

# Kansas Register

Ron Thornburgh, Secretary of State

Vol. 18, No. 16    April 22, 1999    Pages 471-500

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## State of Kansas

## Secretary of State

## Correction Notice Concerning 1999 House Bill 2565

House Bill 2565, which was published in the April 15, 1999 Kansas Register, was incorrectly indexed in that issue's table of contents as House Bill 2656. That typographical error does not affect the effective date of House Bill 2565, which is April 15, 1999.

Ron Thornburgh  
Secretary of State

## State of Kansas

## Social and Rehabilitation Services

## Public Notice

The Kansas Mental Health and Developmental Disabilities Commission of SRS (MH&DD) announces the intended use of federal Projects for Assistance in Transition from Homelessness (PATH) funding in the amount of \$300,000. The purpose of the grant is to provide assertive outreach to, and engage into mainstream community services and housing for, people who are homeless and who have a severe and persistent mental illness.

Direct written comments or questions regarding the intended use of PATH funds to Kathy Harmon, SRS, Department of Mental Health and Developmental Disabilities, 5th Floor North, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612. Written comments must be received by the close of business April 30 in order to be considered in formulating a final decision.

Rochelle Chronister  
Secretary of Social and  
Rehabilitation Services

Doc. No. 023719

## State of Kansas

## Criminal Justice Coordinating Council

## Notice of Meeting

The Kansas Criminal Justice Coordinating Council will meet from 10 a.m. to noon Tuesday, May 11, in the Court of Appeals Courtroom, Kansas Judicial Center, 301 S.W. 10th Ave., Topeka. For further information, call (785) 296-0923.

Barbara S. Tombs  
Executive Director

Doc. No. 023717

## State of Kansas

## Social and Rehabilitation Services

## Notice of Hearings

Public hearings on the 1999 Social Service Block Grant (SSBG) State Plan and the Low Income Energy Assistance Program (LIEAP) Block Grant Plan have been scheduled for 9 a.m. Wednesday, June 2, in Room 481-W, Docking State Office Building, 915 S.W. Harrison, Topeka, and by teleconference at the SRS area offices located in Chanute, Emporia, Garden City, Hays, Hutchinson, Kansas City, Lawrence, Manhattan, Olathe, Salina, Topeka and Wichita. Following the public hearings, there will be formal public testimony and a participant brainstorming session on the SRS budget for FY 2000. Any organization or individual wishing to participate at the meeting or obtain a copy of the block grant summaries should contact Jackie Aubert at (785) 296-6216.

Rochelle Chronister  
Secretary of Social and  
Rehabilitation Services

Doc. No. 023711

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Room 233-N, State Capitol  
(785) 296-3489  
Fax (785) 291-3051

State of Kansas

**State Fire Marshal****Notice of Hearing on Proposed  
Administrative Regulations**

A public hearing will be conducted at 9 a.m. Thursday, July 1, in Suite 600, Jayhawk Tower, 700 S.W. Jackson, Topeka, to consider the adoption of proposed changes in existing rules and regulations and the adoption of new regulations of the State Fire Marshal's office.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written comments on the proposed changes and new adoptions. Interested parties may submit written comments prior to the hearing in care of the State Fire Marshal's Office at the address given above. Interested parties will be given an opportunity to present their views orally at the hearing. Oral presentations may be limited to no more than five minutes each.

Disabled parties may request accommodation to facilitate participation at the hearing at least five working days in advance of the hearing. Requests should be directed to Beth Fenske at (785) 296-3401.

The following regulations are proposed for permanent adoption. A summary of the regulations and their economic impact follows.

**K.A.R. 22-19-1. Fire investigation and reporting.** Amendments to existing regulations clarify that state certified fire investigators may perform fire investigation outside the boundaries of their own departments upon request of the State Fire Marshal, or where there is a contractual agreement with another department.

**K.A.R. 22-19-2. Certification of fire investigators.** Updates the training and experience requirements for state fire investigator certification and establishes two levels: one firearms authorized and the other unarmed. The standard proposed is the nationally recognized minimum level set out in National Fire Protection Association Publication 1033.

**K.A.R. 22-19-3. Fire investigation recertification.** This revision describes the requirements for maintaining certification based on continuing training, teaching, investigating, supervising fire investigations, and performance on a graded examination.

**K.A.R. 22-19-4a. Revocation or suspension.** The circumstances for revocation or suspension of state fire investigator certification are specified and an appeals process is described.

There is no anticipated economic impact as a result of these measures. It is likely that the competence level of investigators as a whole will rise, and improved investigation of fires and explosions will likely lead to a reduction in overall insurance costs, but this is not quantifiable.

Copies of the proposed regulations and the economic impact statement can be obtained by contacting the State Fire Marshal's Office.

Gale Haag  
State Fire Marshal

Doc. No. 023707

State of Kansas

**Board of Healing Arts****Notice of Hearing on Proposed  
Administrative Regulations**

A public hearing will be conducted at 10 a.m. Wednesday, July 28, at the office of the Kansas State Board of Healing Arts, 235 S. Topeka Blvd., Topeka, to consider the revocation of K.A.R. 100-11-5, which deals with fees for exempt licenses. K.S.A. 1998 Supp. 65-2809(f) creates a designation of exempt license, and K.S.A. 1998 Supp. 65-2852(1)(m) and K.A.R. 100-11-1, amended May 1, 1998, deal with the fees associated with various license designations to include an exempt license. Therefore, it would appear that K.A.R. 100-11-5 is repetitive and obsolete.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed revocation of this rule and regulation. All interested parties may submit comments prior to the hearing to the Board of Healing Arts at the address above. All interested parties will be given a reasonable opportunity to present their views, orally or in writing, concerning the proposed revocation of the regulation during the hearing. In order to give all persons an opportunity to present their views, it may be necessary to request each participant to limit any oral presentations to five minutes.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request a copy of the proposed regulation considered for revocation and the associated 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 Marsha Schrempp at (785) 296-8962. Handicapped parking is located at the west end of the Hutton Building, and the northwest entrance to the building is accessible.

A summary of the rule and regulation to be considered for revocation is as follows:

**K.A.R. 100-11-5. Exempt license.** No fee shall be collected by the board for an exempt license or conversion of an exempt license to a license to practice the healing arts. The fee collected by the board for renewal of an exempt license shall be \$115 if received by the date of the expiration of the license and \$150 if received within 30 days following the date of expiration.

Copies of this regulation and the associated economic impact statement may be obtained by contacting Betty Johnson, Kansas State Board of Healing Arts, 235 S. Topeka Blvd., Topeka, 66603, (785) 296-3680.

Lawrence T. Buening, Jr.  
Executive Director

Doc. No. 023730

State of Kansas

Department of Wildlife and Parks

Public Notice

The Kansas Department of Wildlife and Parks has reached agreements for the purchase of two tracts of land in McPherson County. The first tract consists of approximately 124 acres, and has a legal description of the South 124 acres of the North 292 acres of the North half of S22-T19-R4. This tract was appraised at \$66,300 and will be purchased for \$66,300. The second tract consists of approximately 80 acres, and has a legal description of the West half of the Northeast quarter of S28-T19-R4. This tract was appraised at \$48,000 and will be purchased for \$48,000. Both tracts will be part of the McPherson Wetlands and will remain on the county tax rolls.

Steven A. Williams
Secretary of Wildlife and Parks

Doc. No. 027325

State of Kansas

Office of the Governor

Executive Order 99-3

WHEREAS, on December 13, 1998, the bodies of Robin Vasquez, Howard Franks, and Thomas Dinkel were discovered in the city of Kinsley, KS, all with gunshots to the head; and

WHEREAS, the Edwards County Sheriff's Department, Kinsley Police Department, and the Kansas Bureau of Investigation have concentrated the investigation on Martin Vasquez, estranged husband of victim, Robin Vasquez. Martin Vasquez is believed to have left the country; and

WHEREAS, an arrest warrant has been issued for the arrest of Martin Vasquez for the murders of Robin Vasquez, Howard Franks, and Thomas Dinkel; and

WHEREAS, the offer of a reward will enhance the efforts of the agencies and officers involved in the investigation in this heinous crime;

NOW THEREFORE, by virtue of authority vested in me by K.S.A. 75-113, I, Bill Graves, Governor of the State of Kansas, do hereby offer a reward of five thousand dollars (\$5,000.00) for information leading to the arrest and conviction of the murderer of Robin Vasquez, Howard Franks, and Thomas Dinkel.

This document shall be filed with the Secretary of State as Executive Order No. 99-3, and shall become effective immediately.

Dated April 9, 1999.

Bill Graves
Governor

Attest: Ron Thornburgh
Secretary of State

Doc. No. 023716

State of Kansas

Department of Administration

Division of Purchases

Notice to Bidders

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

Monday, May 3, 1999

33629

Kansas Correctional Industries—Modular systems furniture and chair component kits

82

Department of Transportation—Commercial grade asphalt mix, Wichita

Tuesday, May 4, 1999

8945

Kansas Highway Patrol—Digital broadcast camera

Wednesday, May 5, 1999

33642

Department of Wildlife and Parks—Rainbow trout

Thursday, May 6, 1999

81

Kansas State University—Broadcast equipment

Friday May 7, 1999

8951

University of Kansas—Compact sport utility vehicle

Tuesday, May 18, 1999

8944

Adjutant General's Department—All labor and materials to remodel room, Wichita

\*\*\*\*\*

Request for Proposals

Thursday, May 13, 1999

33646

Office supplies for all statewide agencies

Thursday, May 20, 1999

33611

Imaging system for the Secretary of State

Wednesday, May 26, 1999

33653

Master contract for information technology services for the Department of Revenue

John T. Houlihan
Director of Purchases

Doc. No. 023729

## State of Kansas

## Board of Pharmacy

Notice of Hearing on Proposed  
Administrative Regulations

A public hearing will be conducted at 9 a.m. Thursday, June 24, at the Clubhouse Inn, 924 S.W. Henderson Road, Topeka, to consider the adoption of proposed rules and regulations of the Kansas Board of Pharmacy.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed rules and regulations. All interested parties may submit written comments prior to the hearing to Larry Froelich, Executive Secretary, Room 513, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulations during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request that each participant limit any oral presentation to five minutes.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulations and economic impact statements in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Karen Hollon at (785) 296-4056.

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

**K.A.R. 68-5-15. Training of pharmacy technicians.** The regulation explains the training requirements that personnel must complete to become a pharmacy technician.

This regulation will require additional record keeping by pharmacies and by the Board of Pharmacy, but no economic impact should be realized.

**K.A.R. 68-7-18. Health department and private not-for-profit family planning clinics.** The proposed changes will significantly increase the listing of medications stored and distributed by these facilities.

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

**K.A.R. 68-11-1. Fees for examination and licensure as a pharmacist.** The regulation establishes the amount charged for various licenses. The fee for the "inactive" license will decrease from a \$150 biennial fee to a \$50 biennial fee.

The pharmacy fee fund is anticipated to decrease by \$80,000 per year.

**K.A.R. 68-7-19. Transfer of a refillable prescription between pharmacies.** The regulation sets out in detail the steps to follow in transferring a prescription.

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

**K.A.R. 68-14-1. Wholesale distributors.** The regulation defines the term "wholesale distributor," changing prescription drugs to prescription-only drugs.

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

**K.A.R. 68-14-2. Definitions.** The regulation defines various terms used throughout Article 14.

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

**K.A.R. 68-14-3. Wholesale distributor licensing or registration requirement.** The regulation requires entities to be licensed by the Board of Pharmacy prior to engaging in wholesale distribution.

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

**K.A.R. 68-14-4. Minimum required information for licensure or registration.** The regulation explains the information required by the board for issuance of a license.

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

**K.A.R. 68-14-5. Personnel.** The regulation provides for assurance that personnel are sufficiently trained in prescription-only wholesale distribution.

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

**K.A.R. 68-14-7. Minimum requirements for the storage and handling of prescription drugs and for the establishment and maintenance of prescription drug distribution records.** The regulation explains the minimum requirements as mentioned in the title.

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

**K.A.R. 68-14-8. Wholesale distributor transaction.** The regulation explains the procedures to follow when distributing prescription-only drugs by a wholesale distributor.

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

**K.A.R. 68-15-1. Nonprescription wholesale distributor.** The regulation requires entities to be licensed by the Board of Pharmacy prior to engaging in nonprescription drug wholesale distribution.

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

Copies of the regulations and the economic impact statement may be obtained by contacting the Kansas Board of Pharmacy.

Larry Froelich  
Executive Secretary

Doc. No. 023731

(Published in the Kansas Register April 22, 1999.)

**Summary Notice of Bond Sale  
City of Manhattan, Kansas**

**\$7,475,000**

**General Obligation Bonds  
Series 208**

**\$560,000**

**General Obligation Airport Bonds  
Series 209**

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

2012	375,000
2013	390,000
2014	410,000
2015	430,000
2016	450,000
2017	475,000
2018	495,000
2019	525,000

**Series 209 Bonds**

The Series 209 Bonds will become due in principal installments on November 1 in the years as follows:

**Series 209**

**(Non-Bank Qualified-Subject To AMT)**

Year November 1	Principal Amount
2000	\$20,000
2001	20,000
2002	20,000
2003	20,000
2004	20,000
2005	20,000
2006	25,000
2007	25,000
2008	25,000
2009	25,000
2010	25,000
2011	30,000
2012	30,000
2013	30,000
2014	35,000
2015	35,000
2016	35,000
2017	40,000
2018	40,000
2019	40,000

**Sealed Bids**

Subject to the notice of bond sale dated April 20, 1999, sealed bids will be received by the director of finance on behalf of the governing body of the City of Manhattan, Kansas (the issuer), at the Department of Finance, City Hall, 1st Floor, 1101 Poyntz, Manhattan, KS 66502, until noon May 4, 1999, for the separate purchase of: (a) \$7,475,000 principal amount of General Obligation Bonds, Series 208, and (b) \$560,000 principal amount of General Obligation Airport Bonds, Series 209 (jointly hereinafter referred to as the bonds). No bid for less than \$7,364,002 for the Series 208 Bonds and accrued interest thereon to the date of delivery, and no bid for less than \$551,755 for the Series 209 Bonds and accrued interest thereon to the date of delivery will be considered. Any bidder desiring to have the financial advisor assist in the delivery of such bidder's sealed bid should provide pertinent bidding information to the financial advisor not later than 11:30 a.m. on the date of sale.

**General**

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof, will be dated June 1, 1999 (the dated date), and will bear interest from the dated date at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on May 1 and November 1 in each year, beginning November 1, 1999 (the interest payment dates).

**Series 208 Bonds**

The Series 208 Bonds will become due in principal installments on November 1 in the years as follows:

**Series 208  
(Bank Qualified)**

Year November 1	Principal Amount
2000	\$270,000
2001	280,000
2002	295,000
2003	300,000
2004	315,000
2005	330,000
2006	335,000
2007	355,000
2008	365,000
2009	385,000
2010	340,000
2011	355,000

**Book-Entry-Only System**

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

**Paying Agent and Bond Registrar**

Kansas State Treasurer, Topeka, Kansas.

**Good Faith Deposit**

Each bid shall be accompanied by a good faith deposit in the form of a cashier's or certified check drawn on a bank located in the United States or a qualified financial surety bond in the amount of \$149,500 for the Series 208 Bonds and \$11,200 for the Series 209 Bonds (2 percent of the principal amount of the bonds).

**Delivery**

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about June 11, 1999, at DTC for the account of the successful bidder.

**Assessed Valuation and Indebtedness**

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 1998 is \$209,363,417. The total general obligation indebtedness of the issuer as of the date of delivery of the bonds, including the bonds and the Series 1999-03 Notes being sold,

but excluding temporary notes to be retired in conjunction therewith, is \$55,391,500.

**Approval of Bonds**

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

**Additional Information**

Additional information regarding the bonds may be obtained from the director of finance, (785) 587-2465, or from the financial advisor, Springsted Incorporated, 85 E. 7th Place, Suite 100, St. Paul, MN 55101, Attention: David MacGillivray, (612) 223-3068.

Dated April 20, 1999.

City of Manhattan, Kansas

Doc. No. 023721

(Published in the Kansas Register April 22, 1999.)

**Summary Notice of Bond Sale  
City of Olathe, Kansas**

**\$20,475,000\***  
General Obligation Temporary Notes  
Series 1999-A

**\$550,000\***  
General Obligation Temporary Notes  
Series 1999-B

**\$18,420,000\***  
General Obligation Bonds  
Series 194

(General obligations payable from  
unlimited ad valorem taxes)

will not receive certificates representing their interest in notes purchased. The Series 1999-A Notes will be dated May 1, 1999, and will become due on June 1, 2000. The Series 1999-A Notes will bear interest from the dated date at rates to be determined when the notes are sold, and interest will be payable December 1, 1999, and at maturity on June 1, 2000. The Series 1999-B Notes will be dated May 1, 1999, and will become due on October 1, 1999. The Series 1999-B Notes will bear interest from the dated date at rates to be determined when the notes are sold, and interest will be payable only at maturity on October 1, 1999. The city treasurer will be the paying agent and note registrar for the notes.

**Bond Details**

The bonds will consist of fully registered certificated bonds in the denomination of \$5,000 or any integral multiple thereof. Bonds shall initially be registered in the name of Cede & Co., as nominee of the Depository Trust Company, New York, New York, to which payments of principal of and interest on the bonds will be made. Individual purchases of bonds will be made in book-entry form only. Purchasers will not receive certificates representing their interest in bonds purchased. The bonds will be dated May 1, 1999, and will become due annually on April 1, beginning April 1, 2000, in the years as follows:

Year	Principal Amount
04/01/00	\$1,715,000
04/01/01	1,720,000
04/01/02	1,725,000
04/01/03	1,730,000
04/01/04	1,735,000
04/01/05	1,735,000
04/01/06	1,745,000
04/01/07	1,755,000
04/01/08	1,755,000
04/01/09	1,770,000
04/01/10	190,000
04/01/11	200,000
04/01/12	205,000
04/01/13	215,000
04/01/14	225,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold, and interest will be payable semiannually on April 1 and October 1 in each year, beginning October 1, 1999. The Kansas State Treasurer, Topeka, Kansas, will be the paying agent and bond registrar for the bonds.

**Good Faith Deposit**

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

**Delivery**

The city will pay for preparing the notes and the bonds. The city will deliver the notes and bonds in book-entry

(continued)

**Bids**

Subject to the notice of sale and preliminary official statement, bids will be received by the city treasurer of the City of Olathe, Kansas, on behalf of the governing body the Municipal Building, 126 S. Cherry, Olathe, KS 66061, on Tuesday, May 4, 1999, for the purchase of \$20,475,000\* General Obligation Temporary Notes, Series 1999-A, and \$550,000\* General Obligation Temporary Notes, Series 1999-B (collectively referred to as the notes), and \$18,420,000\* of General Obligation Bonds, Series 194. Bids for the notes will be read at 11 a.m. local time on that day. Bids for the bonds will be opened and read at noon local time on that day. No bid will be considered of (a) less than 99.50 percent of the principal amount of a series of the notes and accrued interest to the date of delivery, and (b) less than 99 percent of the principal amount of the bonds and accrued interest to the date of delivery.

**Note Details**

The notes will consist of fully registered notes in the denomination of \$5,000 or any integral multiple thereof. Notes shall initially be registered in the name of Cede & Co., as nominee of the Depository Trust Company, New York, New York, to which payments of principal of and interest on the notes will be made. Individual purchases of notes will be made in book-entry form only. Purchasers

form only through the facilities of Depository Trust Company, New York, New York, on or before May 27, 1999.

#### Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 1999 is \$711,802,583. The total general obligation indebtedness of the city as of the date of the bonds, including the notes and bonds being sold but excluding the temporary notes to be retired with the proceeds of the bonds and notes being sold, is \$78,263,400, and the total general obligation indebtedness of the city as of December 31, 1998, for debt limitation purposes was \$39,381,450.

#### Approval of Bonds

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

#### Additional Information

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

Dated April 20, 1999.

City of Olathe, Kansas  
Kevin Hammeke  
Olathe City Treasurer  
Municipal Building  
126 S. Cherry  
Olathe, KS 66061  
(913) 782-2600  
Telecopy: (913) 393-6203

Doc. No. 023723

(Published in the Kansas Register April 22, 1999.)

#### Summary Notice of Bond Sale

\$602,000

City of Fredonia, Kansas

General Obligation Bonds, Series A, 1999

(General obligation bonds payable from unlimited ad valorem taxes)

#### Sealed Bids

Subject to the notice of bond sale dated April 12, 1999, sealed bids will be received by the clerk of the City of Fredonia, Kansas (the issuer), on behalf of the governing body at City Hall, 314 N. 7th, Fredonia, KS 66736, until 4:30 p.m. May 3, 1999, for the purchase of \$602,000 principal amount of General Obligation Bonds, Series A, 1999. No bid of less than 100 percent of the principal amount of the bonds and accrued interest thereon to the date of delivery will be considered.

#### Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof, except one bond in the denomination of \$2,000. The bonds will be dated May 15, 1999, and will become due on October 1 in the years as follows:

Year	Principal Amount
2000	\$57,000
2001	60,000
2002	60,000
2003	60,000
2004	60,000
2005	60,000
2006	60,000
2007	60,000
2008	60,000
2009	65,000

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

#### Book-Entry-Only System

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

#### Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

#### Good Faith Deposit

Each bid shall be accompanied by a good faith deposit in the form of a cashier's or certified check drawn on a bank located in the United States or a qualified financial surety bond in the amount of \$12,040 (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 25, 1999, at DTC for the account of the successful bidder.

#### Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 1998 is \$10,604,825. The total general obligation indebtedness of the issuer as of the date of delivery of the bonds, including the bonds being sold but excluding temporary notes to be retired in conjunction therewith, is \$602,000.

#### Approval of Bonds

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

#### Additional Information

Additional information regarding the bonds may be obtained from the clerk, (316) 378-2231, or from the financial advisor, Stifel, Nicolaus & Company, Inc., 250 N. Water, Suite 100, Wichita, KS 67202, Attention: Larry McKown, (316) 337-8498.

Dated April 12, 1999.

City of Fredonia, Kansas

Doc. No. 023728



(Published in the Kansas Register April 22, 1999.)

**Summary Notice of Note Sale  
City of Manhattan, Kansas  
\$120,000**

**Temporary Notes  
Series 1999-03  
(Non-Bank Qualified)**

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

**Bids**

Subject to the notice of note sale dated April 20, 1999, bids will be received by Springsted Incorporated (the financial advisor), on behalf of the City of Manhattan, Kansas (the issuer), at 85 E. 7th Place, Suite 100, St. Paul, MN 55101, until 11 a.m. May 4, 1999, for the purchase of \$120,000 principal amount of Temporary Notes, Series 1999-03, of the City of Manhattan, Kansas. No bid of less than 99 percent of the principal amount of the notes and accrued interest thereon to the date of delivery will be considered.

**Note Details**

The notes will consist of fully registered book-entry only notes consisting of one note per series, registered under a book-entry only system administered through DTC. The notes will be dated June 15, 1999, will mature on June 15, 2001, and will bear interest from the date thereof at the rate to be determined when the notes are sold as hereinafter provided, which interest will be payable semiannually on June 15 and December 15 in each year, beginning December 15, 1999.

**Paying Agent and Note Registrar**  
Manhattan city treasurer.

**Delivery**

The issuer will pay for printing the notes and will deliver the same to DTC properly prepared, executed and registered without cost to the successful bidder on or about June 15, 1999.

**Assessed Valuation and Indebtedness**

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 1998 is \$209,363,417. The total general obligation indebtedness of the issuer as of the date of delivery of the notes is \$55,391,500. This includes the notes and the issuer's General Obligation Bonds, Series 208 (\$7,475,000) and Series 209 (\$560,000), also being sold on May 4, 1999, but excludes temporary notes to be retired in conjunction therewith.

**Approval of Notes**

The notes 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 notes will be furnished and paid for by the issuer and delivered to the successful bidder when the notes are delivered.

**Additional Information**

Additional information regarding the notes may be obtained from Curt Wood, Director of Finance, City Hall, First Floor, 1101 Poyntz, Manhattan, KS 66502-5460, (785)

587-2465; or from the financial advisor, Springsted Incorporated, Attention: David MacGillivray, (651) 223-3068, fax (651) 223-3002.

Dated April 20, 1999.

City of Manhattan, Kansas

Doc. No. 023724

State of Kansas

**Department of Health  
and Environment**

**Request for Comments**

The Kansas Department of Health and Environment is soliciting comments regarding a proposed modification to an air quality operating permit. Koss Construction Company has applied for a Class II operating permit modification in accordance with the provisions of K.A.R. 28-19-544. Emissions of particulate matter less than 10 microns (PM-10) 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.

Koss Construction Company, Topeka, owns and operates a portable concrete batch plant.

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 Shawnee County Health Agency, 1615 W. 8th, Topeka. To obtain or review the proposed permit and supporting documentation, contact Cheryl Evans, (785) 296-1574, at the KDHE central office, or Ed Kalas, (785) 368-2059, at the Shawnee County Health Agency. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Cheryl Evans, 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 24.

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 24 in order for the Secretary of Health and Environment to consider the request.

Clyde D. Graeber  
Acting Secretary of Health  
and Environment

Doc. No. 023722

State of Kansas

Persian Gulf War Health Initiative  
Advisory Board

Notice of Meeting

The Persian Gulf War Health Initiative Advisory Board will meet at 1:30 p.m. Tuesday, April 27, in Room 531-N, State Capitol, 300 S.W. 10th Ave., Topeka. The public is invited to attend.

Don A. Myer  
Executive Director

Doc. No. 023732

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. Johnston's OK-KAN Gin L.L.C. has applied for an air quality construction permit in accordance with the provisions of K.A.R. 28-19-300 to build a cotton gin. Emissions of particulate matter were evaluated during the permit review process.

Johnston's OK-KAN Gin L.L.C., Enid, Oklahoma, will own and operate the stationary source located at Section 35, Township 33S, Range 7W, 2 miles south of Anthony in Harper County, where the cotton gin is to be located.

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 south central district office, 130 S. Market, sixth floor, Wichita. To obtain or review the proposed permit and supporting documentation, contact Gene Sallee, (785) 296-1575, at the KDHE central office, or David Butler, (316) 337-6020, at the KDHE south central district office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Gene 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 24.

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 24 in order for the Secretary of Health and Environment to consider the request.

Clyde D. Graeber  
Acting Secretary of Health  
and Environment

Doc. No. 023727

State of Kansas

Department of Health  
and Environment

Notice of Available Funding

The Kansas Department of Health and Environment announces the availability of federal funds to develop a standardized orientation program packet for statewide use with daycare home providers. Interested applicants should call (785) 296-1275 or fax (785) 296-0803 to obtain more information. The closing date for receipt of proposals by KDHE is May 28. Proposals received after that date will not be accepted for consideration.

Clyde D. Graeber  
Acting Secretary of Health  
and Environment

Doc. No. 023720

State of Kansas

Kansas Insurance Department

Notice of Change in Pharmacy Network

Pursuant to K.S.A. 40-2,153, the Kansas Commissioner of Insurance is publishing notice that a change has occurred in a pharmacy network in the State of Kansas. Aetna U.S. Healthcare Pharmacy Network has notified the Insurance Department of the following additions to its pharmacy network:

Pharmacy Name	City	Effective Date
Leekers Family Pharmacy	Haysville	3/30/99
Oak Valley Price Chopper	Shawnee	3/30/99

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

Kathleen Sebelius  
Kansas Insurance Commissioner

Doc. No. 023715

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 4-19-99 through 4-25-99	
Term	Rate
1-89 days	4.67%
3 months	4.40%
6 months	4.58%
9 months	4.70%
12 months	4.83%
18 months	4.99%
24 months	5.00%

Derl S. Treff  
Director of Investments

Doc. No. 023706

State of Kansas

Department of Health and Environment

Notice Concerning Kansas Water Pollution Control Permits

In accordance with state regulations 28-16-57 through 63, 28-18-1 through 15, 28-18a-1 through 32, 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 and/or permit applications have been received 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-99-39  
Application for New or Expansion of Existing Swine Facilities

Name and Address of Applicant	Legal Description	Receiving Water
Heinco, Inc.	SE/4 of Section 21, Brown County	Plum Creek

Owner of Property Where Facility Will be Located

Cliff Heiniger  
Route 1, Box 55  
Fairview, KS 66425  
Kansas Permit No. 274

Public Notice No. KS-AG-99-40  
Pending Permits for Confined Feeding Facilities

Name and Address of Applicant	Legal Description	Receiving Water
Van Loenen Farms, L.L.C. P.O. Box 365 204 Holland St. Prairie View, KS 67664	SE/4 of Section 33, T2S, R20W, Phillips County	Solomon River Basin

Kansas Permit No. A-SOPL-B005

This is a new permit for 300 head (150 animal units) of cattle.

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

Compliance Schedule: To ensure groundwater protection, the lagoon is required to achieve a permeability rate of .0125 inches or less per day. Monitoring wells shall be constructed and initial sampling shall be performed and results submitted to the department.

Public Notice No. KS-99-069/080

Name and Address of Applicant	Waterway	Type of Discharge
Clearview City, Inc. 36000 W. 103rd St. P.O. Box 631 Clearview City, KS 66019	Kansas River via Kill Creek via unnamed tributary	Treated domestic wastewater

Facility Name: Clearview City, Inc. - Plant No. 2

Kansas Permit No. C-KS89-0002 Federal Permit No. KS0090671  
Legal: NW¼, S5, T13S, R22E, Johnson 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 KDHE-certified wastewater treatment plant 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 Cuba P.O. Box 47 Cuba, KS 66940	Little Blue River via tributary of Mill Creek	Treated domestic wastewater

Kansas Permit No. M-BB06-0001 Federal Permit No. KS0027120  
Legal: NW¼, S8, T3S, R1W, Republic County

Facility Description: The proposed action is to reissue an existing permit for the operation of an existing wastewater treatment facility treating primarily domestic wastewater. 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 Enterprise 206 S. Factory P.O. Box 245 Enterprise, KS 67441-0245	Smoky Hill River	Treated domestic wastewater

Kansas Permit No. M-SH08-0001 Federal Permit No. KS0027502  
Legal: SE¼, S20, T13S, R3E, Dickinson 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. Also, monitoring for chlorides, fecal coliform, and weekday flow will be required. 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 Harper 201 W. Main Harper, KS 67058	Chikaskia River via Sand Creek	Treated domestic wastewater

Kansas Permit No. M-AR40-0001 Federal Permit No. KS0024872  
Legal: SE¼, S6, T32S, R6W, Harper 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 Junction City P.O. Box 287 Junction City, KS 66441	Republican River	Treated domestic wastewater

Kansas Permit No. M-LR15-0001 Federal Permit No. KS0034011  
Legal: S3, T11S, R6E, Geary 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 facility is a mechanical treat-

(continued)

ment plant consisting of a primary clarification, activated sludge basins, and final clarification. Sludge is lime stabilized and land applied. This permit retains the existing limitations for biochemical oxygen demand, total suspended solids, and pH. New limitations are established for ammonia, fecal coliform, and total chlorine residual. Monitoring for chlorides will be required weekly, and flow data will be required weekdays. In addition, the permittee is required to conduct chronic whole effluent toxicity and heavy metals testing annually, and a priority pollutant scan will be required once during the life of the permit. A schedule of compliance is included for improvements to allow the facility to meet the fecal coliform limits as it is not expected the facility can meet the proposed limits without the addition of disinfection. The permit requirements are pursuant to the Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria, and are water quality based.

Name and Address of Applicant	Waterway	Type of Discharge
City of New Strawn P.O. Box 22 New Strawn, KS 66839	Neosho River	Treated domestic wastewater
Kansas Permit No. M-NE51-0001		Federal Permit No. KS0117030
Legal: NE $\frac{1}{4}$ , S3, T21S, R15E, Coffey 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. Special supplemental conditions indicate that there shall be no discharge from this facility during April through September of each year. 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 Pittsburg P.O. Box 688 Pittsburg, KS 66762	Neosho River via Spring River via Cow Creek	Treated domestic wastewater
Kansas Permit No. M-NE57-0001		Federal Permit No. KS0038954
Legal: SE $\frac{1}{4}$ , S31, T30S, R25E, Crawford 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 facility utilizes activated sludge wastewater treatment with chemical addition (lime), trickling filters, primary clarifiers, and anaerobic digesters. All sludge is land applied. The proposed permit includes limits for biochemical oxygen demand, total suspended solids, dissolved oxygen, ammonia, total residual chlorine, and pH. Final limitations are established for fecal coliform and total chlorine residual. Monitoring for chlorides will be required twice weekly, and flow data will be required weekdays. The permittee is required to conduct chronic whole effluent toxicity and heavy metals testing quarterly for one year, and a priority pollutant scan will be required once during the life of the permit. In addition, discharges from the extraneous flow pump station must be monitored for biochemical oxygen demand, total suspended solids, ammonia, fecal coliform, ph, and flow. A schedule of compliance is included for improvements to allow the facility to meet the final effluent limits. The permit requirements are pursuant to the Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria, and are water quality based.

Name and Address of Applicant	Waterway	Type of Discharge
City of Russell City Hall P.O. Box 112 Russell, KS 67665	Fossil Creek via unnamed tributary	Treated domestic wastewater
Kansas Permit No. M-SH31-0002		Federal Permit No. KS0091367
Legal: E $\frac{1}{2}$ , S35, T13S, R14W, Russell County		

Facility Description: The proposed action is to reissue an existing permit for the operation of an existing wastewater treatment facility treating primarily domestic wastewater. The proposed permit includes limits for biochemical oxygen demand, total suspended solids, and pH.

Flow monitoring will continue to be required. Monitoring for ammonia and fecal coliform will be required annually, and total cyanide will be required monthly. The facility plans to utilize effluent for golf course irrigation. In addition, the facility is providing effluent as rinse water for ABCO Wire and Metal Products. The permittee is required to conduct a priority pollutant scan once during the life of the permit. The permit requirements are pursuant to the Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria, and are technology based.

Name and Address of Applicant	Waterway	Type of Discharge
City of Savonburg City Hall Savonburg, KS 66772	Neosho River via Canville Creek via unnamed tributary	Treated domestic wastewater
Kansas Permit No. M-NE60-0001		Federal Permit No. KS0079952
Legal: SW, S29, T26S, R21E, Allen 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 Uniontown P.O. Box 51 Uniontown, KS 66779	Marmaton River	Treated domestic wastewater
Kansas Permit No. M-MC46-0001		Federal Permit No. KS0046051
Legal: NW $\frac{1}{4}$ , S26, T25S, R22E, Bourbon 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
United States Bureau of Reclamation 1706 W. 3rd. Rural Route 1 McCook, NE 69001	Waconda Reservoir	Treated domestic wastewater
Facility Name: Cawker City - Waconda Reservoir		
Kansas Permit No. F-SO08-0001		Federal Permit No. KS0030465
Legal: SE $\frac{1}{4}$ , S28, T6S, 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. The proposed permit includes limits for biochemical oxygen demand, total suspended solids, and pH. Monitoring for fecal coliform will be required annually, and flow data will be required weekdays. In addition, there is a schedule of compliance for the permittee to provide KDHE an engineering report and a schedule to bring this facility into consistent compliance with the effluent requirements of this permit. The permit requirements are pursuant to the Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria, and are technology based.

Name and Address of Applicant	Waterway	Type of Discharge
City of Weir P.O. Box 78 Weir, KS 66781	Spring River via Cow Creek	Treated domestic wastewater
Kansas Permit No. M-NE67-0001		Federal Permit No. KS0079146
Legal: SE $\frac{1}{4}$ , S27, T31S, R24E, 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. Also, there is a schedule of compliance for the permittee to provide KDHE the name of a KDHE-certified wastewater treatment plant 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.

Persons wishing to comment on or object to the draft permits and/or permit applications must submit their comments in writing to the Kansas Department of Health and Environment if they wish to have the comments or objections considered in the decision making process. Comments or objections should be submitted to the attention of Dena Endsley for agricultural permits or applications, or to the permit clerk for all other permits, at the 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 regarding the draft permit or application notice postmarked or received on or before May 22 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate Kansas permit number and name of applicant/application as listed when preparing comments.

If no objections are received during the public notice period regarding any proposed draft permit, the Secretary of Health and Environment will issue the final determination regarding issuance or denial of the proposed permit. If response to this notice indicates significant public interest, a public hearing may be held in conformance with K.A.R. 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 or draft 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 address given above. Division of Environment offices are open from 8 a.m. to 5 p.m., Monday through Friday, excluding holidays. 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.

A copy of the permit application, supporting documentation, and a KDHE-developed fact sheet checklist is available for anyone to review at the KDHE Northeast District Office, 800 W. 24th, Lawrence, KS 66046-4417, (785) 842-4600. Plans and documents for all new and expansions of existing swine facilities also may be reviewed on the Internet at [www.kdhe.state.ks.us](http://www.kdhe.state.ks.us).

Clyde D. Graeber  
Acting Secretary of Health  
and Environment

Doc. No. 023726

## State of Kansas

### Board of Healing Arts

#### Permanent Administrative Regulations

#### Article 24.—PATIENT RECORDS

**100-24-3.** Notice of location of records upon termination of active practice. Each licensee of the board who terminates the active practice of the healing arts within this state shall, within 30 days after terminating the active practice, provide to the board the following information: (a) The location where patient records are stored;

(b) if the licensee designates an agent to maintain the records, the name, telephone number, and mailing address of the agent;

(c) the date on which the patient records are scheduled to be destroyed, as allowed by K.A.R. 100-24-2. (Authorized by K.S.A. 65-2865; implementing K.S.A. 1997 Supp. 65-2837, as amended by L. 1998, ch. 142, § 19 and L. 1998, ch. 170, § 2 and K.S.A. 65-2865; effective May 7, 1999.)

Lawrence T. Buening, Jr.  
Executive Director

Doc. No. 023718

## State of Kansas

### Legislature

#### Legislative Bills and Resolutions Introduced

The following numbers and titles of bills and resolutions were introduced April 8-10 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 2573.** An act concerning the restoration of the Kansas capitol; creating the capitol restoration trust fund; establishing the capitol restoration commission; prescribing certain powers, duties and functions; providing for certain transfers from the state general fund; amending K.S.A. 75-6702 and repealing the existing section.

**HB 2574.** An act concerning limitations on certain civil actions; relating to certain regulated products and services.

#### House Concurrent Resolutions

**HCR 5042.** A concurrent resolution providing for a special committee to make a legislative study concerning the flooding of 1998.

**HCR 5043.** A concurrent resolution declaring the intent and purpose of the Kansas Legislature in enacting 1999 House Bill No. 2574.

#### Senate Concurrent Resolutions

**SCR 1619.** A concurrent resolution requesting the Division of Alcoholic Beverage Control to establish course requirements for alcoholic beverage server training programs.

#### Senate Resolutions

**SR 1852.** A resolution relating to the rules of the Senate for 1997-2000, amending rule 41, relating to committee of the whole.

**SR 1853.** A resolution congratulating and commending the 1999 Barton County Community College athletic teams and coaches for their remarkable successes during the 1998-99 school year.

**SR 1854.** A resolution supporting the establishment of a national truck museum in Wyandotte County.

Doc. No. 023704

State of Kansas

Department of Wildlife and Parks

Permanent Administrative Regulations

Article 11.—CONTROLLED SHOOTING AREAS

115-11-2. Controlled shooting areas; operational requirements. (a) Controlled shooting areas shall be posted as follows:

(1) Signs shall be made of metal, plastic, or wood and shall be not less than 15 inches by 15 inches.

(2) Signs shall legibly display the words "controlled shooting area" in block lettering that is not less than two inches in height.

(3) Signs shall be placed along the boundary of the controlled shooting area, at intervals of not more than 500 feet.

(b) The licensee shall keep the license and a copy of the laws and regulations pertaining to the controlled shooting area posted in a conspicuous and readily available place at the headquarters of the area.

(c) If the license of the controlled shooting area is cancelled or revoked, the licensee shall remove all controlled shooting area signs from the boundary of the area within 30 days of the cancellation or revocation date.

(d) If a licensee fails to renew a controlled shooting area license, all controlled shooting area signs shall be removed from the boundary of the area before September 1.

(e) Only those game birds released on the controlled shooting area from August 15 through March 31 of the license period shall be credited toward the allowable take on the area.

(f) The licensee shall not take or permit the taking of more than 100 percent of each species of game bird released on the controlled shooting area. These game bird species shall not be hunted on the area until a release of that game bird species has been made.

(g) The shooting hours for the taking of game birds released on controlled shooting areas shall be from 1/2 hour before sunrise to sunset.

(h) Game birds taken on a controlled shooting area shall be accompanied during transportation from the area by a form provided by the department and completed by the licensee listing the number and species of game birds being transported, the name and license number of the licensee, the date of harvest, and other information required by the secretary.

(i) Except as authorized under Kansas dog training and field trial regulations, only hand-reared mallard ducks may be recaptured by trapping after release.

(j) Hunting during established seasons and in compliance with all laws and regulations governing the hunting activity may occur on a controlled shooting area for wildlife species not included in K.S.A. 32-943, and amendments thereto, or for any wildlife species not included in the license issued for that controlled shooting area. The hunting, shooting, or taking of wild migratory waterfowl, however, shall be prohibited on each controlled shooting area used for the shooting of hand-reared mallard ducks.

(k) This regulation shall take effect on and after July 1, 1999. (Authorized by K.S.A. 32-948; implementing K.S.A. 1998 Supp. 32-945, K.S.A. 32-946, K.S.A. 32-947, and K.S.A. 32-948; effective Dec. 4, 1989; amended Aug. 31, 1992; amended July 1, 1999.)

Steven A. Williams  
Secretary of Wildlife and Parks

Doc. No. 023710

State of Kansas

State Bank Commissioner

Temporary Administrative Regulations

Article 24.—MORTGAGE BUSINESS

17-24-1. Signed acknowledgment; contents. Before a registrant enters into any contract for the provision of services or receives any compensation or promise of compensation for a mortgage loan, the registrant shall acquire from the customer a signed acknowledgment containing only the following items:

(a) The name and address of the mortgage business;  
(b) the name and position of the individual presenting the acknowledgment to the customer for a signature;

(c) a statement in at least 10-point boldface letters that reads as follows: "(name of registrant) is a mortgage business registered with the Kansas Office of the State Bank Commissioner in accordance with the laws of the state of Kansas. This registration does not represent an endorsement or recommendation of the registrant's products or services by the Office of the State Bank Commissioner. As a consumer, you may submit a complaint or inquiry about this mortgage business by delivering a written statement to the Office of the State Bank Commissioner, 700 Jackson, Suite 300, Topeka, Kansas 66603"; and

(d) the original signature of the customer or customers and the date on which the signature or signatures were attached. (Authorized by K.S.A. 1998 Supp. 9-2209, as amended by 1999 SB 241, § 9; implementing K.S.A. 1998 Supp. 9-2208, as amended by 1999 SB 241, § 8; effective, T-17-4-9-99, April 9, 1999.)

17-24-2. Mortgage business fees. At the time of filing any application or renewal form required by the Kansas mortgage business act, K.S.A. 9-2201 et seq., and amendments thereto, each applicant or registrant shall remit to the office of the state bank commissioner one of the following nonrefundable fees:

- (a) Application for registration .....\$600
- (b) Renewal application .....\$400

(Authorized by K.S.A. 1998 Supp. 9-2209, as amended by 1999 SB 241, § 9; implementing K.S.A. 1998 Supp. 9-2204, 9-2205, as amended by 1999 SB 241, §§ 4, 5; effective, T-17-4-9-99, April 9, 1999.)

Judi Stork  
Acting State Bank Commissioner

Doc. No. 023708

## State of Kansas

## Secretary of State

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

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

Ron Thornburgh  
Secretary of State

(Published in the Kansas Register April 22, 1999.)

## SENATE BILL No. 107

AN ACT concerning the secretary of health and environment; enacting the residential childhood lead poisoning prevention act; rescinding the expiration date for school health assessments; amending K.S.A. 1998 Supp. 72-5214 and repealing the existing section.

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

Section 1. K.S.A. 1998 Supp. 72-5214 is hereby amended to read as follows: 72-5214. (a) As used in this section:

(1) "School board" means the board of education of a school district and the governing authority of any nonpublic school;

(2) "school" means all elementary schools within the state;

(3) "local health department" means any county or joint board of health having jurisdiction over the place where any pupil affected by this section may reside;

(4) "secretary" means the secretary of health and environment;

(5) "physician" means a person licensed to practice medicine and surgery;

(6) "nurse" means a person licensed to practice professional nursing;

(7) "health assessment" means a health history, physical examination and such screening tests as are medically indicated to determine hearing ability, vision ability, nutrition adequacy and appropriate growth and development;

(8) "clinic" means an indigent health care clinic as defined by K.S.A. 75-6102 and amendments thereto.

(b) Subject to the provisions of subsection (d) and subsection (g), on and after July 1, 1994, every pupil up to the age of nine years who has not previously enrolled in any school in this state, prior to admission to and attendance in school, shall present to the appropriate school board the results of a health assessment, pursuant to subsection (g), which assessment shall have been conducted within 12 months of school entry by a nurse who has completed the department of health and environment training and certification, by a physician or by a person acting under the direction of a physician. Information contained in the health assessment shall be confidential and shall not be disclosed or made public beyond that necessary under this section except that: (1) Information contained in the health assessment may be disclosed to school board personnel but only to the extent necessary to administer this section and protect the health of the pupil; (2) if a medical emergency exists, the information contained in the health assessment may be disclosed to medical personnel to the extent necessary to protect the health of the pupil; (3) if the parent or guardian of a pupil under 18 years of age consents to the disclosure of the information contained in the health assessment or, if the pupil is 18 years of age or older, if the pupil consents to the disclosure of the information; and (4) if no person can be identified in the information to be disclosed and the disclosure is for statistical purposes.

(c) As an alternative to the health assessment required under subsection (b), a pupil shall present:

(1) A written statement signed by one parent or guardian that the child is an adherent of a religious denomination whose religious teachings are opposed to such assessments; or

(2) a written statement signed by one parent or guardian that such assessment will be scheduled and completed within 90 days after admission to school.

(d) Prior to the commencement of each school year, the school board of every school affected by this section shall give to all known pupils who will be enrolling in the school and who are subject to the requirements of subsection (b) or (c)(1) and (2), a copy of any policy regarding the

implementation of the provisions of this section adopted by the school board.

(e) If a pupil transfers from one school to another, the school board of the school from which the pupil transfers shall forward with the pupil's transcript, upon request of the parent or guardian of the pupil therefor, the results of the health assessment showing evidence of compliance with the requirements of this section to the school board of the school to which the pupil transfers.

(f) Local health departments and clinics may charge a sliding fee for providing such health assessments based on ability to pay and no pupil shall be denied the health assessment due to inability to pay. The local health officer shall counsel and advise local school boards on the administration of this section. The secretary may adopt rules and regulations to award grants to assist local health departments and clinics in providing such health assessments, consistent with state appropriations.

(g) The secretary may adopt rules and regulations necessary to carry out the provisions of this section, but shall not prescribe a form on which the results of health assessments are reported.

(h) The school board of every school affected by this section may exclude from school attendance, or by policy adopted by any such school board authorize any certificated employee or committee of certificated employees to exclude from school attendance, any pupil who is subject to and who has not complied with the requirements of subsection (b) or (c). A pupil shall be subject to exclusion from school attendance under this section until such time as the pupil shall have complied with the requirements of subsection (b) or (c). The policy shall include provisions for written notice to be given to the parent or guardian of the involved pupil. The notice shall indicate the reason for the exclusion from school attendance, state that the pupil shall continue to be excluded until the pupil has complied with the requirements of subsection (b) or (c) and inform the parent or guardian that a hearing thereon shall be afforded the parent or guardian upon request for a hearing.

(i) The provisions of K.S.A. 72-1111 and amendments thereto do not apply to any pupil while excluded from school attendance under the provisions of subsection (h).

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

New Sec. 2. Sections 2 to 16, inclusive, of this act shall be known and may be cited as the residential childhood lead poisoning prevention act.

New Sec. 3. Definitions. As used in the residential childhood lead poisoning prevention act:

(a) "Abatement" means any measure or set of measures designed to permanently eliminate lead-based paint hazards as defined in the federal program.

(b) "Accredited training program" means a training program that has been accredited by the federal program or the secretary to present training courses to individuals engaged in lead-based paint activities.

(c) "Business entity" means a company, partnership, corporation, sole proprietorship, association, or other business concern.

(d) "Certificate" means an authorization issued by the secretary permitting an individual to engage in lead-based paint activities.

(e) "Federal program" means subpart L, lead-based paint activities of 40 CFR part 745, as in effect on the effective date of this act.

(f) "Lead-based paint" means paint or other surface coatings that contain lead equal to or in excess of one milligram per square centimeter or more than 0.5% by weight.

(g) "Lead-based paint activities" means the inspection, assessment and abatement of lead-based paint, including the disposal of waste generated therefrom.

(h) "License" means an authorization issued by the secretary permitting a business entity to engage in lead-based paint activities.

(i) "Public agency" means any state agency or political or taxing subdivision of the state and those federal departments, agencies or instrumentalities thereof which are not subject to preemption.

(j) "Secretary" means the secretary of health and environment.

(k) "Residential dwelling" means a detached single family dwelling or a single family dwelling unit in a structure that contains more than one separate residential dwelling unit used as a place of residence for habitation by an individual or the individual's immediate family, or both.

(l) "Habitation" means a place of abode or residence constructed before 1978 where individuals eat, sleep and reside.

(m) "Immediate family" means spouse, parent, stepparent, child, stepchild or sibling.

(continued)

New Sec. 4. The secretary shall administer the provisions of the residential childhood lead poisoning prevention act. In administering the provisions of the residential childhood lead poisoning prevention act, the secretary shall be authorized to:

(a) Develop and implement a childhood lead poisoning prevention program as necessary to protect the health of the children of Kansas, which may include provisions to:

(1) Investigate the extent of childhood lead poisoning in Kansas;  
 (2) develop a data management system designed to collect and analyze information on childhood lead poisoning;  
 (3) develop and conduct programs to educate health care providers regarding the magnitude and severity of and the necessary responses to lead poisoning in Kansas;

(4) issue recommendations for the methods and intervals for blood lead screening and testing of children, taking into account recommendations by the United States centers for disease control and prevention, except that no child shall be screened or tested if the child's parent or guardian objects in writing on the ground that such screening or testing is contrary to the parent's or guardian's religious beliefs and practices;

(5) develop and issue health advisories urging health care providers to conduct blood lead screening of children;

(6) encourage health care providers to ensure that parents and guardians of children are advised of the availability and advisability of screening and testing for lead poisoning;

(7) develop a program to assist local health departments in identification and follow-up of cases of elevated blood lead levels in children and other high-risk individuals; and

(8) in consultation with appropriate federal, state and local agencies, develop a comprehensive public education program regarding environmental lead exposures and lead poisoning by:

(A) Identifying appropriate target groups that are in a position to prevent lead poisoning or reduce the number of children who are exposed to lead;

(B) assessing the information needed for each of the target groups and determine the best means of educating the members of each target groups; and

(C) disseminating the information to the target groups in an effective manner.

(b) adopt rules and regulations necessary for the administration of the residential childhood lead poisoning prevention act including, but not limited to, licensure of business entities and public agencies, certification of individuals, accreditation of training programs, on-site inspections and requirements, notification and record keeping, procedures and work practice standards relating to lead-based paint activities as are necessary to protect the public health and safety;

(c) adopt by rules and regulations a reasonable schedule of fees for the issuance and renewal of certificates and licenses, training program accreditations and on-site inspections. The fees shall be periodically increased or decreased consistent with the need to cover the direct and indirect costs to administer the program. At no time shall such fees exceed those charged by the United States environmental protection agency for the same or similar regulatory programs. The fees shall be based upon the amount of revenue determined by the secretary to be required for proper administration of the provisions of the residential childhood lead poisoning prevention act. State and local health department personnel certifying for the purpose of environmental investigation of lead poisoned children shall be exempted from licensure fees;

(d) conduct on-site inspections of procedures being utilized by a licensee during an actual abatement project and conduct inspection of the records pertaining to the residential childhood lead poisoning prevention act;

(e) adopt rules and regulations regarding the distribution of lead hazard information to owners and occupants of housing prior to conducting renovation activities in housing;

(f) develop rules and regulations to control and disposition and reuse of architectural debris that contains lead-based paint.

New Sec. 5. (a) A business entity or public agency shall not engage in a lead-based paint activity unless the business entity or public agency holds a license issued by the secretary for that purpose.

(b) Except as otherwise provided in the residential childhood lead poisoning prevention act, no individual shall engage in lead-based paint activities unless the individual holds a certificate issued by the secretary

for that purpose. In order to qualify for a certificate, an individual must have successfully completed an accredited training program and pass a third party exam as required by the secretary. Any individual who owns and resides in a residential dwelling may perform lead-based paint activities within such residential dwelling even though such individual does not hold a certificate for that purpose under the residential childhood lead poisoning prevention act. All work performed by such individual owner of a residential dwelling must be performed in accordance with state and federal guidelines or statutes, or both.

(c) Any business or public agency that owns or leases a nonresidential dwelling may perform lead-based paint activities within such facility even though such business or public agency does not hold a license for that purpose under the residential childhood lead poisoning prevention act. All work performed by a business or public agency on such facility must be performed in accordance with state and federal guidelines or statutes, or both.

New Sec. 6. In order to qualify for a license, a business entity or public agency shall:

(a) Ensure that each employee or agent of the business entity or public agency who will engage in a lead-based paint activity is certified;

(b) demonstrate to the satisfaction of the secretary that the business entity or public agency is capable of complying with all requirements, procedures and standards of the United States environmental protection agency, the United States occupational safety and health administration and the secretary, as applicable, to lead-based paint activities;

(c) comply with all rules and regulations adopted by the secretary under the residential childhood lead poisoning prevention act; and

(d) allow representatives of the secretary, after identification, to enter and inspect any habitation or property on which a habitation is situated at any reasonable time with consent of the owner or under search warrant for the purpose of inspecting lead-based paint activities as required in order to implement provisions of the residential childhood lead poisoning prevention act.

New Sec. 7. The secretary shall remit all moneys received from the fees established pursuant to the residential childhood lead poisoning prevention act to the state treasurer at least monthly. Upon receipt of each remittance, the state treasurer shall deposit the entire amount thereof in the lead-based paint hazard fee fund established in section 8 and amendments thereto.

New Sec. 8. (a) There is established in the state treasury the lead-based paint hazard fee fund. Revenue from the following sources shall be deposited in the state treasury and credited to the fund:

(1) Fees collected under the residential childhood lead poisoning prevention act for licensure and certification to engage in lead-based paint activities, accreditation of training programs and fees for evaluation of abatement projects;

(2) any moneys recovered by the state under the residential childhood lead poisoning prevention act, including administrative expenses, civil penalties and moneys paid under any agreement, stipulation or settlement;

(3) any moneys collected or received from public or private grants and from gifts and donations; and

(4) interest attributable to investment of moneys in the fund.

(b) Moneys deposited in the fund shall be expended only for the purpose of administering the residential childhood lead poisoning prevention act and for no other governmental purposes.

(c) On or before the 10th day of each month, the director of accounts and reports shall transfer from the state general fund to the lead-based paint hazard fee fund interest earnings based on:

(1) The average daily balance of moneys in the lead-based paint hazard fee fund for the preceding month; and

(2) the net earnings rate of the pooled money investment portfolio for the preceding month.

(d) All expenditures from the fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary for the purposes set forth in this section.

New Sec. 9. (a) The secretary may refuse to issue a license or may suspend or revoke any license issued under the residential childhood lead poisoning prevention act if the secretary finds, after notice and hearing conducted in accordance with the provisions of the Kansas administrative procedure act, that the applicant or licensee has:



(1) Fraudulently or deceptively obtained or attempted to obtain a license;

(2) failed at any time to meet the qualifications for a license or to comply with any rules and regulations adopted by the secretary under the residential childhood lead poisoning prevention act;

(3) failed at any time to meet any applicable federal or state standard for lead-based paint activities; or

(4) employed or permitted an uncertified individual to work on a lead-based paint activity.

(b) The secretary may refuse to issue a certificate or may suspend or revoke any certificate issued under the residential childhood lead poisoning prevention act if the secretary finds, after notice and hearing conducted in accordance with the provisions of the Kansas administrative procedure act, that the applicant for certificate or certificate holder has:

(1) Fraudulently or deceptively obtained or attempted to obtain a certificate; or

(2) failed at any time to meet qualifications for a certificate or to comply with any provision or requirement of the residential childhood lead poisoning prevention act or any rules and regulations adopted by the secretary under the residential childhood lead poisoning prevention act.

(c) The secretary may deny, suspend or revoke any accreditation of a training program under the residential childhood lead poisoning prevention act if the secretary finds, after notice and hearing conducted in accordance with the provisions of the Kansas administrative procedure act, that the applicant for training program accreditation or training provider has:

(1) Fraudulently or deceptively obtained or attempted to obtain accreditation of a training program;

(2) failed at any time to meet the qualifications to obtain accreditation of a training program or to comply with any rules and regulations adopted by the secretary under the residential childhood lead poisoning prevention act;

(3) failed to maintain or provide information on training programs; or

(4) falsified information, accreditation or approval records, instructor qualification information or other accreditation or approval information required to be submitted by the secretary.

(d) Any individual, business entity or accredited training program aggrieved by a decision or order of the secretary may appeal the order or decision in accordance with the provisions of the act for judicial review and civil enforcement of agency actions.

(e) (1) If the secretary finds that the public health or safety is endangered by the continuation of an abatement project, the secretary may temporarily suspend, without notice or hearing in accordance with the emergency adjudication procedures of the provisions of the Kansas administrative procedure act, the license of the business entity or public agency or the certificate of any person engaging in such abatement project.

(2) In no case shall a temporary suspension of a license or certificate under this section be in effect for a period of time in excess of 90 days. At the end of such period of time, the license or certificate shall be reinstated unless the secretary has suspended or revoked the license or certificate, after notice and hearing in accordance with the provisions of the residential childhood lead poisoning prevention act, or the license has expired as otherwise provided under the residential childhood lead poisoning prevention act.

**New Sec. 10.** Whenever an authorized agency of the secretary finds that any individual, business entity, accredited program or public agency is not in compliance with the residential childhood lead poisoning prevention act or any rules and regulations adopted under the residential childhood lead poisoning prevention act, it shall be the duty of such agent to notify the individual, business entity, accredited program or public agency in writing of such changes or alterations as the agency shall deem necessary in order to comply with the requirements of the residential childhood lead poisoning prevention act and any rules and regulations adopted under the residential childhood lead poisoning prevention act, and the agency shall file a copy of such notice with the secretary. It shall thereupon be the duty of the individual, business entity, accredited program or public agency to make such changes or alterations as are contained in the written notice within five days from the receipt of such notice.

**New Sec. 11.** Any individual, business entity, public agency or accredited training program which knowingly violates any provision of the

residential childhood lead poisoning prevention act or any rules and regulations adopted under the residential childhood lead poisoning prevention act is guilty:

(a) For a first offense, of a class C misdemeanor; and

(b) for a second offense or subsequent offense, of a class B misdemeanor.

**New Sec. 12.** (a) Any individual, business entity, accredited training program or public agency who violates any provision of the residential childhood lead poisoning prevention act or any rules and regulations adopted under the residential childhood lead poisoning prevention act, in addition to any other penalty or litigation provided by law, may incur a civil penalty imposed under subsection (b) in a maximum amount not to exceed \$1,000 for the first violation, \$5,000 for each subsequent violation and, in the case of a continuing violation, every day such previously notified violation continues shall be deemed a separate violation.

(b) The secretary, upon finding that any individual, business entity, accredited training program or public agency has violated any provision of the residential childhood lead poisoning prevention act or any rules and regulations adopted under the residential childhood lead poisoning prevention act, may impose a civil penalty within the limits provided in this section upon such individual, business entity, accredited training program or public agency which civil penalty shall be in an amount to constitute an actual and substantial economic deterrent to the violation for which the civil penalty is assessed.

(c) The secretary, upon finding that an individual, business entity, accredited training program or public agency has violated any provision of the residential childhood lead poisoning prevention act or rules and regulations adopted under the residential childhood lead poisoning prevention act, may issue an order finding such individual, business entity, accredited training program or public agency in violation of the residential childhood lead poisoning prevention act and directing the individual, business entity, accredited training program or public agency to take such action as necessary to correct the violation.

(d) No civil penalty shall be imposed under this section except upon the written order of the secretary after notification and hearing, if a hearing is requested, in accordance with the provisions of the Kansas administrative procedure act.

(e) Any individual, business entity, accredited training program or public agency aggrieved by an order of the secretary made under this section may appeal such order to the district court in the manner provided by the act for judicial review and civil enforcement of agency actions.

(f) Any penalty recovered pursuant to the provisions of this section shall be remitted to the state treasurer and deposited in the lead-based paint hazard fee fund.

(g) The secretary shall use penalties recovered pursuant to the provisions of this section to establish a grant program for communities to conduct activities designed to reduce or eliminate exposure of children to residential lead-based paint hazards.

**New Sec. 13.** Notwithstanding any other remedy and in addition to any other remedy, the secretary may maintain, in the manner provided by the act for judicial review and civil enforcement of agency actions, an action in the name of the state of Kansas for injunction or other process against any business entity or individual to restrain or prevent any violation of the provisions of the residential childhood lead poisoning prevention act or of any rules and regulations adopted under the residential childhood lead poisoning prevention act.

**New Sec. 14.** Licensure, certification or training program accreditation for a business entity, public agency or individual who engages in lead-based paint activities shall not be required until such time as the secretary adopts rules and regulations to implement the provisions of the residential childhood lead poisoning prevention act.

**New Sec. 15.** The audit privilege recognized in K.S.A. 1998 Supp. 60-332 through 60-339 does not pertain to the residential childhood lead poisoning prevention act.

**Sec. 16.** On July 1, 2004, the provisions of sections 2 to 16, inclusive, of this act are hereby repealed.

**Sec. 17.** K.S.A. 1998 Supp. 72-5214 is hereby repealed.

**Sec. 18.** This act shall take effect and be in force from and after its publication in the Kansas register.

(Published in the Kansas Register April 22, 1999.)

## SENATE BILL No. 186

AN ACT concerning school districts; exempting purchases of natural gas from sealed bid requirements; authorizing payment of certain claims in advance of approval; amending K.S.A. 72-6760 and K.S.A. 1998 Supp. 12-105b and repealing the existing sections.

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

Section 1. K.S.A. 72-6760 is hereby amended to read as follows: 72-6760. (a) No expenditure involving an amount greater than \$10,000 for construction, reconstruction or remodeling or for the purchase of materials, goods or wares shall be made by the board of education of any school district except upon sealed proposals, and to the lowest responsible bidder.

(b) The provisions of subsection (a) do not apply to expenditures by a board of education for the purchase of:

- (1) Services;
- (2) products required to be purchased under the provisions of K.S.A. 75-3317 through 75-3322, and amendments thereto;
- (3) educational materials directly related to curriculum and secured by copyright;
- (4) motor fuels required to provide or furnish transportation;
- (5) perishable foods and foodstuffs required for operation of a school lunch program;
- (6) articles or products that are produced, manufactured or provided by inmates under the prison-made goods act of Kansas;
- (7) natural gas that will be consumed in buildings owned or operated by the school district;
- (8) materials, goods or wares required for reconstructing, remodeling, repairing or equipping buildings when such purchase has been necessitated by the occurrence of a loss against which the board of education has purchased property or casualty insurance; and
- (9) materials, goods or wares which are purchased:

(A) From vendors who have entered into contracts with the state director of purchases pursuant to state purchasing statutes for purchases by state agencies; and

(B) under the same pricing provisions established in the state contracts, subject to agreement of the vendor to honor the state contract prices.

(c) Whenever the board of education of any school district lets bids for the purchase of materials, goods or wares and bids are submitted by bidders domiciled within the school district and by bidders domiciled outside the school district and the low bid is submitted by a bidder domiciled outside the school district, the school district domiciliary which submitted the lowest bid may be deemed the preferred bidder and awarded the bid if:

- (1) The quality, suitability and usability of the materials, goods or wares are equal;
  - (2) the amount of the bid of the school district domiciliary is not more than 1% greater than the amount of the low bid; and
  - (3) the school district domiciliary agrees to meet the low bid by filing a written agreement to that effect within 72 hours after receiving notification of being deemed the preferred bidder.
- (d) The provisions of subsection (c) do not apply to expenditures for construction, reconstruction or remodeling.

Sec. 2. K.S.A. 1998 Supp. 12-105b is hereby amended to read as follows: 12-105b. (a) All claims against a municipality must be presented in writing with a full account of the items, and no claim shall be allowed except in accordance with the provisions of this section. A claim may be the usual statement of account of the vendor or party rendering a service or other written statement showing the required information.

(b) Claims for salaries or wages of officers or employees need not be signed by the officer or employee if a payroll claim is certified to by the administrative head of a department or group of officers or employees or an authorized representative that the salaries or wages stated therein were contracted or incurred for the municipality under authority of law, that the amounts claimed are correct, due and unpaid and that the amounts are due as salaries and wages for services performed by the person named.

(c) No costs shall be recovered against a municipality in any action brought against it for any claims allowed in part unless the recovery shall be for a greater sum than the amount allowed, with the interest due. Subject to the terms of applicable insurance contracts, judgments and settlements obtained for claims recoverable pursuant to the Kansas tort claims act shall be presented for payment in accordance with this section or in such manner as the governing body may designate.

(d) Any person having a claim against a municipality which could give rise to an action brought under the Kansas tort claims act shall file a written notice as provided in this subsection before commencing such action. The notice shall be filed with the clerk or governing body of the municipality and shall contain the following: (1) The name and address of the claimant and the name and address of the claimant's attorney, if any; (2) a concise statement of the factual basis of the claim, including the date, time, place and circumstances of the act, omission or event complained of; (3) the name and address of any public officer or employee involved, if known; (4) a concise statement of the nature and the extent of the injury claimed to have been suffered; and (5) a statement of the amount of monetary damages that is being requested. In the filing of a notice of claim, substantial compliance with the provisions and requirements of this subsection shall constitute valid filing of a claim. The contents of such notice shall not be admissible in any subsequent action arising out of the claim. Once notice of the claim is filed, no action shall be commenced until after the claimant has received notice from the municipality that it has denied the claim or until after 120 days has passed following the filing of the notice of claim, whichever occurs first. A claim is deemed denied if the municipality fails to approve the claim in its entirety within 120 days unless the interested parties have reached a settlement before the expiration of that period. No person may initiate an action against a municipality unless the claim has been denied in whole or part. Any action brought pursuant to the Kansas tort claims act shall be commenced within the time period provided for in the code of civil procedure or it shall be forever barred, except that, if compliance with the provisions of this subsection would otherwise result in the barring of an action, such time period shall be extended by the time period required for compliance with the provisions of this subsection.

(e) Claims against a municipality which provide for a discount for early payment or for the assessment of a penalty for late payment may be authorized to be paid in advance of approval thereof by the governing body in accordance with the provisions of this subsection. The governing body may designate and authorize one or more of its officers or employees to pay any such claim made against the municipality in advance of its presentation to and approval by the governing body if payment of the amount of such claim is required before the next scheduled regular meeting of the governing body in order for the municipality to benefit from the discount provided for early payment or to avoid assessment of the penalty for late payment. Any officer or employee authorized to pay claims under this subsection shall keep an accurate record of all moneys paid and the purpose for which expended, and shall submit the record to the governing body at the next meeting thereof. Payments of claims by an officer or employee of the municipality under authority of this subsection are valid to the same extent as if the claims had been approved and ordered to be paid by the governing body.

(f) When an employee is required to travel on behalf of a municipality, the employee shall be entitled, upon complying with the provisions of the municipality's policies and regulations on employee travel, to timely payment of subsistence allowances and reimbursement for transportation and other related travel expenses incurred by the employee while on an approved travel status. When reimbursement through the regular claims approval process of the municipality will require more than 15 days from the date the reimbursement claim is filed, the claim may be authorized to be paid in advance of approval thereof by the governing body in accordance with the provisions of this subsection. The governing body may designate and authorize one or more of its officers or employees to pay any such claim made against the municipality in advance of its presentation to and approval by the governing body if payment of the amount of such claim is required before the next scheduled regular meeting of the governing body. Any officer or employee authorized to pay claims under this subsection shall keep an accurate record of all moneys paid and the purpose for which expended, and shall submit the record to the governing body at the next meeting thereof. Payments of claims by an officer or employee of the municipality under authority of this subsection are valid to the same extent as if the claims had been approved and ordered to be paid by the governing body.

(g) Claims submitted by members of a municipality's self-insured health plan may be authorized to be paid in advance of approval thereof by the governing body. Such claims shall be submitted to the administrative officer of such insurance plan.

(h) Claims against a school district for the purchase of food or gasoline while students are on a co-curricular or extra-curricular activity outside of the school boundaries may be paid in advance of approval thereof

by the governing body in accordance with the provisions of this subsection. The governing body may designate and authorize one or more of its officers or employees to pay any such claim made against the school district in advance of its presentation to and approval by the governing body.

(b) (i) Except as otherwise provided, before any claim is presented to the governing body or before any claim is paid by any officer or employee of the municipality under subsection (e) or (f), it shall be audited by the clerk, secretary, manager, superintendent, finance committee or finance department or other officer or officers charged by law to approve claims affecting the area of government concerned in the claim, and thereby approved in whole or in part as correct, due and unpaid.

Sec. 3. K.S.A. 72-6760 and K.S.A. 1998 Supp. 12-105b are hereby repealed.

Sec. 4. This act shall take effect and be in force from and after its publication in the Kansas register.

(Published in the Kansas Register April 22, 1999.)

#### HOUSE BILL No. 2140

AN ACT concerning eminent domain; relating to appraisal and compensation; amending K.S.A. 26-504, 26-505 and 26-513 and repealing the existing sections.

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

Section 1. K.S.A. 26-504 is hereby amended to read as follows: 26-504. If the judge to whom the proceeding has been assigned finds from the petition: (1) The plaintiff has the power of eminent domain; and (2) the taking is necessary to the lawful corporate purposes of the plaintiff, he the judge shall entertain suggestions from any party in interest relating to the appointment of appraisers and the judge shall enter an order appointing three (3) disinterested householders residents of the county in which the petition is filed, at least two of the three of whom shall have experience in the valuation of real estate, to view and appraise the value of the lots and parcels of land found to be necessary, and to determine the damages to the interested parties resulting from the taking. Such order shall also fix the time for the filing of the appraisers' report; and such a time for filing shall not be later than twenty (20) days after the entry of such order; except for good cause shown, the court may extend the time for filing by a subsequent order. The granting of an order determining that the plaintiff has the power of eminent domain and that the taking is necessary to the lawful corporate purposes of the plaintiff shall not be considered a final order for the purpose of appeal to the supreme court, but an order denying the petition shall be considered such a final order.

Appeals to the supreme court may be taken from any final order under the provisions of this act. Such appeals shall be prosecuted in like manner as other appeals and shall take precedence over other cases, except cases of a like character and other cases in which preference is granted by statute.

Sec. 2. K.S.A. 26-505 is hereby amended to read as follows: 26-505. After the appraisers are appointed they such appointment, the appraisers shall take an oath to faithfully discharge their duties as appraisers. The judge shall instruct them to the effect the appraisers on matters including, but not limited to, the following: (1) That they are officers of the court and not representatives of the plaintiff or any other party, (2) that they are to receive their instructions only from the judge, and he shall instruct them (3) as to the nature of their duties and authority, and (4) as to the basis, manner and measure of ascertaining the value of the land taken and damages resulting therefrom from such taking, (5) that, except for incidental contact for the purpose of verifying factual information relating to the subject real estate or to discuss scheduling matters, appraisers shall refrain from any ex parte meetings or discussions with representatives of the plaintiff or property owner without first advising the adverse party and providing such party with the opportunity to be present, and (6) that all written material provided to an appraiser or appraisers by a party shall be provided forthwith to the adverse party. The instructions shall be in writing. Upon the completion of their work the appraisers shall file their report in the office of the clerk of the district court and the appraisers shall thereupon notify the condemner of such filing. The condemner shall, within three (3) days after receiving such notice, shall mail a written notice of the filing of such report to every person who owns any interest in any of the property being taken, if the address of such person is known, and shall file in the office of the clerk of the district court an

affidavit showing proof of the mailing of such notice. The fees and expenses of the appraisers shall be determined and allowed by the court.

Sec. 3. K.S.A. 26-513 is hereby amended to read as follows: 26-513. (a) *Necessity*. Private property shall not be taken or damaged for public use without just compensation.

(b) *Taking entire tract*. If the entire tract of land or interest therein in such land is taken, the measure of compensation is the fair market value of the property or interest at the time of the taking.

(c) *Partial taking*. If only a part of a tract of land or interest is taken, the compensation and measure of damages are the difference between the fair market value of the entire property or interest immediately before the taking, and the value of that portion of the tract or interest remaining immediately after the taking.

(d) *Factors to be considered*. In ascertaining the amount of compensation and damages as above defined, the following nonexclusive list of factors, without restriction because of enumeration, shall be given consideration if shown to exist but they considered if such factors are shown to exist. Such factors are not to be considered as separate items of damages, but are to be considered only as they affect the total compensation and damage under the provisions of subsections (b) and (c) of this section. Such factors are:

1. (1) The most advantageous use to which the property is reasonably adaptable.
2. (2) Access to the property remaining.
3. (3) Appearance of the property remaining, if appearance is an element of value in connection with any use for which the property is reasonably adaptable.
4. (4) Productivity, convenience, use to be made of the property taken, or use of the property remaining.
5. (5) View, ventilation and light, to the extent that they are beneficial attributes to the use of which the remaining property is devoted or to which it is reasonably adaptable.
6. (6) Severance or division of a tract, whether the severance is initial or is in aggravation of a previous severance; changes of grade and loss or impairment of access by means of underpass or overpass incidental to changing the character or design of an existing improvement being considered as in aggravation of a previous severance, if in connection with the taking of additional land and needed to make the change in the improvement.
7. (7) Loss of trees and shrubbery to the extent that they affect the value of the land taken, and to the extent that their loss impairs the value of the land remaining.
8. (8) Cost of new fences or loss of fences and the cost of replacing them with fences of like quality, to the extent that such loss affects the value of the property remaining.
9. (9) Destruction of a legal nonconforming use.
10. (10) Damage to property abutting on a right-of-way due to change of grade where accompanied by a taking of land.
11. (11) Proximity of new improvement to improvements remaining on condemnee's land.
12. (12) Loss of or damage to growing crops.
13. (13) That the property could be or had been adapted to a use which was profitably carried on.
14. (14) Cost of new drains or loss of drains and the cost of replacing them with drains of like quality, to the extent that such loss affects the value of the property remaining.
15. (15) Cost of new private roads or passageways or loss of private roads or passageways and the cost of replacing them with private roads or passageways of like quality, to the extent that such loss affects the value of the property remaining.

(e) *Fair market value*. "Fair market value" means the amount in terms of money that a well informed buyer is justified in paying and a well informed seller is justified in accepting for property in an open and competitive market, assuming that the parties are acting without undue compulsion. The fair market value shall be determined by use of the comparable sales, cost or capitalization of income appraisal methods or any combination of such methods.

Sec. 4. K.S.A. 26-504, 26-505 and 26-513 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 22, 1999.)

## SENATE BILL No. 19

AN ACT concerning the Kansas commission on veterans affairs; authorizing the establishment of a state system of veterans cemeteries.

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

Section 1. (a) The Kansas commission of veterans affairs is hereby authorized to establish and maintain a state system of veterans cemeteries. For the purposes of such system, the commission may request, accept and take title to any grants or bequests or other donations of moneys, other personal property, real property or other assistance from any person, firm, association or corporation or from any federal, state or local governmental agency or other governmental entity. The commission may lease, purchase or otherwise acquire title to real property for the state system of veterans cemeteries. Subject to the provisions of subsection (b), the commission may enter into contracts for the purpose of establishing and maintaining the system of veterans cemeteries.

(b) The commission shall not enter into any contracts pursuant to subsection (a) after the effective date of this act for the purpose of establishing and maintaining the system of veterans cemeteries unless funds in an amount equal to 100% of the costs of constructing the cemeteries in such system is provided by the federal government.

(c) No more than three applications shall be submitted to the veterans administration for the state veterans cemetery program grant after the effective date of this act. Nothing in this subsection shall be construed as applying to grants submitted prior to the effective date of this act.

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

(Published in the Kansas Register April 22, 1999.)

## SENATE BILL No. 110

AN ACT concerning the board of nursing; relating to exempt licenses; amending K.S.A. 1998 Supp. 65-1115, 65-1116, 65-1118, 65-1131, 65-4203 and 65-4208 and repealing the existing sections.

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

Section 1. K.S.A. 1998 Supp. 65-1115 is hereby amended to read as follows: 65-1115. (a) *Qualifications of applicants.* An applicant for a license to practice as a registered professional nurse shall:

(1) Have graduated from a high school accredited by the appropriate legal accrediting agency or has obtained the equivalent of a high school education, as determined by the state department of education;

(2) hold evidence of graduation from an accredited school of professional nursing in the United States or its territories or from a school of professional nursing in a foreign country which is approved by the board as defined in rules and regulations;

(3) have obtained other qualifications not in conflict with this act as the board may prescribe by rule and regulation; and

(4) file with the board written application for a license.

(b) *Applicant deficient in qualifications.* If the board finds in evaluating any applicant that such applicant is deficient in qualification or in the quality of such applicant's educational experience, the board may require such applicant to fulfill such remedial or other requirements as the board may prescribe.

(c) *License.* (1) An applicant shall pass an examination as the board may prescribe. Each examination may be supplemented by an oral or practical examination. Upon successfully passing such examinations the board shall issue to the applicant a license to practice nursing as a registered professional nurse.

(2) The board may issue a license to practice nursing as a registered professional nurse to an applicant who has been duly licensed as a registered professional nurse by examination under the laws of another state or territory if, in the opinion of the board, the applicant meets the qualifications required of a registered professional in this state. Verification of the applicant's licensure status shall be required from the original state of licensure.

(3) *Refresher course.* Notwithstanding the provisions of subsections (a) and (b), an applicant for a license to practice as a registered professional nurse who has not been licensed to practice professional nursing for five years preceding application shall be required to successfully complete a refresher course as defined by the board.

(4) *Renewal license.* A licensed professional nurse licensed under this

act shall be eligible for renewal licenses upon compliance with K.S.A. 65-1117 and amendments thereto.

(5) *Repeated examination failure.* Persons who are unsuccessful in passing the licensure examination within 24 months after graduation shall petition the board for permission prior to subsequent attempts. The board may require the applicant to submit and complete a plan of study related to deficiencies identified on the failed examination profiles prior to taking the licensure examination a subsequent time.

(6) An application for initial licensure or endorsement will be held awaiting completion of meeting qualifications for a time period specified in rules and regulations.

(d) *Title and abbreviation.* Any person who holds a license to practice as a registered professional nurse in this state shall have the right to use the title, "registered nurse," and the abbreviation, "R.N." No other person shall assume the title or use the abbreviation or any other words, letters, signs or figures to indicate that the person is a registered professional nurse.

(e) *Temporary permit.* The board may issue a temporary permit to practice nursing as a registered professional nurse for a period not to exceed 120 days. A temporary permit for 120 days may be issued to an applicant for licensure as a registered professional nurse who is a graduate of a professional school of nursing in a foreign country after verification of licensure in that foreign country and approval of educational credentials.

(f) *Exempt license.* The board may issue an exempt license to any licensee as defined in rules and regulations who makes written application for such license on a form provided by the board and, who remits a fee as established pursuant to K.S.A. 65-1118 and amendments thereto. The board may issue an exempt license to a person and who is not regularly engaged in the practice of professional nursing in Kansas but is a charitable health care provider as defined by K.S.A. 75-6102 and amendments thereto but volunteers professional nursing service or is a charitable health care provider as defined by K.S.A. 75-6102 and amendments thereto. Each exempt licensee shall be subject to all provisions of the nurse practice act, except as otherwise provided in this subsection (f). Each exempt license may be renewed biennially subject to the provisions of this section. The holder of the exempt license shall not be required to submit evidence of satisfactory completion of a program of continuing nursing education for renewal. To convert an exempt license to an active license, the exempt licensee shall meet all the requirements of subsection (c) or K.S.A. 65-1117 and amendments thereto. The board shall have authority to write rules and regulations to carry out the provisions of this section.

Sec. 2. K.S.A. 1998 Supp. 65-1116 is hereby amended to read as follows: 65-1116. (a) *Qualification.* An applicant for a license to practice as a licensed practical nurse shall:

(1) Have graduated from a high school accredited by the appropriate legal accrediting agency or has obtained the equivalent of a high school education, as determined by the state department of education;

(2) hold evidence of graduation from an accredited school of practical nursing or professional nursing in the United States or its territories or from a school of practical nursing or professional nursing in a foreign country which is approved by the board as defined in rules and regulations;

(3) have obtained other qualifications not in conflict with this act as the board may prescribe by rule and regulation; and

(4) file with the board a written application for a license.

(b) If the board finds in evaluating any applicant that such applicant is deficient in qualification or in the quality of such applicant's educational experience, the board may require such applicant to fulfill such remedial or other requirements as the board may prescribe.

(c) *License.* (1) *Examination.* The applicant shall pass an examination as the board may prescribe. Each examination may be supplemented by an oral or practical examination. Upon successfully passing such examinations, the board shall issue to the applicant a license to practice as a licensed practical nurse.

(2) The board may issue a license to practice nursing as a practical nurse to an applicant who has been duly licensed as a practical nurse by examination under the laws of another state or territory if, in the opinion of the board, the applicant meets the qualifications required of a practical nurse in this state. Verification of the applicant's licensure status shall be required from the original state of licensure.

(3) *Refresher course.* Notwithstanding the provisions of subsections (a) and (b), an applicant for a license to practice as a licensed practical

nurse who has not been licensed to practice practical nursing for five years preceding application shall be required to successfully complete a refresher course as defined by the board.

(4) *Renewal license.* A licensed practical nurse licensed under this act shall be eligible for renewal licenses upon compliance with K.S.A. 65-1117 and amendments thereto.

(5) *Repeated examination failure.* Persons who are unsuccessful in passing the licensure examination within 24 months after graduation shall petition the board for permission prior to subsequent attempts. The board may require the applicant to submit and complete a plan of study related to deficiencies identified on the failed examination profiles prior to taking the licensure examination for a subsequent time.

(6) An application for initial licensure or endorsement will be held awaiting completion of meeting qualifications for a time period specified in rules and regulations.

(d) *Title and abbreviation.* Any person who holds a license to practice as a licensed practical nurse in this state shall have the right to use the title, "licensed practical nurse," and the abbreviation, "L.P.N." No other person shall assume the title or use the abbreviation or any other words, letters, signs or figures to indicate that the person is a licensed practical nurse.

(e) *Temporary permit.* The board may issue a temporary permit to practice nursing as a licensed practical nurse for a period not to exceed 120 days. A temporary permit for 120 days may be issued to an applicant for licensure as a licensed practical nurse who is a graduate of a practical school of nursing in a foreign country after verification of licensure in that foreign country and approval of educational credentials.

(f) *Exempt license.* The board may issue an exempt license to any licensee as defined in rules and regulations who makes written application for such license on a form provided by the board and, who remits a fee as established pursuant to K.S.A. 65-1118 and amendments thereto. The board may issue an exempt license to a person and who is not regularly engaged in the practice of practical nursing in Kansas but is a charitable health care provider as defined by K.S.A. 75-6102 and amendments thereto but volunteers practical nursing service or is a charitable health care provider as defined by K.S.A. 75-6102 and amendments thereto. Each exempt licensee shall be subject to all provisions of the nurse practice act, except as otherwise provided in this subsection (f). Each exempt license may be renewed biennially subject to the provisions of this section. The holder of the exempt license shall not be required to submit evidence of satisfactory completion of a program of continuing nursing education for renewal. To convert an exempt license to an active license, the exempt licensee shall meet all the requirements of subsection (c) or K.S.A. 65-1117 and amendments thereto. The board shall have authority to write rules and regulations to carry out the provisions of this section.

Sec. 3. K.S.A. 1998 Supp. 65-1131 is hereby amended to read as follows: 65-1131. (a) (1) *Certification.* Upon application to the board by any professional nurse in this state and upon satisfaction of the standards and requirements established by the board under K.S.A. 65-1130 and amendments thereto, the board may issue a certificate of qualification to such applicant authorizing the applicant to perform the duties of an advanced registered nurse practitioner as defined by the board under K.S.A. 65-1130 and amendments thereto.

(2) The board may issue a certificate to practice nursing as an advanced registered nurse practitioner to an applicant who has been duly licensed or certified as an advanced registered nurse practitioner under the laws of another state or territory if, in the opinion of the board, the applicant meets the qualifications required of an advanced registered nurse practitioner in this state. Verification of the applicant's licensure or certification status shall be required from the original state of licensure or certification.

(3) An application to the board for a certificate of qualification, for a certificate of qualification with temporary permit, for renewal of a certificate of qualification and for reinstatement of a certificate of qualification shall be upon such form and contain such information as the board may require and shall be accompanied by a fee, to be established by rules and regulations adopted by the board, to assist in defraying the expenses in connection with the issuance of certificates of qualification as advanced registered nurse practitioners, in an amount fixed by the board under K.S.A. 65-1118 and amendments thereto.

(4) An application for initial certification or endorsement will be held awaiting completion of meeting qualifications for a time period specified in rules and regulations.

(5) The executive administrator of the board shall remit all moneys received pursuant to this section to the state treasurer as provided by K.S.A. 74-1108 and amendments thereto.

(b) The board may grant a one-time temporary permit to practice as an advanced registered nurse practitioner for a period of not more than 180 days pending completion of the application for a certificate of qualification.

(c) *Exempt certificate.* The board may issue an exempt certificate to any advanced registered nurse practitioner as defined in rules and regulations who makes written application for such certificate on a form provided by the board and, who remits a fee as established pursuant to K.S.A. 65-1118 and amendments thereto. The board may issue an exempt certificate to a person and who is not regularly engaged in advanced registered nurse practice in Kansas but is a charitable health care provider as defined by K.S.A. 75-6102 and amendments thereto but volunteers advanced registered nursing services or is a charitable health care provider as defined by K.S.A. 75-6102 and amendments thereto. Each exempt advanced registered nurse practitioner shall be subject to all provisions of the nurse practice act. Each exempt license may be renewed biennially subject to the provisions of this section. To convert an exempt certificate to an active certificate, the exempt advanced registered nurse practitioner shall meet all the requirements of subsection (a) or K.S.A. 65-1132 and amendments thereto. The board shall have authority to write rules and regulations to carry out the provisions of this section.

Sec. 4. K.S.A. 1998 Supp. 65-4203 is hereby amended to read as follows: 65-4203. (a) *Qualification.* An applicant for a license to practice as a mental health technician shall:

(1) Have graduated from a high school accredited by the appropriate legal accrediting agency or has obtained the equivalent of a high school education, as determined by the state department of education;

(2) have satisfactorily completed an approved course of mental health technology; and

(3) file with the board a written application for a license.

(b) A license to perform as a mental health technician may only be issued by the board to an applicant meeting the qualifications set forth in subsection (a) and who has successfully passed a written examination in mental health technology as prescribed and conducted by the board.

(c) Persons who are unsuccessful in passing the licensure examination within 24 months after graduation shall be required by the board to submit and complete a plan of study prior to taking the licensure examination for a subsequent time.

(d) An application for initial licensure will be held awaiting completion of meeting qualifications for a time period specified in rules and regulations.

(e) The board may issue a one-time temporary permit to practice as a mental health technician for a period not to exceed 120 days when a reinstatement application has been made.

(f) *Exempt license.* The board may issue an exempt license to any licensee as defined in rules and regulations who makes written application for such license on a form provided by the board and, who remits a fee as established pursuant to K.S.A. 65-4208 and amendments thereto. The board may issue an exempt license to a person and who is not regularly engaged in mental health technician practice in Kansas but is a charitable health care provider as defined by K.S.A. 75-6102 and amendments thereto but volunteers mental health technician service or is a charitable health care provider as defined by K.S.A. 75-6102 and amendments thereto. Each exempt licensee shall be subject to all provisions of the mental health technician act, except as otherwise provided in this subsection (e). Each exempt license may be renewed biennially subject to the provisions of this section. The holder of the exempt license shall not be required to submit evidence of satisfactory completion of a program of continuing education for renewal. To convert an exempt license to an active license, the exempt licensee shall meet all the requirements of subsection (b) or K.S.A. 65-4205 and amendments thereto. The board shall have authority to write rules and regulations to carry out the provisions of this section.

(g) The board may adopt rules and regulations as necessary to administer the mental health technician's licensure act.

Sec. 5. K.S.A. 1998 Supp. 65-1118 is hereby amended to read as follows: 65-1118. (a) The board shall collect in advance fees provided for in this act as fixed by the board, but not exceeding:

Application for license—professional nurse .....	\$75
Application for license—practical nurse .....	50

(continued)

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Application for biennial renewal of license—professional nurse and practical nurse .....	60
Application for reinstatement of license .....	70
Application for reinstatement of licenses with temporary permit .....	100
Certified copy of license .....	25
Duplicate of license .....	25
Inactive license .....	20
Application for certificate of qualification—advanced registered nurse practitioner .....	50
Application for certificate of qualification with temporary permit—advanced registered nurse practitioner .....	100
Application for renewal of certificate of qualification—advanced registered nurse practitioner .....	60
Application for reinstatement of certificate of qualification—advanced registered nurse practitioner .....	75
Application for authorization—registered nurse anesthetist .....	75
Application for authorization with temporary authorization—registered nurse anesthetist .....	110
Application for biennial renewal of authorization—registered nurse anesthetist .....	60
Application for reinstatement of authorization—registered nurse anesthetist .....	75
Application for reinstatement of authorization with temporary authorization—registered nurse anesthetist .....	100
Verification of license to another state .....	30
Application for exempt license—professional and practical nurse .....	50
Application for biennial renewal of exempt license—professional and practical nurse .....	50
Application for exempt certification—advanced registered nurse practitioner .....	50
Application for biennial renewal of exempt certificate—advanced registered nurse practitioner .....	50

(b) The board may require that fees paid for any examination under the Kansas nurse practice act be paid directly to the examination service by the person taking the examination.

(c) *The board shall accept for payment of fees under this section personal checks, certified checks, cashier's checks, money orders or credit cards. The board may designate other methods of payment, but shall not refuse payment in the form of a personal check. The board may impose additional fees and recover any costs incurred by reason of payments made by personal checks with insufficient funds and payments made by credit cards.*

Sec. 6. K.S.A. 1998 Supp. 65-4208 is hereby amended to read as follows: 65-4208. (a) The board shall collect in advance the fees provided for in this act, the amount of which shall be fixed by the board by rules and regulations, but not to exceed:

(a) (1) Mental health technician programs:	
Annual renewal of program approval .....	\$110
Survey of a new program .....	220
Application for approval of continuing education providers .....	200
Annual fee for continuing education providers .....	75
(b) (2) Mental health technicians:	
Application for license .....	\$50
Application for renewal of license .....	60
Application for reinstatement .....	70
Application for reinstatement of license with temporary permit .....	75
Certified copy of license .....	12
Duplicate of license .....	12
Inactive license .....	20
Examination .....	40
Reexamination .....	40
Verification of current Kansas license to other states .....	11
Application for exempt license .....	50
Application for biennial renewal of exempt license .....	50

(b) *The board shall accept for payment of fees under this section personal checks, certified checks, cashier's checks, money orders or credit cards. The board may designate other methods of payment, but shall not refuse payment in the form of a personal check. The board may impose additional fees and recover any costs incurred by reason of payments made by personal checks with insufficient funds and payments made by credit cards.*

Sec. 7. K.S.A. 1998 Supp. 65-1115, 65-1116, 65-1118, 65-1131, 65-4203 and 65-4208 are hereby repealed.

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

AN ACT concerning insurance companies; relating to viatical settlements; repealing K.S.A. 40-2,140, 40-2,141, 40-2,142, 40-2,143, 40-2,144, 40-2,145, 40-2,146, 40-2,147, 40-2,148, 40-2,149, 40-2,150, 40-2,151 and 40-2,152.

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

Section 1. This shall be known as the viatical settlements act.

Sec. 2. As used in this act the following terms shall apply:

(a) "Commissioner" means the commissioner of insurance.

(b) "Financing entity" means an underwriter, placement agent, lender, purchaser of securities, purchaser of a policy or certificate from a viatical settlement provider, credit enhancer or any person that may be a party to a viatical settlement contract and that has a direct ownership in a policy or certificate that is the subject of a viatical settlement contract but whose sole activity related to the transaction is providing funds to effect the viatical settlement and who has an agreement in writing with a licensed viatical settlement provider to act as a participant in a financing transaction.

(c) "Financing transaction" means a transaction in which a licensed viatical settlement provider or a financing entity obtains financing for viatical settlement contracts, viaticated policies or interests therein including, without limitation, any secured or unsecured financing, any securitization transaction or any securities offering either registered or exempt from registration under federal and state securities law, or any direct purchase of interests in a policy or certificate, if the financing transaction complies with federal and state securities law.

(d) "Person" means an individual, partnership, limited liability company, association, trust, corporation or other legal entity.

(e) (1) "Viatical settlement representative" means a person who is an authorized agent of a licensed viatical settlement provider or viatical settlement broker, as applicable, who acts or aids in any manner in the solicitation of a viatical settlement. Viatical settlement representative shall not include:

(A) An attorney, an accountant, a financial planner or any person exercising a power of attorney granted by a viator; or

(B) any person who is retained to represent a viator and whose compensation is paid by or at the direction of the viator regardless of whether the viatical settlement is consummated.

(2) A viatical settlement representative is deemed to represent only the viatical settlement provider or viatical settlement broker.

(f) "Viatical settlement broker" means a person that on behalf of a viator and for a fee, commission or other valuable consideration, offers, or attempts to negotiate viatical settlements between a viator and one or more viatical settlements providers. Irrespective of the manner in which the viatical settlement broker is compensated, a viatical settlement broker is deemed to represent only the viator and owes a fiduciary duty to the viator to act according to the viator's instructions and in the best interest of the viator. The term viatical settlement broker does not include an attorney, accountant or financial planner retained to represent the viator and whose compensation is paid directly by or at the direction of the viator.

(g) "Viatical settlement contract" means a written agreement entered into between a viatical settlement provider and a viator. The agreement shall establish the terms under which the viatical settlement provider will pay compensation or anything of value, which compensation or value is less than the expected death benefit of the insurance policy or certificate, in return, for the viator's assignment, transfer, sale, devise or bequest of the death benefit or ownership of all or a portion of the insurance policy or certificate of insurance to the viatical settlement provider. The term viatical settlement contract also includes any contract for a loan or other financial transaction secured primarily by an individual or group life insurance policy, other than a loan by a life insurance company pursuant to the terms of the life insurance contract, or a loan secured by the cash value of a policy.

(h) "Viatical settlement provider" means a person, other than a viator, that: (1) Enters into a viatical settlement contract; or (2) obtains financing from a financing entity for the purchase, acquisition, transfer or other assignment of one or more viatical settlement contracts, viaticated policies or interests therein, or otherwise sells, assigns, transfers, pledges, hypothecates or otherwise disposes of one or more viatical settlement contracts, viaticated policies or interests therein.

The term viatical settlement provider shall not include:

(1) A bank, savings bank, savings and loan association, credit union or other licensed lending institution that takes an assignment of a life insurance policy as collateral for a loan;

(2) the issuer of a life insurance policy providing accelerated benefits under K.S.A. 40-401, and amendments thereto, and pursuant to the contract; or

(3) a natural person who enters into no more than one agreement in a calendar year for the transfer of life insurance policies for any value less than the expected death benefits.

(i) "Viator" means the owner of a life insurance policy or a certificate holder under a group policy insuring the life of an individual with a catastrophic, life threatening or chronic illness or condition who enters or seeks to enter into a viatical settlement contract.

(j) "Viaticated policy" means a life insurance policy or certificate that has been acquired by a viatical settlement provider pursuant to a viatical settlement contract.

Sec. 3. (a) A person shall not operate as a viatical settlement provider, viatical settlement representative or a viatical settlement broker without first having obtained a license from the commissioner.

(b) Application for a viatical settlement provider, viatical settlement representative or viatical settlement broker license shall be made to the commissioner by the applicant on a form prescribed by the commissioner. Each application shall be accompanied by a nonrefundable fee of \$1,000.

(c) Any license issued pursuant to this section shall expire on the anniversary of its date of issuance unless the licensee pays the renewal fee. Any license issued pursuant to this section may be renewed from year to year on the anniversary of the date of issuance upon payment of the annual renewal fee of \$500. Failure to pay the fee by the renewal date results in expiration of the license.

(d) The applicant shall provide information on forms required by the commissioner. The commissioner shall have the authority, at any time, to require the applicant to fully disclose the identity of all stockholders, partners, officers, members and employees, and the commissioner, in the exercise of the commissioner's discretion, may refuse to issue a license in the name of a legal entity if not satisfied that any officer, employee, stockholder, partner or member thereof who may materially influence the applicant's conduct meets the standards of this act.

(e) A license issued to a legal entity authorizes all members, officers and designated employees to act as viatical settlement providers, viatical settlement brokers or viatical settlement representatives, as applicable, under the license, and all those persons shall be named in the application and any supplements to the application.

(f) Upon the filing of an application and the payment of the license fee, the commissioner shall make an investigation of each applicant and issue a license if the commissioner finds that the applicant:

- (1) Has provided a detailed plan of operation;
- (2) is competent and trustworthy and intends to act in good faith in the capacity involved by the license applied for;
- (3) has a good business reputation and has had a experience, training or education so as to be qualified in the business for which the license is applied for; and
- (4) has provided a certificate of good standing from the state of its domicile except that no such certificate shall be required.

(g) The commissioner shall not issue a license to a nonresident applicant, unless: (1) A written designation of an agent for service of process is filed and maintained with the commissioner; or (2) the applicant has filed with the commissioner, the applicant's written irrevocable consent that any action against the applicant may be commenced against the applicant by service of process on the commissioner.

Sec. 4. The commissioner after notice and opportunity for a hearing conducted in accordance with provisions of the Kansas administrative procedures act, may deny, suspend, revoke or refuse to renew the license of a viatical settlement provider, viatical settlement representative or viatical settlement broker if the commissioner finds that:

- (a) There was any material misrepresentation in the applicant for the license.
- (b) The licensee or any officer, partner, member or key management personnel: (1) Has been convicted of any fraudulent or dishonest practice; (2) is subject to a final administrative action; or (3) is otherwise shown to be untrustworthy or incompetent.
- (c) The viatical settlement provider demonstrates a pattern of unreasonable payments to viators.
- (d) The licensee has been found guilty of, or has pleaded guilty or

nolo contendere to, any felony, or to a misdemeanor involving fraud or moral turpitude, regardless of whether a judgment of conviction has been entered by a court.

(e) The viatical settlement provider has entered into any viatical settlement contract that has not been approved pursuant to this act.

(f) The viatical settlement provider has failed to honor contractual obligations set out in a viatical settlement contract.

(g) The licensee no longer meets the requirements for issuance of the original license.

(h) The viatical settlement provider has assigned, transferred or pledged a viaticated policy to a person other than a viatical settlement provider licensed in this state or a financing entity.

(i) The licensee has violated any provision of this act.

Sec. 5. A person shall not use a viatical settlement contract or provide to a viator a disclosure statement form in this state unless filed and approved by the commissioner. The commissioner may disapprove a viatical settlement contract or disclosure statement form, if in the commissioner's discretion, the contract or provisions contained therein are unreasonable, contrary to the interests of the public, or otherwise misleading or unfair to the viator.

Sec. 6. On or before March 1 of each year each licensee shall file with the commissioner an annual statement containing such information, as the commissioner may prescribe by rule and regulation.

Sec. 7. Except as otherwise required by law, a viatical settlement provider, viatical settlement representative, viatical settlement broker, insurance company, insurance agent, insurance broker, information bureau, rating agency or company or any other person with actual knowledge of a viator's identity, shall not disclose that identity as a viator to any other person unless the disclosure is:

(a) Necessary to effect a viatical settlement between the viator and a viatical settlement provider and the viator has provided prior written consent to the disclosure;

(b) provided in response to an investigation by the commissioner or any other governmental officer or agency; or

(c) a term or condition to the transfer of a viatical policy by one viatical settlement provider to another viatical settlement provider.

Sec. 8. (a) The commissioner may, when the commissioner deems it reasonably necessary to protect the interests of the public, examine the business and affairs of any licensee or applicant for a license. The commissioner shall have the authority to order any licensee or applicant to produce any records, books, files or other information reasonably necessary to ascertain whether or not the licensee or applicant is acting or has acted in violation of the law or otherwise contrary to the interests of the public. The expenses incurred in conducting any examination shall be paid by the licensee or applicant.

(b) Names and individual identification data for all viators shall be considered private and confidential information and shall not be disclosed by the commissioner, unless required by law.

(c) Records of all transactions of viatical settlement contracts shall be maintained by the viatical settlement provider and shall be available to the commissioner for inspection during reasonable business hours. A viatical settlement provider shall maintain records of each viatical settlement until five years after the death of the insured.

Sec. 9. (a) A viatical settlement provider, viatical settlement representative or viatical settlement broker shall disclose the following information to the viator no later than the time of application that:

(1) Possible alternatives to viatical settlement contracts for individuals with catastrophic, life threatening or chronic illnesses, including, any accelerated death benefits offered under the viator's life insurance policy exist and what those alternatives are;

(2) some or all of the proceeds of the viatical settlement may be free from federal income tax and from state franchise and income taxes, and that assistance should be sought from a professional tax advisor;

(3) proceeds of the viatical settlement could be subject to the claims of creditors;

(4) receipt of the proceeds of a viatical settlement may adversely affect the viator's eligibility for medicaid or other government benefits or entitlements and that advice should be obtained from the appropriate government agencies;

(5) the viator's right to rescind a viatical settlement contract 15 calendar days after the receipt of the viatical settlement proceeds by the viator;

(6) funds will be sent to the viator within two business days after the

(continued)

viatical settlement provider has received the insurer or group administrator's acknowledgment that ownership of the policy or interest in the certificate has been transferred and the beneficiary has been designated pursuant to the viatical settlement contract; and

(7) entering into a viatical settlement contract may cause other rights or benefits, including conversion rights and waivers of premium benefits that may exist under the policy or certificate, to be forfeited by the viator, and that assistance should be sought from a financial advisor.

(b) A viatical settlement provider shall disclose the following information to the viator prior to the date the viatical settlement contract is signed by all parties:

(1) The affiliation, if any, between the viatical settlement provider and the issuer of an insurance policy to be viaticated;

(2) if an insurance policy to be viaticated has been issued as a joint policy or involves family riders or any coverage of a life other than the insured under the policy to be viaticated, the viator shall be informed of the possible loss of coverage on the other lives and be advised to consult with the viator's insurance producer or the company issuing the policy for advice on the proposed viatication; and

(3) the dollar amount of the current death benefit payable to the viatical settlement provider under the policy or certificate. The viatical settlement provider shall also disclose the availability of any additional guaranteed insurance benefits, the dollar amount of any accidental death and dismemberment benefits under the policy or certificate and the viatical settlement provider's interest in those benefits.

Sec. 10. (a) A viatical settlement provider entering into a viatical settlement contract shall first obtain:

(1) A written statement from a licensed attending physician that the viator is of sound mind and under no constraint or undue influence to enter into a viatical settlement contract whenever the viator is the insured.

(2) A witnessed document in which the viator:

(A) Consents to the viatical settlement contract;

(B) acknowledges that the insured has a catastrophic, life threatening or chronic illness or condition;

(C) represents that the viator has a full and complete understanding of the viatical settlement contract;

(D) has a full and complete understanding of the benefits of the life insurance policy; and

(E) acknowledges that the viator has entered into the viatical settlement contract freely and voluntarily.

(3) A document in which the insured consents to the release of the insured's medical records to a viatical settlement provider or viatical settlement broker.

(b) All medical information solicited or obtained by any licensee shall be subject to the applicable provision of state law relating to confidentiality of medical information.

(c) All viatical settlement contracts entered into in this state shall provide the viator with an unconditional right to rescind the contract for at least 15 calendar days from the receipt for the viatical settlement proceeds. If the insured dies during the rescission period, the viatical settlement contract shall be deemed to have been rescinded, subject to repayment to the viatical settlement provider of all viatical settlement proceeds.

(d) Immediately upon the viatical settlement provider's receipt of documents to effect the transfer of the insurance policy, the viatical settlement provider shall pay the proceeds of the viatical settlement to an escrow or trust account in a state or federally chartered financial insti-

tuition whose deposits are insured by the federal deposit insurance corporation (FDIC). The account shall be managed by a trustee or escrow agent independent of the parties to the contract. The trustee or escrow agent shall transfer the proceeds to the viator immediately upon the viatical settlement provider's receipt of acknowledgment of the transfer of the insurance policy.

(e) Failure to tender consideration to the viator for the viatical settlement contract within the required time period renders the viatical settlement contract voidable by the viator for lack of consideration until the time consideration is tendered to and accepted by the viator.

(f) Contacts with the insured for the purpose of determining the health status of the insured by the viatical settlement provider, viatical settlement broker or viatical settlement representative after the viatical settlement has occurred shall only be made by the viatical settlement provider or broker licensed in this state and shall be limited to after the viatical settlement has occurred and shall be limited to once every three months for insureds with a life expectancy of more than one year, and to no more than one per month for insureds with a life expectancy of one year or less. The provider or broker shall explain the procedure for these contacts at the time the viatical settlement contract is entered into. The limitations set forth in this subsection shall not apply to any contacts with an insured under a viaticated policy for reasons other than determining the insured's health status.

Sec. 11. The commissioner shall have the authority to promulgate rules and regulations to:

(a) Establish requirements for evaluating reasonableness of payments under viatical settlement contracts. This authority includes, but is not limited to, regulation of discount rates used to determine the amount paid in exchange for assignment, transfer, sale, devise or bequest of a benefit under a life insurance policy;

(b) Establish appropriate licensing requirements, fees not to exceed \$200 and requirements for continued licensure for viatical settlement providers, representatives and brokers.

(c) Establish requirements for a bond or any other mechanism for financial accountability for viatical settlement providers.

(d) Establish requirements governing the relationship and responsibilities of both insurers and viatical settlement providers, brokers and representatives during the viatication of a life insurance policy or certificate.

(e) Establish requirements for any other matters necessary for the proper enforcement of the act.

Sec. 12. A violation of this act shall also be considered an unfair or deceptive act or practice under K.S.A. 40-2404, and amendments thereto and subject to the penalties contained in K.S.A. 40-2401 *et seq.* and amendments thereto.

Sec. 13. A viatical settlement provider, viatical settlement representative or viatical settlement broker transacting business in this state may continue to do so pending approval or disapproval of the viatical settlement provider's, viatical settlement representative's or viatical settlement broker's application for a license provided that the required application is filed with the commissioner by July 1, 1999.

Sec. 14. K.S.A. 40-2,140, 40-2,141, 40-2,142, 40-2,143, 40-2,144, 40-2,145, 40-2,146, 40-2,147, 40-2,148, 40-2,149, 40-2,150, 40-2,151 and 40-2,152 are hereby repealed.

Sec. 15. This act shall take effect and be in force from and after its publication in the Kansas register.



**INDEX TO ADMINISTRATIVE REGULATIONS**

This index lists in numerical order the new, amended and revoked administrative regulations and the volume and page number of the *Kansas Register* issue in which more information can be found. 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
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**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
4-20-11	Amended	V. 18, p. 418
4-20-15	New (T)	V. 18, p. 11
4-20-15	New	V. 18, p. 418
4-21-1 through 4-21-6	New (T)	V. 18, p. 11-13
4-21-1 through 4-21-6	New	V. 18, p. 418-420

**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

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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
44-1-103	Amended	V. 18, p. 390
44-12-601	Amended	V. 17, p. 424

**AGENCY 45: KANSAS PAROLE BOARD**

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

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

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

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

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

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

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

**AGENCY 60: BOARD OF NURSING**

Reg. No.	Action	Register
60-3-101	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
<b>AGENCY 91: DEPARTMENT OF EDUCATION</b>		
<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>
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

<b>AGENCY 92: DEPARTMENT OF REVENUE</b>		
<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>
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

<b>AGENCY 93: DEPARTMENT OF REVENUE—DIVISION OF PROPERTY VALUATION</b>		
<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>
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

<b>AGENCY 99: DEPARTMENT OF AGRICULTURE—DIVISION OF WEIGHTS AND MEASURES</b>		
<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>
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

<b>AGENCY 100: BOARD OF HEALING ARTS</b>		
<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>
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

<b>AGENCY 102: BEHAVIORAL SCIENCES REGULATORY BOARD</b>		
<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>
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

<b>AGENCY 108: STATE EMPLOYEES HEALTH CARE COMMISSION</b>		
<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>
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.

<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>
111-1-5	Amended	V. 18, p. 451
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
111-2-88		
through		
111-2-93	New	V. 18, p. 451-453
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
111-4-1423	Amended	V. 18, p. 453
111-4-1431		
through		
111-4-1443	New	V. 18, p. 454-457
111-5-24	Amended	V. 18, p. 130
111-5-28	Amended	V. 18, p. 130
111-5-31	Amended	V. 18, p. 457
111-5-75	New	V. 18, p. 59
111-5-76	New	V. 18, p. 457
111-7-134	Amended	V. 18, p. 336
111-9-97		
through		
111-9-102	New	V. 18, p. 337

<b>AGENCY 112: KANSAS RACING AND GAMING COMMISSION</b>		
<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>
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

<b>AGENCY 115: DEPARTMENT OF WILDLIFE AND PARKS</b>		
<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>
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

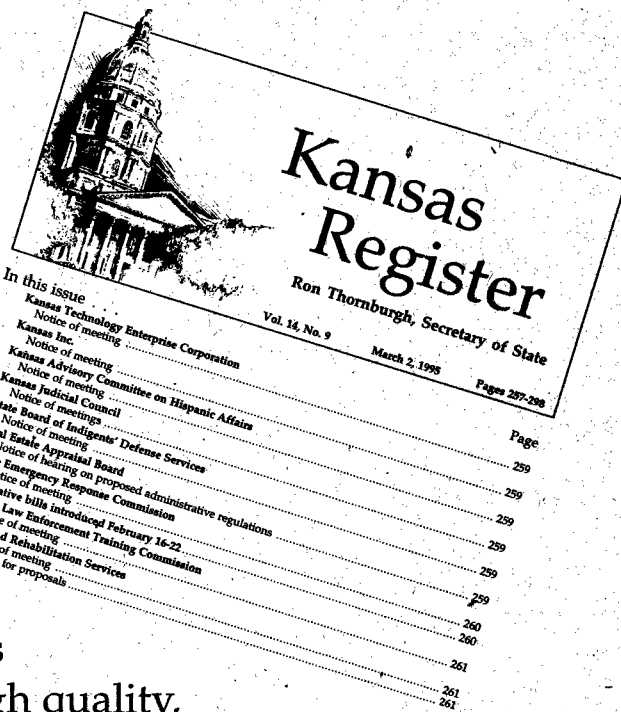
<b>AGENCY 117: REAL ESTATE APPRAISAL BOARD</b>		
<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>
117-2-1	Amended	V. 18, p. 294
117-2-2	Amended	V. 18, p. 295
117-3-1	Amended	V. 18, p. 296
117-3-2	Amended	V. 18, p. 296
117-4-1	Amended	V. 18, p. 297
117-4-2	Amended	V. 18, p. 298
117-5-1	Amended	V. 17, p. 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

<b>AGENCY 118: KANSAS STATE HISTORICAL SOCIETY</b>		
<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>
118-1-1		
through		
118-1-4	Amended	V. 17, p. 1547, 1548
118-3-1		
through		
118-3-16	New	V. 17, p. 1549-1553



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