnson county democratic central committee;*

(4) *eight members shall be appointed by the board of county commissioners. Of such members, one member shall be appointed from each county commissioner district and the remaining shall represent the county at large;*

(5) *two members shall be appointed by the Johnson county chamber presidents' council;*

(6) *three members shall be appointed by the Johnson county members of the Johnson and Wyandotte counties council of mayors. Such members shall be mayors or their designees of cities located in Johnson county; and*

(7) *two members shall be appointed by the Johnson county planning commission. Such members shall be residents of the unincorporated area of Johnson county.*

Such members shall be appointed within ~~thirty (30)~~ 21 days after the effective date of this act *adoption of the resolution establishing such commission.*

No elected governmental official person holding an elective state or county office shall serve on the charter commission. Any person who holds the office of precinct committeeman or precinct committeewoman or who holds any other elective office in any political party shall not be considered to be an elected governmental official for the purposes of this act.

(b) *Any vacancy on the commission shall be filled by the appointing authority which made the original appointment.*

Sec. 3. K.S.A. 19-2684 is hereby amended to read as follows: 19-2684. It shall be the duty of the charter commission to draft a proposed charter for the government of the county and to submit the same to the electors of the county for their approval or disapproval in the manner hereinafter provided. Within ~~thirty (30)~~ 30 days following its organization, and at any time thereafter that it shall deem the commission deems necessary, the commission shall hold a public hearing one or more public hearings for the purpose of receiving information and materials which will aid in the drafting of such charter. Within six (6) months after organization, the commission shall submit a preliminary report to the board of county commissioners of the county, which shall include the text of the

proposed charter. Sufficient copies of the report shall be made available for distribution to each voter who requests one members of the public. The charter commission shall hold at least one public hearing to obtain citizen views concerning the preliminary report. Within ~~eighteen (18)~~ 12 months following its organization, the commission shall submit its final report to the board of county commissioners. The final report shall include the full text and an explanation of the proposed charter, any comments deemed desirable by the commission, a written opinion by an attorney admitted to practice law in the state of Kansas and retained by the commission for such purpose that the proposed charter is not in conflict with the constitution and general laws of the state; and any minority reports not exceeding one thousand (1,000) words and any minority reports. Nothing in the proposed charter shall be construed to limit or restrict the power of the legislature to enact general laws which relate to counties. Such final report shall be available to members of the public upon request. The commission shall continue in existence at least thirty (30) days following the submission of its final report for the purpose of winding up the commission shall continue in existence for a period of time necessary for the conclusion of its affairs.

Sec. 4. K.S.A. 19-2685 is hereby amended to read as follows: 19-2685. The proposed charter shall be submitted by the charter commission to the board of county commissioners and the board of county commissioners shall submit the proposed charter to the electors of the county at the general election next following submission of the final report in which all qualified electors of the county are eligible to vote. In submitting such proposed charter to the board of county commissioners, the charter commission may submit alternative sections or articles to the board of county commissioners, which. Any alternative sections or articles shall be submitted by the board of county commissioners for approval or rejection by the electors. Any section or article of a proposed charter which affects the size or structure of the board of county commissioners may be submitted at the same election at which the proposed charter is submitted but shall be submitted as a separate question on the ballot. An affirmative vote of a majority of the qualified electors voting on the question shall be required for the adoption of such charter.

Sec. 5. K.S.A. 19-2681, 19-2682, 19-2684 and 19-2685 are hereby repealed.

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

(Published in the Kansas Register April 1, 1999.)

SENATE BILL No. 338

AN ACT concerning government projects; procedures, reviews and exemptions; procedures and requirements for contracts, projects and donations for renovation, reconstruction, repair and other improvements of the statehouse, governor's residence and Hiram Price Dillon house; establishing the state facilities gift fund; amending K.S.A. 75-2724 and repealing the existing section.

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

New Section 1. (a) In accordance with the provisions of this section and in the discretion of the secretary of administration, whenever a contract will involve any repair, restoration, renovation, remodeling, refurbishing or other improvement to a state historic building, the contract shall not be subject to the provisions of:

(1) K.S.A. 75-430a and amendments thereto, relating to publication of notice prior to negotiating for ancillary technical services or architectural, engineering or other related services;

(2) K.S.A. 75-1250 through 75-1266 or K.S.A. 75-5801 through 75-5807 and amendments thereto, relating to the acquisition of architectural, engineering, construction management or other services; or

(3) the competitive bid procedures and requirements of K.S.A. 75-3739 through 75-3744 and amendments thereto.

(b) With respect to any such contract, the provisions of K.S.A. 75-1258, 75-1264 and 75-3741c and amendments thereto shall apply to any such contract and to any such repair, restoration, renovation, remodeling, refurbishing or other improvement for a state historic building. The contract or project for any such repair, restoration, renovation, remodeling, refurbishing or other improvement shall be subject to such design, construction or other procedures and standards as may be prescribed by the secretary of administration therefor.

(c) As used in this section, "state historic building" means (1) the statehouse, (2) the property identified in K.S.A. 75-121 and amendments

(continued)

thereto, which is known as Cedar Crest, and (3) the property identified in subsection (c) of K.S.A. 75-3681 and amendments thereto, which is known as the Hiram Price Dillon house.

New Sec. 2. (a) In addition to the authority granted to the governor's residence advisory commission, the secretary of administration is hereby authorized to accept on behalf of the state any grants, gifts, contributions, bequests or donations of personal property or money for the purpose of restoring, renovating, furnishing, improving or beautifying the property identified in K.S.A. 75-121 and amendments thereto which is known as Cedar Crest. Prior to accepting such a grant, gift, contribution, bequest or donation, the secretary of administration may advise and consult with the governor's residence advisory commission. If any donation of money is subject to terms and conditions established by the donor, the governor's residence advisory commission shall be advised of the donation and its associated terms and conditions prior to acceptance by the secretary of administration.

(b) Any moneys donated for Cedar Crest and received and accepted by the secretary of administration shall be paid to the department of administration and shall be deposited in the state treasury to the credit of the executive mansion gifts fund.

New Sec. 3. (a) The secretary of administration is hereby authorized to accept on behalf of the state any grants, gifts, contributions, bequests or donations of personal property or money for the purpose of restoring, renovating, furnishing, improving or beautifying the statehouse. Prior to accepting any such grant, gift, contribution, bequest or donation, the secretary may consult with the legislative coordinating council, the statehouse art and history committee, the capitol area plaza authority or any other appropriate advisory committee.

(b) Any moneys donated for the statehouse and received and accepted by the secretary of administration shall be paid to the department of administration and shall be deposited to the credit of a statehouse account within the state facilities gift fund established by section 5 and amendments thereto.

New Sec. 4. (a) Subject to the approval of the legislative coordinating council, the Dillon House advisory commission established by the legislative coordinating council shall have the power to accept on behalf of the state any grants, gifts, contributions, bequests or donations of personal property or money for the purpose of restoring, renovating, furnishing, improving or beautifying the property identified in subsection (c) of K.S.A. 75-3681 and amendments thereto, which is known as the Hiram Price Dillon House. The Dillon House advisory commission shall advise the legislative coordinating council of any offers of gifts, contributions, grants, bequests or donations of items or services for the Hiram Price Dillon House.

(b) Any moneys donated for the Hiram Price Dillon House and received and accepted by the Dillon House advisory commission with the approval of the legislative coordinating council shall be paid to the department of administration and shall be deposited in the Dillon House account within the state facilities gift fund established by section 5 and amendments thereto. If any monetary donation for the Hiram Price Dillon House is subject to terms and conditions established by the donor, the legislative coordinating council shall be advised of the donation and its associated terms and conditions and acceptance of the donation shall be approved by the legislative coordinating council before the donation is accepted and deposited in the state treasury.

New Sec. 5. There is hereby established in the state treasury the state facilities gift fund which shall be administered by the secretary of administration. All expenditures from the state facilities gift fund shall be in accordance with the provisions of appropriation acts upon warrants of the director of accounts and reports pursuant to vouchers approved by the secretary of administration or the secretary's designee.

Sec. 6. K.S.A. 75-2724 is hereby amended to read as follows: 75-2724. (a) The state or any political subdivision of the state, or any instrumentality thereof, shall not undertake any project which will encroach upon, damage or destroy any historic property included in the national register of historic places or the state register of historic places or the environs of such property until the state historic preservation officer has been given notice, as provided herein, and an opportunity to investigate and comment upon the proposed project. Notice to the state historic preservation officer shall be given by the state or any political subdivision of the state when the proposed project, or any portion thereof, is located within 500 feet of the boundaries of a historic property located within the corporate limits of a city, or within 1,000 feet of the boundaries of a

historic property located in the unincorporated portion of a county. Notwithstanding the notice herein required, nothing in this section shall be interpreted as limiting the authority of the state historic preservation officer to investigate, comment and make the determinations otherwise permitted by this section regardless of the proximity of any proposed project to the boundaries of a historic property. The state historic preservation officer may solicit the advice and recommendations of the historic sites board of review with respect to such project and may direct that a public hearing or hearings be held thereon. *Any such public hearing or hearings held pursuant to this subsection or held pursuant to authority delegated by the state historical preservation officer under subsection (e) or (f) shall be held within 60 days from the date of receipt of notice by the state historical preservation officer from the state or any political subdivision of the state as provided herein.* If the state historic preservation officer determines, with or without having been given notice of the proposed project, that such proposed project will encroach upon, damage or destroy any historic property included in the national register of historic places or the state register of historic places or the environs of such property, such project shall not proceed until:

(1) The governor, in the case of a project of the state or an instrumentality thereof, or the governing body of the political subdivision, in the case of a project of a political subdivision or an instrumentality thereof, has made a determination, based on a consideration of all relevant factors, that there is no feasible and prudent alternative to the proposal and that the program includes all possible planning to minimize harm to such historic property resulting from such use; and

(2) five days notice of such determination has been given, by certified mail, to the state historic preservation officer.

(b) Any person aggrieved by the determination of the governor pursuant to this section may seek review of such determination in accordance with the act for judicial review and civil enforcement of agency actions. Any person aggrieved by the determination of a governing body pursuant to this section may seek review of such determination in accordance with K.S.A. 60-2101 and amendments thereto.

(c) The failure of the state historic preservation officer to initiate an investigation of any proposed project within 30 days from the date of receipt of notice thereof shall constitute such officer's approval of such project.

(d) Failure of any person or entity to apply for and obtain the proper or required building or demolition permit before undertaking a project that will encroach upon, damage or destroy any historic property included in the national register of historic places or the state register of historic places, or the environs of such property, shall be subject to a civil penalty not to exceed \$25,000 for each violation. The attorney general may seek such penalties and other relief through actions filed in district court.

(e) (1) The state historic preservation officer may enter into an agreement authorizing a city or county to make recommendations or to perform any or all responsibilities of the state historic preservation officer under subsections (a), (b) and (c) if the state historic preservation officer determines that the city or county has enacted a comprehensive local historic preservation ordinance, established a local historic preservation board or commission and is actively engaged in a local historic preservation program. The agreement shall specify the authority delegated to the city or county by the state historic preservation officer, the manner in which the city or county shall report its decisions to the state historic preservation officer, the conditions under which the city or county can request assistance from the state historic preservation officer in performing certain project reviews, the length of time the agreement is to be valid and provisions for termination of the agreement. Such agreement shall provide that the state historic preservation officer shall retain final authority to implement the provisions of this act. The state historic preservation officer shall adopt any rules and regulations necessary to implement the provisions of this subsection.

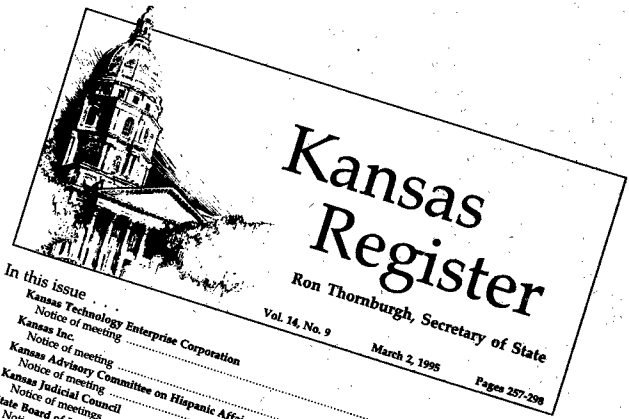
(2) An agreement with a city or county authorized by this subsection shall not be construed as limiting the authority of the state historic preservation officer to investigate, comment and make determinations otherwise permitted by this section.

(f) The state historic preservation officer may enter into agreements with the state board of regents or any state educational institution under the control and supervision of the state board of regents to perform any or all responsibilities of the state historic preservation officer under subsections (a), (b) and (c).

Sec. 7. K.S.A. 75-2724 is hereby repealed.

Sec. 8. This act shall take effect and be in force from and after its publication in the Kansas register.

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In this issue

Kansas Technology Enterprise Corporation	Page 259
Notice of meeting	259
Kansas Inc.	259
Notice of meeting	259
Kansas Advisory Committee on Hispanic Affairs	259
Notice of meeting	259
Kansas Judicial Council	259
Notice of meetings	259
State Board of Indigents' Defense Services	260
Notice of meeting	260
Real Estate Appraisal Board	261
Notice of hearing on proposed administrative regulations	261
State Emergency Response Commission	261
Notice of meeting	261
Kansas Law Enforcement February 16-22	261
Notice of meeting	261
Social and Rehabilitation Training Commission	261
Notice of meeting	261
Request for proposals	261

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