

# Kansas Register

Ron Thornburgh, Secretary of State

Vol. 18, No. 27 July 8, 1999 Pages 971-1006

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## State of Kansas

**Legislature**  
**Interim Committee Schedule**

The following committee meetings have been scheduled during the period of July 12 through July 25:

Date	Room	Time	Committee	Agenda
July 12	519-S	1:00 p.m.	Legislative Post Audit Committee	Legislative matters.
July 13	123-S	10:00 a.m.	Legislative Coordinating Council	Legislative matters.
July 14 July 15 July 16	Wichita		Joint Committee on Children's Issues	Hearing on foster care issues.
July 14 July 15	514-S 514-S	10:00 a.m. 9:00 a.m.	Joint Committee on Corrections and Juvenile Justice Oversight	Juvenile Justice Authority update, tour Shawnee Co. Jail; tour Topeka Juvenile Correctional Fac.; detention facility medical costs; Dept. of Corrections capital improvements and community corrections; juvenile correctional facility education programs; Dept. of Educ. violence hotline update, truancy policy.
July 15 July 16	519-S 519-S	10:00 a.m. 9:00 a.m.	Joint Committee on Arts and Cultural Resources	Agenda not available.
July 21 July 22	514-S 514-S	10:00 a.m. 9:00 a.m.	Joint Committee on State Building Construction	Agenda not available.
July 21	519-S	10:00 a.m.	Special Committee on Education	Committee discussion and information on school finance litigation, special education accountability.

Jeff Russell  
Director of Legislative  
Administrative Services

Doc. No. 024036

The Kansas Register (ISSN No. 0662-190) is an official publication of the State of Kansas, published by authority of K.S.A. 75-430. The Kansas Register is published weekly by the Kansas Secretary of State, State Capitol, Topeka, KS 66612-1594. One-year subscriptions are \$70 (Kansas residents must include \$4.76 state and local sales tax). Single copies may be purchased, if available, for \$2 each. Periodicals postage paid at Topeka, KS.

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

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## State of Kansas

## Kansas Development Finance Authority

## Notice of Hearing

A public hearing will be conducted at 9 a.m. Thursday, July 22, in the conference room in the offices of Kansas Development Finance Authority, Suite 1000, Jayhawk Tower, 700 S.W. Jackson, Topeka, on the proposal for the Kansas Development Finance Authority to issue its Agricultural Development Revenue Bond for the project numbered below in the respective maximum principal amount. The bond will be issued to assist the respective borrower (who will be the owner and operator of the respective project) to finance the cost in the amount of the bond of acquiring the project or for the purpose of refunding a bond previously issued to finance the project. Each project shall be located as shown:

**Project No. 000410, Maximum Principal Amount: \$117,548.22.** Owner/Operator: C & T Dairy (Charles D. Pauly and Tim J. Pauly). Description: Acquisition of 80 acres of agricultural land and related improvements and equipment to be used by the owner/operator for farming purposes. The project is located at the North Half of the Northwest Quarter of Section 12, Township 31 South, Range 4, West of the 6th P.M., Sumner County, Kansas; approximately 1 mile south, 3/4 miles west of Conway Springs on 80th Avenue North.

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

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

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

Kenneth Frahm  
President

Doc. No. 024019

## State of Kansas

## Kansas Development Finance Authority

## Notice of Hearing

A public hearing will be conducted at 9 a.m. Thursday, July 22, in the conference room in the offices of Kansas Development Finance Authority, Suite 1000, Jayhawk Tower, 700 S.W. Jackson, Topeka, on the proposal for the Kansas Development Finance Authority to issue its Agricultural Development Revenue Bond for the project numbered below in the respective maximum principal amount. The bond will be issued to assist the respective borrower (who will be the owner and operator of the respective project) to finance the cost in the amount of the bond of acquiring the project or for the purpose of refunding a bond previously issued to finance the project. The project shall be located as shown:

**Project No. 000419, Maximum Principal Amount: \$120,000.00.** Owner/Operator: Michael F. and Celeste J. Rains. Description: Acquisition of 631.16 acres of agricultural land and related improvements and equipment to be used by the owner/operator for farming purposes. The project is located at the North Half and Southwest Quarter of Section 35 and a tract of approximately 310.6 acres in the West Half and Southeast Quarter of Section 26, all in Township 10 South, Range 33 West of the 6th P.M., Thomas County, Kansas; approximately 6 miles west on County Line Road and 1 mile north of Oakley.

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

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

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

Kenneth Frahm  
President

Doc. No. 024021

## State of Kansas

## Department of Transportation

## Notice to Contractors

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

## District One—Northeast

**Atchison**—3 C-3233-01—County road 1.5 miles (2.4 kilometers) north and 1.3 miles (2.1 kilometers) west of Potter, 0.15 mile (0.24 kilometer), grading and bridge. (Federal Funds)

**Douglas**—59-23 K-7649-01—U.S. 59 bridge over the south overflow of the Wakarusa River, 8.6 miles (13.9 kilometers) north of the junction of U.S. 56, bridge overlay. (State Funds)

**Douglas**—56-23 K-5486-01—U.S. 56 from 9th Street east to 3rd Street in Baldwin City, 0.45 mile (0.8 kilometer), grading and surfacing. (State Funds)

**Marshall**—87-58 K-7473-01—K-87 from Vliets north to the junction of U.S. 36, 8.6 miles (13.9 kilometers), crack repair. (State Funds)

**Osage**—368-70 K-7821-01—K-368 from the junction of K-268 north to the entrance to Vassar State Park, 1 mile (1.6 kilometers), crack repair. (State Funds)

**Osage**—68-70 K-7822-01—K-68 from the U.S. 75 junction east to the K-268 junction, 11.3 miles (18.1 kilometers), crack repair. (State Funds)

**Pottawatomie**—16-75 K-7641-01—K-16 Mill Creek bridge, 0.7 mile (1.2 kilometers) west of the junction of K-259, bridge overlay. (State Funds)

**Pottawatomie**—99-75 M-1911-01—K-99 1.6 miles (2.6 kilometers) north of County Route 1464, slide repair. (State Funds)

**Wyandotte**—105 N-0096-01—65th Street from K-32 to State Avenue in Kansas City, 1.2 miles (1.9 kilometers), grading and surfacing. (Federal Funds)

## District Two—Northcentral

**Cloud**—9-15 K-7656-01—K-9 bridge over the Elm Creek drainage 7.8 miles (12.5 kilometers) east of the junction of U.S. 81, bridge repair. (State Funds)

**Dickinson**—209-21 K-7667-01—K-209 bridge over the Lyon Creek drainage, 0.5 mile (0.8 kilometer) west of the junction of U.S. 77, bridge overlay. (State Funds)

**Geary**—31 C-3106-01—County road 3.6 miles (5.8 kilometers) east of U.S. 77 at the Geary-Morris county line, 0.2 mile (0.3 kilometer), grading and bridge. (Federal Funds)

**Geary**—31 C-3107-01—County road 7.5 miles (12 kilometers) south and 1.5 miles (2.4 kilometers) east of Junction City, 0.2 mile (0.3 kilometer), grading and bridge. (Federal Funds)

**Ottawa**—81-72 K-7661-01—U.S. 81 bridges over local road, 1 mile (1.6 kilometers) north of the Saline County line, bridge overlay. (State Funds)

**Ottawa**—41-72 K-7659-01—K-41 Dry Creek bridge 2.7 miles (4.3 kilometers) west of the junction of U.S. 81, bridge overlay. (State Funds)

**Republic**—36-79 K-7658-01—U.S. 36 bridge at the junction of U.S. 81/U.S. 36, bridge overlay. (State Funds)

**Saline**—70-85 K-7660-01—Three I-70 bridges, 1 mile (1.6 kilometers), 8 miles (11.3 kilometers) and 11 miles (17.7 kilometers) east of the Lincoln County line, bridge overlay. (State Funds)

**Saline**—85 U-1698-01—Cloud Street over Dry Creek in Salina, 0.05 mile (0.08 kilometer), grading, bridge and surfacing. (Federal Funds)

## District Three—Northwest

**Phillips**—74 C-3549-01—County road 1 mile (1.6 kilometers) south and 2 miles (3.2 kilometers) east of Kirwin, 0.19 mile (0.3 kilometer), grading and bridge. (Federal Funds)

**Trego**—98 C-3345-01—County road 3.5 miles (5.6 kilometers) east and 5.2 miles (8.4 kilometers) south of Ogalah, 0.3 mile (0.5 kilometer), grading, bridge and surfacing. (Federal Funds)

**Trego**—98 C-3562-01—County road 5 miles (8 kilometers) north and 1.5 miles (2.4 kilometers) east of Wa-Keeney, 0.2 mile (0.3 kilometer), grading and bridge. (Federal Funds)

## District Four—Southeast

**Bourbon**—6 C-3304-01—County road 7.5 miles (12 kilometers) west and 9 miles (14.5 kilometers) south of Fort Scott, 0.16 mile (0.25 kilometer), grading and bridge. (Federal Funds)

**Franklin**—68-30 K-7684-01—K-68 bridge over Turkey Creek 0.8 mile (1.2 kilometers) east of the junction of K-33, bridge overlay. (State Funds)

## District Five—Southcentral

**Butler**—54-8 K-7828-01—U.S. 54 from the east city limits of El Dorado east to the Butler-Greenwood county line, 17.2 miles (27.6 kilometers), crack repair. (State Funds)

**Harper**—160-39 K-7694-01—U.S. 160 bridges over West Sandy Creek, West Sandy Creek drainage, Bachelor Creek and Cottonwood Creek, bridge overlay. (State Funds)

**Harvey**—135-40 K-7693-01—I-135 bridges over county route 875, bridge overlay. (State Funds)

**Kingman**—14-48 K-7688-01—K-14 Smoots Creek bridge 5.7 miles (9.2 kilometers) north of the west junction of U.S. 54, bridge overlay. (State Funds)

**Reno**—14-78 K-7687-01—K-14 Goose Creek and Silver Creek, bridge overlay. (State Funds)

**Reno**—50-78 K-7690-01—U.S. 50 bridge over the Missouri-Pacific Railroad, 0.6 mile (0.9 kilometer) east of the junction of K-96, bridge overlay. (State Funds)

**Rice**—80 C-3492-01—County road 3.5 miles (5.6 kilometers) south and 2 miles (3.2 kilometers) west of Raymond, 0.3 mile (0.5 kilometer), grading and bridge. (Federal Funds)

**Rice**—80 C-3493-01—County road 4 miles (6.4 kilometers) east of Lyons, 0.09 mile (0.16 kilometer), grading and bridge. (Federal Funds)

**Sedgwick**—135-87 K-6468-01—Interstate 135 from 85th Street north to the Sedgwick-Harvey county line, 4.3 miles (6.9 kilometers), overlay. (State Funds)

**Sedgwick**—163-87 K-7695-01—K-163 bridge over U.S. 54, bridge overlay. (State Funds)

**Sumner**—96 C-3561-01—County road 2.8 miles (4.5 kilometers) north and 0.5 mile (0.8 kilometer) west of Oxford, 0.1 mile (0.2 kilometer), grading, bridge and surfacing. (Federal Funds)

**Sumner**—81-96 K-7452-01—U.S. 81 and Harvey Street in the City of Wellington, traffic signals. (State Funds)

**District Six—Southwest**

**Finney**—23-28 K-7820-01—K-23 from the west junction of K-156 north to the Finney-Lane county line, 14.1 miles (22.7 kilometers), crack repair. (State Funds)

**Finney-Gray**—23-106 K-7778-01—K-23 from the Gray-Finney county line north to the east junction of K-156; K-23 from the north city limits of Cimarron north to the Gray-Finney county line, 16.8 miles (27.1 kilometers), sealing. (State Funds)

**Hamilton**—27-38 K-7585-01—K-27 from the Stevens-Hamilton county line north to the south city limits of Syracuse, 16.2 miles (26.1 kilometers), sealing. (State Funds)

**Meade**—98-60 K-7760-01—K-98 from the junction of K-23 east and south to the junction of U.S. 54, 9 miles (14.6 kilometers), sealing. (State Funds)

**Seward**—54-88 M-1884-01—U.S. 54 safety rest area southwest of Kismet, safety rest area improvements. (State Funds)

**Stanton**—27-94 K-7818-01—K-27 from the Morton-Stanton county line north to the south junction of U.S. 160, 12.1 miles (19.4 kilometers) crack repair. (State Funds)

**Wichita**—96-102 K-7819-01—K-96 from the Greeley-Wichita county line east to the east city limits of Leoti, 12 miles (19.3 kilometers), crack repair. (State Funds)

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

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

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

E. Dean Carlson  
Secretary of Transportation

Doc. No. 023997

**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. American Warrior, Inc. has applied for an air quality construction permit in accordance with the provisions of K.A.R. 28-19-300 to install and operate three natural gas compressor engines. Emissions of oxides of nitrogen, carbon monoxide, and hydrocarbons were evaluated during the permit review process.

American Warrior, Inc., Garden City, owns and operates the stationary source located at Route 1, Box 92, Bazine, (S26-T18S-R21W, Ness County) at which the three natural gas compressors are to be installed and operated.

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 Northwest District Office, 2301 E. 13th, Hays. To obtain or review the proposed permit and supporting documentation, contact Amer Safadi, (785) 296-1993, at the central office of the KDHE, or Rick Robinson, (785) 625-5663, at the KDHE Northwest District Office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Amer Safadi, 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 not later than the close of business on August 9.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Connie Carreno, Bureau of Air and Radiation, not later than the close of business on August 9 in order for the Secretary of Health and Environment to consider the request.

Clyde D. Graeber  
Secretary of Health  
and Environment

Doc. No. 024037

## State of Kansas

## Department of Transportation

## Notice to Consulting Engineers

The Kansas Department of Transportation is seeking qualified consulting engineering firms for the projects listed below. Seven signed copies of the response should be mailed to Neil Rusch, P.E., Assistant to the Director, Division of Engineering and Design, KDOT, Room 1084-West, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612-1568. Responses shall be limited to four pages. Responses must be received in Room 1084-West by 5 p.m. July 28 for the consulting engineering firm to be considered.

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

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

**Project No. 54-106 K-7829-01**  
**Statewide**

The scope of services is for a location and design concepts study from the US-54/US-400 junction, west of Mulville in Kiowa County, east 124 km to the existing four-lane freeway just east of the city limits of Kingman in Kingman County.

The location and design concepts study will involve the following components:

1. Determine whether two lanes should be added to the existing two-lane facility or whether a new four-lane facility should be built in the project area.
2. If a new four-lane facility is deemed the best choice, determine the most feasible location for the facility within the project area.
3. Determine if the four-lane facility should be a freeway or an expressway.
4. If an expressway is deemed the best option, determine the location of proposed access points.
5. Determine whether the new facility should bypass or go through the three largest cities in the project area: Pratt, population 6,700; Kingman, population 3,300; and Greensburg, population 1,750.
6. Evaluate the need for and locate any grade separation structures.
7. Assess right-of-way needs for the proposed alignment.
8. Develop project cost estimates.

9. Conduct public involvement meetings in all major cities in the project area to allow comment on the proposed plan.
10. Perform a high-level environmental review of the proposed improvement area.

**Project No. P-0765-00**  
**Statewide, Railroad Passenger**  
**Feasibility Study for Kansas**

With the increased emphasis on all modes of transportation with the passage of TEA-21, and the Comprehensive Transportation Program (CTP), KDOT has determined it should study the preservation, enhancement or the establishment of additional rail passenger service in the State of Kansas. At present, Kansas is served by Amtrak in the Kansas City to Topeka to Emporia to Garden City corridor. A feasibility study needs to be completed to determine if passenger rail service in other parts of Kansas is possible. Specific areas of study include, but are not limited to: the east/west corridor from Kansas City through Topeka to Denver; and the north/south corridors from Tulsa and/or Oklahoma City to Kansas City. The purpose of the study is to analyze the corridors as to the cost of implementing or expanding rail passenger service.

The study will review the operational characteristics and costs of all the potential corridors. The report should describe both current and future transportation travel-demand, and travel patterns. Potential social, environmental and land acquisitions (stations) issues should be identified and analyzed, along with comparative project costs.

In addition to public involvement efforts, this study will require coordination with other state agencies, Amtrak, city and county governments, metropolitan planning organizations, and the State of Oklahoma. The Bureau of Transportation Planning will be the Study Manager.

**Surveys as Needed, Statewide**

The Kansas Department of Transportation is seeking qualified consulting engineering firms to perform engineering surveys as needed, statewide. Two to four firms will be selected.

The firms selected will be required to provide the following survey services:

1. Engineering surveys;
2. Flagging of proposed right of way;
3. Supplemental surveys to original surveys;
4. Land surveying of right of way and installation of right of way markers;
5. Cross sectioning of roadway and/or borrow locations;
6. Re-establishing section corners and control points; and
7. Similar surveying services.

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

1. Size and professional qualifications;
2. Experience of staff;
3. Location of firms with respect to proposed project;

4. Work load of firm; and
5. Firm's performance record.

E. Dean Carlson  
Secretary of Transportation

Doc. No. 024002

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. MTS Components Facility (Caterpillar) has applied for an air quality construction permit in accordance with the provisions of K.A.R. 28-19-300 to construct a rubber belts/wheels manufacturing facility. Emissions of volatile organic compounds (VOCs), particulate matter (PM), particulate matter less than 10 microns in diameter (PM10), oxides of nitrogen (NOx), oxides of sulfur (SOx), carbon monoxide (CO), and hazardous air pollutants (HAPs) were evaluated during the permit review process.

MTS Components Facility (Caterpillar), Mossville, Illinois, owns and operates the stationary source located at 1601 E. South Ave., Emporia, Kansas, at which the facility is to be constructed.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during review of the permit application is available for public inspection during normal business hours at the KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, and at the KDHE Southeast District Office, 1500 W. 7th, Chanute. To obtain or review the proposed permit and supporting documentation, contact Rasha Allen, (785) 296-1693, at the KDHE central office, or Lynelle Stranghoner, (316) 431-2390, at the KDHE Southeast District Office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Rasha Allen, 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 August 9.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Connie Carreno, Bureau of Air and Radiation, not later than the close of business August 9 in order for the Secretary of Health and Environment to consider the request.

Clyde D. Graeber  
Secretary of Health  
and Environment

Doc. No. 024027

State of Kansas

**Department of Health  
and Environment**

**Request for Qualifications from  
Engineering Consulting Firms**

It is the intent of the Department of Health and Environment, pursuant to K.S.A. 75-5801, to select qualified engineering firms, permitted by law to practice engineering in the State of Kansas, for the design of abandoned coal mine reclamation projects in Southeast Kansas. The Surface Mining Section will interview the best qualified firms and enter into contract negotiations for AML projects.

Examples of work involved in the projects include design of grading plans for dangerous highwalls, drainage control, roadside improvements, disposal of mine wastes, and revegetation.

All interested firms should submit three copies of SF 254 and SF 255 to the Surface Mining Section Office not later than 5 p.m. Thursday, July 22. Submittals and questions should be addressed to Murray J. Balk, KDHE, Surface Mining Section, 4033 Parkview Drive, Frontenac, 66763, (316) 231-8540.

Clyde D. Graeber  
Secretary of Health  
and Environment

Doc. No. 023991

State of Kansas

**Department of Administration  
Division of Architectural Services**

**Notice of Commencement of Negotiations  
for "On-Call" Engineering Services**

Notice is hereby given of the commencement of negotiations for "on-call" mechanical and electrical engineering services for small projects for Kansas State University, Manhattan.

For information regarding the scope of services, contact Jerry Carter, Director/University Architect, Office of Facilities Planning, Kansas State University, (785) 532-6377.

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

Expressions of interest and the SF 255 submittals should be received by Gary Grimes before 5 p.m. July 23.

Thaine Hoffman, AIA  
Director, Division of  
Architectural Services

Doc. No. 024039

State of Kansas

Department of Administration

Public Notice

Under requirements of K.S.A. 65-34,117(c), records of the Division of Accounts and Reports show the unobligated balances are \$1,790,971.24 in the underground petroleum storage tank release trust fund and \$2,349,494.73 in the aboveground petroleum storage tank release trust fund at June 30, 1999.

Daniel R. Stanley  
Secretary of Administration

Doc. No. 024030

State of Kansas

Department of Health,  
and Environment

Notice Concerning Kansas  
Water Pollution Control Permits

In accordance with Kansas Administrative 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 discharges 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.

All Kansas Department of Health and Environment district office addresses and telephone numbers are listed below.

Public Notice No. KS-AG-99-80/83

Pending Permits for Confined Feeding Facilities

Name and Address of Applicant	Legal Description	Receiving Water
Dwight & Anita Rokey Route #4, Box 94 Sabetha, KS 66534	SE/4 of Section 30, T2S, R14E, Nemaha County	Kansas River

Kansas Permit No. 327

This is a new permit for 100 head (140 animal units) of mature dairy 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: The approved waste and manure management plans shall be adhered to as a condition of this permit.

Name and Address of Applicant	Legal Description	Receiving Water
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Isch Dairy Ron Isch Route #1, Box 52 Gridley, KS 66852	N/2 of Section 15, T22S, R13E, Greenwood County	Neosho River
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Kansas Permit No. A-NEGW-M002

This is an expansion of an existing dairy facility. The expansion is from 300 head (420 animal units) to 400 head (560 animal units) of mature dairy 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: Existing controls meet KDHE requirements.

Name and Address of Applicant	Legal Description	Receiving Water
J.O. Cattle Company (Finish Yard) Box 7 Holcomb, KS 67851	NE/4 of Section 11, T24S, R34W, Finney County	Arkansas River

Kansas Permit No. A-UAFI-C024 Federal Permit No. KS-0037982

This is an existing facility changing from a certification to a permit for 2,000 head (2,000 animal units) of beef greater than 700 lbs.

Wastewater Control Facilities: Wastewater is dispersed over a 23.6 acre grassed area in a manner such as to not be a significant water pollution potential.

Compliance Schedule: Existing controls meet KDHE requirements.

Name and Address of Applicant	Legal Description	Receiving Water
Arrowhead Valley Farms Mike Croucher 14406 W. 1300 Road Westphalia, KS 66093	NE/4 of Section 8, SE/4 of Section 16, T21S, R18E, Anderson County	Marais des Cygnes River

Kansas Permit No. A-MCAN-S020

This is a renewal of an existing permit for 800 head (320 animal units) of swine more than 55 pounds

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: Existing controls meet KDHE requirements.

Public Notice No. KS-AG-99-84/85  
Application(s) for New or Expansion of Existing  
Swine Facilities

Name and Address of Applicant	Owner of Property Where Facility Will Be Located
James C. Hicks Maple Creek Farms, LLC - Spradling Site P.O. Box 718 Leoti, KS 67861	Maple Creek Farms, LLC P.O. Box 718 Leoti, KS 67861

Legal Description	Receiving Water
SW/4 of Section 23, Township 20 South, Range 38 West, Wichita County Application Number 282	Upper Arkansas Basin

Name and Address of Applicant	Owner of Property Where Facility Will Be Located
James C. Hicks Maple Creek Farms, LLC - Wasinger Site P.O. Box 718 Leoti, KS 67861	Maple Creek Farms, LLC P.O. Box 718 Leoti, KS 67861



<b>Legal Description</b>	<b>Receiving Water</b>
NW/4 of Section 28, Township 20 South, Range 32 West, Scott County	Upper Arkansas Basin
Application Number A-UASC-H006	

<b>Name and Address of Applicant</b>	<b>Waterway</b>	<b>Type of Discharge</b>
Lister Petter, Inc. 815 E. 56 Highway Olathe, KS 66061	Kansas River via Mill Creek via unnamed drainage ditch	Non-contact Cooling water

**Public Notice No. KS-99-127/132**

<b>Name and Address of Applicant</b>	<b>Waterway</b>	<b>Type of Discharge</b>
City of Atchison 515 Kansas Avenue Atchison, KS 66002	Missouri River via Whiskey Creek	Treated domestic wastewater
Kansas Permit No. M-MO01-IO01 Federal Permit No. KS0039128		
Legal: N½, S18, T6S, R21E, Atchison Co.		

Kansas Permit No. I-KS52-CO01 Federal Permit No. KS0082783  
Legal: SW¼, S1, T14S, R23E, Johnson Co.

**Facility Description:** The proposed action is to reissue an existing permit for the operation of an existing wastewater treatment facility. This facility modifies, assembles, and tests diesel and natural gas engines. Water from the City of Olathe is used to cool water brake dynamometers. Noncontact cooling water is discharged at the rate of five gallons per minute for about ten hours a week. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, BAR 28-16-28(b-f), and Federal Surface Water Criteria.

**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 total suspended solids and pH. New limitations are established for biochemical oxygen demand, ammonia, fecal coliform, and total residual chlorine. Flow monitoring will continue to be required. 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 requiring the permittee to upgrade the existing facility to meet the final fecal coliform and ammonia limits. In addition, the permittee is required to develop a CSO management report and plan to bring this facility into compliance with the CSO Control Policy. The requirements of the proposed permit are pursuant to the proposed 1999 Kansas Surface Water Quality Standards and Federal Surface Water Criteria and are water quality based.

<b>Name and Address of Applicant</b>	<b>Waterway</b>	<b>Type of Discharge</b>
Triple D, Inc. c/o Warren Diehl 6007 E. Boston Wichita, KS 67218	Walnut River via Polecat Creek via unnamed tributary	Treated domestic wastewater

Facility name: Triple "D" Mobile Home Park  
Kansas Permit No. C-WA22-TO01 Federal Permit No. KS0081191  
Legal: SW¼, S2, T29S, R2E, Sedgwick Co.

**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 ammonia and fecal coliform will be required annually. There is a schedule of compliance for the permittee to provide KDHE the name of an operator-in-training to begin the process to become a KDHE-certified wastewater treatment plant operator. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, KAR 28-16-28(b-f), and Federal Surface Water Criteria and are technology based.

<b>Name and Address of Applicant</b>	<b>Waterway</b>	<b>Type of Discharge</b>
City of Dearing P.O. Box 231 Dearing, KS 67340	Onion Creek	Treated domestic wastewater
Kansas Permit No. M-VE11-OO01 Federal Permit No. KS0048062		
Legal: NW, S25, T34S, R15E, Montgomery Co.		

<b>Name and Address of Applicant</b>	<b>Waterway</b>	<b>Type of Discharge</b>
City of Troy City Hall P.O. Box 506 Troy, KS 66087	Missouri River via Mosquito Creek	Treated domestic wastewater

Kansas Permit No. M-MO22-OO02 Federal Permit No. KS0083194  
Legal: NE¼, S18, T3S, R21E, Doniphan Co.  
Facility name: Mosquito Creek WWTF

**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 ammonia and fecal coliform will be required annually. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, KAR 28-16-28(b-f), and Federal Surface Water Criteria and are technology based.

<b>Name and Address of Applicant</b>	<b>Waterway</b>	<b>Type of Discharge</b>
Leavenworth County Commission Leavenworth County Courthouse 4th and Walnut Leavenworth, KS 66048	Kansas River via Wolf Creek	Treated domestic wastewater

Facility name: Leavenworth County S.D. #2  
Kansas Permit No. M-KS96-OO03 Federal Permit No. KS0087157  
Legal: NW¼, S25, T11S, R22E, Leavenworth Co.

**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 ammonia and fecal coliform will be required annually. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, KAR 28-16-28(b-f), and Federal Surface Water Criteria and are technology based.

**Public Notice No. KS-ND-99-011**

<b>Name and Address of Applicant</b>	<b>Legal Location</b>	<b>Type of Discharge</b>
J.H. Shears Sons, Inc. 819 W. First Street Hutchinson, KS 67504-1605	NW¼, S7, T19S, R13E Lyon Co.	Non-overflowing

Kansas Permit No. I-NE24-NO07  
Facility name: Emporia Asphalt Plant #903/906

**Facility Description:** The proposed action is to reissue an existing permit for the operation of an existing wastewater treatment facility. This facility is engaged in a portable asphalt production operation. Two concrete-lined settling pits collect wastewater originating from the wet washer at the asphalt plant. Wastewater from the settling pits are recycled as makeup water for the wet washer or sprayed on

(continued)

roads for dust control. Discharge of wastewater from this treatment facility to the surface waters of the State of Kansas is prohibited by this permit. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, BAR 28-16-28(b-f).

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 August 7 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate Kansas permit number (KS-AG-99-80/85, KS-99-127/132, KS-ND-99-011) and name of applicant/application as listed when preparing comments.

If no objections are received during the public notice period regarding any proposed 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.

For agricultural permits and applications a copy of the permit application, supporting documentation, and a

KDHE developed fact sheet checklist are available for anyone to review at the appropriate district office.

Northwest District Office, 2301 E. 13th, Hays, 67601-2651, (785)625-5664

North Central District Office, 2501 Market Place, Salina, 67401-7699, (785)827-9639

Northeast District Office, 800 W. 24th, Lawrence, 66046-4417, (785)842-4600

Southwest District Office, 302 W. McArtor Road, Dodge City, 67801-6098, (316)225-0596

South Central District Office, 130 S. Market, 6th Floor, Wichita, 67202-3802, (316)337-6020

Southeast District Office, 1500 W. 7th, Chanute, 66720, (316)431-2390

Plans and documents for all new and expansions of existing swine facilities may also be reviewed on the Internet at [www.kdhe.state.ks.us](http://www.kdhe.state.ks.us).

For all other proposed permits, the 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. These documents are available upon request at the copying cost assessed by KDHE. Additional copies of this public notice also may be obtained at the Division of Environment.

Clyde D. Graeber  
Secretary  
Health and Environment

Doc. No. 024035

## State of Kansas

### Office of Judicial Administration Court of Appeals Docket

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

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

Before Brazil, C.J.; C. Fred Lorentz, D.J., assigned; and D. Keith Anderson, D.J., assigned.

Tuesday, July 20, 1999

9:30 a.m.

Case No.	Case Name	Attorneys	County
79,662	State of Kansas, Appellee, v. Gary Lee Baker, Appellant.	Attorney General Athena E. Andaya, Asst. D.A. Jessica R. Kunen, Chief A.D. Ryan Kipling Elliot, Asst. A.D.	Shawnee
80,220	State of Kansas, Appellee, v. Thomas Oversteadt, Appellant.	Attorney General Alexandra T. Nguyen, Asst. D.A. Jessica R. Kunen, Chief A.D. Mary Curtis, Asst. A.D.	Shawnee
80,949	Arthur Wing, Appellant, v. State Department of Social and Rehabilitation Services, Appellee.	H. Reed Walker Roberta Sue McKenna Genine L. Ware	Shawnee

80,042	State of Kansas, Appellee, v. Corey E. Johnson, Appellant.	Attorney General Katherine Von Kliem, Asst. D.A. Jessica R. Kunen, Chief A.D. Hazel Haupt, Asst. A.D.	Shawnee
1:30 p.m.			
81,120	In the Matter of the Marriage of Dianne M. Herbert, n/k/a Dianne M. Potee, Appellee, and David C. Herbert, Appellant.	Anne Burke Miller William L. Frost	Riley
79,587	Kansas State Bank, Overbrook, Kansas, Appellee, v. Larry Duane Bond and Bonnie Lou Bond, Appellants.	Patricia A. Reeder Lynn D. Lauver	Osage
79,917	State of Kansas, Appellee, v. Eric D. Fitzhugh, Appellant.	Attorney General Frank E. Kohl, C.A. Jessica R. Kunen, Chief A.D. Stephen B. Chapman, Asst. A.D.	Leavenworth
81,143	State of Kansas, Appellee, v. Bruce Emig, Appellant.	Attorney General Eric K. Rucker, C.A. Ralph J. DeZago	Dickinson

## Wednesday, July 21, 1999

9:00 a.m.

Case No.	Case Name	Attorneys	County
80,441	In the Matter of the Marriage of Cheryl L. Bosiljevac, Appellee, and Joseph E. Bosiljevac, Appellant.	W. Irving Shaw Michael C. Helbert	Lyon
80,744	State of Kansas, Appellee, v. Robert Eugene Thompson, Appellant.	Attorney General Rod Ludwig, C.A. Roger D. Struble	Mitchell
80,079	Derek Haskell, Appellant, v. Ted Harbin, John Doe, Richard Roe, and Stauffer Communications, Inc., Appellants.	Michael W. Merriam Scott G. Hatstrup	Ford
81,129	James T. McCullough, Individually and as a General Partner in this Outfit and the Limited Partner of Amherst Industrial Park, a Limited Partnership, Appellant, v. First Savings Bank, F.S.B., Appellee.	Donn J. Everett David P. Troup	Riley

## Summary Calendar—No Oral Argument

80,799	State of Kansas, Appellee, v. Danny Joe Johnson, Appellant.	Attorney General John Shirley, C.A. Jessica R. Kunen, Chief A.D.	Scott
81,747	State of Kansas, Appellee, v. Michael L. Enriquez, Appellant.	Attorney General Keith E. Schroeder, C.A. Jessica R. Kunen, Chief A.D.	Reno
82,757	In the Matter of: J.A.M., a Child Under the Age of Eighteen.	Jeffrey C. Bartron Bobby J. Hiebert, Jr., Asst. D.A.	Shawnee
82,633	In the Matter of the Marriage of Gary L. Nelson, Appellee, and Janice L. Nelson (a/k/a King), Appellant.	John C. Tillotson Carl A. Fleming	Leavenworth

(continued)

Kansas Court of Appeals  
643 U.S. Courthouse  
500 State Ave.  
Kansas City, Kansas

Before Elliott, P.J.; Marquardt, J.; and J. Michael Smith, D.J., assigned.

Tuesday, July 20, 1999

9:00 a.m.

Case No.	Case Name	Attorneys	County
80,447	State of Kansas, Appellant, v. Robert Chester Wonsetler, Appellee.	Attorney General Steven J. Obermeier, Asst. D.A. Jessica R. Kunen, Chief A.D. Brent Getty, Asst. A.D.	Johnson
79,788	State of Kansas, Appellee, v. Ronald J. Popovich, Appellant.	Attorney General Steven J. Obermeier, Asst. D.A. Joseph Horgan	Johnson
79,035	State of Kansas, Appellee, v. Robin Robert Galyardt, Appellant.	Attorney General Steven J. Obermeier, Asst. D.A. Jessica R. Kunen, Chief A.D. Bradley P. Sylvester, Contract A.D.	Johnson
80,686	Marsha L. Hunt and PMH, Inc., Appellee, v. Data Management Resources, Inc.; William C. Estes; and Aubrey Richardson, Appellants.	Robert J. Bjerg Mark Beam-Ward	Johnson

1:30 p.m.

79,768	State of Kansas, Appellee, v. Chester Luvell Ward, a/k/a Galvin Graham, Appellant.	Attorney General Steven J. Obermeier, Asst. D.A. Jessica R. Kunen, Chief A.D. Ryan Kipling Elliot, Asst. A.D.	Johnson
78,369	State of Kansas, Appellee, v. Michael Todd Belcher, Appellant.	Attorney General Steven J. Obermeier, Asst. A.D. Jessica R. Kunen, Chief A.D. Craig Durham, Asst. A.D.	Johnson
78,622	State of Kansas, Appellee, v. Alex E. Matthews, Appellant.	Attorney General Steven J. Obermeier, Asst. D.A. Jessica R. Kunen, Chief A.D. Stephen B. Chapman, Asst. A.D.	Johnson
80,188	In the Matter of the Care and Treatment of John Prins, Jr.	Steven J. Obermeier, Asst. D.A. James F. Vano	Johnson

Wednesday, July 21, 1999

9:00 a.m.

Case No.	Case Name	Attorneys	County
79,426	Miles Environmental, Inc., et al., Appellees, v. Jim Rutledge, Rutledge Backhoe and Septic Tank Services, and Dixie Rutledge, Appellant.	Leonard J. Johnson Robert V. Wells William E. Pray John H. Norton	Leavenworth
80,437	Pamela K. Wright, Appellee, v. Robert A. Wilson, M.D., Appellant, and Thomas W. Fulbright, M.D., and The Lawrence Family Physicians, P.A.	Thomas E. Gleason, Jr. Mark Doty Michael E. Francis	Douglas

80,689	Bi-State Development Company, Inc., Appellant, v. Shafer, Kliné & Warren, Inc., Appellee.	Bruce W. Beye Rod L. Richardson Jeffrey J. Carey Rod Bodinson	Johnson
81,069	John Pepper, Appellant, v. Nancy Greer, Appellee.	Douglas Breyfogle Douglas Lancaster Greer S. Lang	Johnson
<b>Summary Calendar—No Oral Argument</b>			
82,814	State of Kansas, Appellant, v. Daniel L. Chance, Appellee.	Attorney General Leo T. Gensweider Jason N. King	Woodson
82,538	State of Kansas, Appellee, v. James L. Yunker, Appellant.	Attorney General County Attorney Ralph J. DeZago	Ellis
81,655	Timothy A. Lambeth, <i>et al.</i> , Appellants, v. J.C. Nichols Co., Appellee.	Mark D. Murphy Jeffrey Kennard	Johnson
82,484	In the Interest of: D.C.J., dob: 09/05/96 P.S.O., dob: 04/24/98	Roger Batt Debra S. Peterson, Asst. D.A. Charles R. Reimer, Asst. D.A. H. Stephen Mosley	Sedgwick
81,476	Roger McNeil Smith, Appellant, v. State of Kansas, Appellee.	Jessica R. Kunen, Chief A.D. Kirk C. Redmond, Asst. A.D. Joe E. Lee, C.A.	Lyon

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

**Before Lewis, P.J.; Wahl, S.J.; and Robert W. Fairchild, D.J., assigned.**

**Tuesday, July 20, 1999**

**9:00 a.m.**

Case No.	Case Name	Attorneys	County
79,899	Robert G. Taylor, Appellant, v. G. Michael Caughlin, M.D.; John David Graham, M.D.; and Via Christi Regional Medical Ctr., Inc., Appellees.	Derek S. Casey Randall H. Elam Don D. Gribble II Pamela Clancy James Z. Hernandez	Sedgwick
82,547	In the Interest of: C.H.W., dob: 12/23/85 E.D.W., dob: 01/20/89 K.F.D., dob: 07/12/95 P.D.D., dob: 05/31/98	Timothy Henderson Becky C. Hurtig	Sedgwick
80,366	Charles C. Lawson, Appellee, v. City of Wichita, KS, Appellant.	Robert W. Kaplan Douglas J. Moshier, Asst. City Atty. Gary E. Rebenstorf, City Atty.	Sedgwick
80,469	Robin B. Moore, Appellee, v. St. Paul Mercury Ins. Co., Appellant.	Jacob S. Graybill Arthur S. Chalmers	Sedgwick

(continued)

1:30 p.m.

79,760	State of Kansas, Appellee, v. James R. Merchant, Appellant.	Attorney General Thomas R. Stanton, Asst. C.A. Jessica R. Kunen, Chief A.D. Rebecca E. Woodman, Asst. A.D.	Saline
79,394	State of Kansas, Appellee, v. Hai M. Thach, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. David Lowden, Asst. D.A. Jessica R. Kunen, Chief A.D. Mary D. Prewitt, Asst. A.D.	Sedgwick
79,492	State of Kansas, Appellee, v. Johnny R. Costa, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Doyle Baker, Asst. D.A. Jessica R. Kunen, Chief A.D. Rebecca E. Woodman, Asst. A.D.	Sedgwick
78,969	State of Kansas, Appellee, v. Vincent A. Baker, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Michelle M. Sehee, Asst. D.A. Jessica R. Kunen, Chief A.D. Mary Curtis, Asst. A.D.	Sedgwick

Wednesday, July 21, 1999

9:00 a.m.

Case No.	Case Name	Attorneys	County
80,945	Certain Underwriters at Lloyd's London, Subscribing to Policy No. 99581, Appellee, v. Dan Martinez, d/b/a Insurance Claims Consultants, Appellant, v. Madrigal & Associates, et al., Appellees.	Stephen M. Kerwick Stanford Smith Nicholas S. Daily Dan Martinez, pro se	Sedgwick
80,717	Ramon Mendoza, Appellant, v. National Beef Packing Co., and Wausau Insurance Co., Appellees.	Lawrence M. Gurney James H. Morain	Work Comp
79,791	State of Kansas, Appellee, v. Alfred L. Brown, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Michelle M. Sehee, Asst. D.A. Jessica R. Kunen, Chief A.D. Joseph P. Brown, Asst. A.D.	Sedgwick
80,019	State of Kansas, Appellee, v. David L. McGinn, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Charles R. Reimer, Asst. D.A. Jessica R. Kunen, Chief A.D. Stephen B. Chapman, Asst. A.D.	Sedgwick

## Summary Calendar—No Oral Argument

82,177	Pedro Pu-Perez, Appellant, v. State of Kansas, Appellee.	Jessica R. Kunen, Chief A.D. Cory Riddle, Asst. A.D. Attorney General Don L. Scott, C.A.	Seward
82,705	In the Interest of: J.M.M., dob: 04/23/91 J.M.M., dob: 10/09/92 Each a Child Under 18 Years of Age	L.H. Goossen Kenneth W. McCracken, Asst. C.A. Marilyn W. Wilder	Harvey

82,027	In the Matter of the Application of International University Endowment Assoc. for Exemption from Ad Valorem Taxation in Wyandotte County, Kansas.	David N. Holstead Marc Conklin	Tax Appeal
82,875	State of Kansas, Appellant, v. Debra I. Bickerstaff, Appellee.	Attorney General Leo T. Geinsweider, C.A. Norman G. Manley	Woodson
82,482	In the Interest of J.A.C., dob: 08/19/96, Minor Child Under 18 Years of Age.	Becky C. Hurtig Timothy Henderson	Sedgwick

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

Before Pierron, P.J.; Rulon, J.; and Robert J. Fleming, D.J., assigned.

Tuesday, July 20, 1999

9:00 a.m.

Case No.	Case Name	Attorneys	County
81,028	Amundson & Associates Art Studio, Ltd., d/b/a The Amundson Group, Individually and Representing a Class of Similarly Situated Persons, Appellants, v. National Council on Compensation Insurance, Inc., et al., Appellees.	Scott A. McCreight Reid F. Holbrook Jerome T. Wolf Leslie A. Greathouse	Wyandotte
80,867	Rosalie Oshel, Claimant, v. Dazey Corporation, and Insurance Company of North America, Appellees, and Kansas Workers Compensation Fund, Appellant.	Michael W. Downing Robert D. Benham Matthew Thiesing	Work Comp
80,397	Robert L. Lynn, Appellant, v. Board of County Commissioners of Johnson County, Kansas.	George R. McGrew William G. Howard Donald D. Jarrett Kathryn D. Myers	Johnson
80,416	Ronald G. Hudson, Sr., Appellant, v. Shelter Insurance Co., Fred Thomas Garnett, and Lannie E. Bridges, Appellees.	Mark Beam-Ward David W. Hauber William D. Wingfield	Wyandotte
79,486	Fagan Construction Co., Appellant, v. City of Bonner Springs, KS, Appellee.	1:30 p.m. Stephen J. Dennis Nathan C. Harbur Matthew R. Hale Patrick Fagan, pro se	Wyandotte
81,107	Quality Painting, Inc., and Houston General Insurance Company, Appellants, v. Truck Insurance Exchange, and Farmer's Insurance Group of Companies, Appellees.	Ernest C. Ballweg Bren Abbott	Johnson

(continued)

80,778	Nall Development Co., Inc., Appellant, v. Johnson County Board of County Commissioners, Appellee.	Linda A. Terrill William G. Howard Kathryn D. Myers	Johnson
80,482	In the Matter of the Marriage of Teresa Lynn Hoffman, Appellee, and David Allen Oliphant, Appellant.	T. Bradley Manson J. Steven Schweiker	Johnson

Wednesday, July 21, 1999

9:00 a.m.

Case No.	Case Name	Attorneys	County
78,914	State of Kansas, Appellee, v. Edward Roades, Appellant.	Attorney General Linda E. Monroe, Asst. D.A. Jessica R. Kunen, Chief A.D. Hazel Haupt, Asst. A.D.	Wyandotte
79,967	State of Kansas, Appellee, v. Eric Watson, Appellant.	Attorney General Constance M. Alvey, Asst. D.A. Jessica R. Kunen, Chief A.D. Bradley P. Sylvester, Contract A.D.	Wyandotte
79,080	State of Kansas, Appellee, v. James A. Sanders, Appellant.	Attorney General Sheryl L. Lidtke, Asst. D.A. Jessica R. Kunen, Chief A.D. Craig Durham, Asst. A.D. James A. Sanders, pro se	Wyandotte
80,050	Rodney M. Crowder, Appellant, v. State of Kansas, Appellee.	Jessica R. Kunen, Chief A.D. Joseph P. Leon, Asst. A.D. Attorney General Terra D. Morehead, Asst. D.A.	Wyandotte

**Summary Calendar—No Oral Argument**

82,510	In the Interest of: D.D., dob: 03/05/86 S.D., dob: 08/22/87	Debera A. Erickson Sheryl A. Bussell, Asst. D.A.	Wyandotte
82,541	In the Matter of R.J.G., dob: 05/20/81.	Jerome R. Jones Michelle M. Sehee, Asst. D.A.	Sedgwick
80,367	State of Kansas, Appellee, v. James Patrick Allred, Appellant.	Attorney General Steven J. Obermeier, Asst. D.A. James R. Kunen, Chief A.D.	Johnson
82,285	Ronald Randall, Appellant, v. Kansas Parole Board, Appellee.	Robert E. Durrett Hsingkan Chiang, Asst. A.G.	Butler
82,281	Peterson Instruments, Appellee, v. Gasflo, Inc., et al., and Cavern Oil, Ltd., Proposed Intervenor, Appellant.	Michelle M. Suter Andrew Heyl	Johnson

Carol G. Green  
Clerk of the Appellate Courts



State of Kansas

**Kansas Sentencing Commission**

**Notice of Meeting**

The Kansas Sentencing Commission will meet from 1:30 p.m. to 3:30 p.m. Thursday, July 29, in the Senate Room of the Jayhawk Towers at 7th and Jackson, Topeka.

Barbara S. Tombs  
Executive Director

Doc. No. 024032

(Published in the Kansas Register July 8, 1999.)

**Notice of Optional-Full Redemption**

**City of Ft. Scott, Kansas  
Industrial Revenue Bonds  
Series A, 1979  
(Ft. Scott Inn, Inc.)  
Dated February 1, 1979  
No Cusip No. Assigned**

Notice is hereby given, pursuant to Section 4b of Ordinance No. 2715 dated February 1, 1979, all of the outstanding bonds, totaling \$420,000 aggregate principal amount of the above issue, will be redeemed in full at the option of the issuer on August 1, 1999, (the redemption date) at a redemption price of 102 percent of the principal amount thereof, plus accrued interest to the redemption date.

Maturity Date	Principal Amount	Interest Rate
February 1, 2000	\$130,000	8.750%
February 1, 2001	\$140,000	8.750%
February 1, 2002	\$150,000	8.750%

On August 1, 1999, all the bonds shall be payable upon presentation and surrender thereof on the redemption date to the paying agent, Commerce Bank N.A., Securities Processing Unit, Suite 0125, One First National Plaza, Chicago, IL 60670-0125. Interest shall cease to accrue on all bonds called for redemption on and after August 1, 1999.

The method of presentation and delivery of such bonds for redemption is at the option and risk of the owners of each bond. It is suggested however, if the securities are sent by mail, that the envelope be sent insured, registered, return receipt.

Under the provisions of the National Energy Policy Act of 1992, paying agents making payments of principal on municipal securities may be obligated to withhold an amount equal to 31 percent of the remittances to the individuals who have failed to furnish the paying agent with a valid taxpayer identification number. Holders of the above-described securities who wish to avoid the imposition of this withholding should submit certified taxpayer identification numbers on a Form W-9 when presenting their bonds for collection.

Dated July 1, 1999.

Commerce Bank, N.A.  
Wichita, KS  
Trustee

Doc. No. 024033

State of Kansas

**Commission on Veterans' Affairs**

**Notice of Meeting**

The Kansas Commission on Veterans' Affairs will meet at 1 p.m. Friday, July 16, in the Eisenhower Auditorium at the Kansas Soldiers' Home, Fort Dodge. The public is invited to attend.

Don A. Myer  
Executive Director

Doc. No. 024016

(Published in the Kansas Register July 8, 1999.)

**Notice of Optional-Full Redemption**

**City of Ft. Scott, Kansas  
Industrial Revenue Bonds  
Series A, 1980  
(Ft. Scott Inn, Inc.)  
Dated February 1, 1980  
No Cusip No. Assigned**

Notice is hereby given, pursuant to Section 4b of Ordinance No. 2759 dated February 1, 1980, all of the outstanding bonds, totaling \$500,000 aggregate principal amount of the above issue, will be redeemed in full at the option of the issuer on August 1, 1999, (the redemption date) at a redemption price of 102 percent of the principal amount thereof, plus accrued interest to the redemption date.

Maturity Date	Principal Amount	Interest Rate
February 1, 2005	\$500,000	9.50%

On August 1, 1999, all the bonds shall be payable upon presentation and surrender thereof on the redemption date to the paying agent, Commerce Bank N.A., Securities Processing Unit, Suite 0125, One First National Plaza, Chicago, IL 60670-0125. Interest shall cease to accrue on all bonds called for redemption on and after August 1, 1999.

The method of presentation and delivery of such bonds for redemption is at the option and risk of the owners of each bond. It is suggested however, if the securities are sent by mail, that the envelope be sent insured, registered, return receipt.

Under the provisions of the National Energy Policy Act of 1992, paying agents making payments of principal on municipal securities may be obligated to withhold an amount equal to 31 percent of the remittances to the individuals who have failed to furnish the paying agent with a valid taxpayer identification number. Holders of the above-described securities who wish to avoid the imposition of this withholding should submit certified taxpayer identification numbers on a Form W-9 when presenting their bonds for collection.

Dated July 1, 1999.

Commerce Bank, N.A.  
Wichita, KS  
Trustee

Doc. No. 024034

State of Kansas

Secretary of State

Notice of Judgment Interest Rate

Pursuant to the provisions of K.S.A. 16-204, the rate of interest on judgments rendered by courts of the State of Kansas pursuant to the code of civil procedure is 8.50 percent during the period of July 1, 1999 through June 30, 2000.

Ron Thornburgh  
Secretary of State

Doc. No. 024024

State of Kansas

Secretary of State

Usury Rate for July

Pursuant to the provisions of K.S.A. 16-207; the maximum effective rate of interest per annum for notes secured by all real estate mortgages and contracts for deed for real estate (except where the note or contract for deed permits adjustment of the interest rate, the term of the loan or the amortization schedule) executed during the period of July 1, 1999 through July 31, 1999, is 9.24 percent.

Ron Thornburgh  
Secretary of State

Doc. No. 024023

(Published in the Kansas Register July 8, 1999.)

Summary Notice of Bond Sale

City of Gardner, Kansas,  
\$2,270,000

General Obligation Bonds, Series 1999A  
(General Obligation Bonds Payable From  
Unlimited Ad valorem Taxes)

Sealed Bids

Subject to the notice of bond sale dated July 7, 1999, sealed bids will be received by the city clerk of the City of Gardner, Kansas, on behalf of the governing body at 120 E. Main, Gardner, KS 66030, until 1:30 p.m. July 19, 1999, for the purchase of \$2,270,000 principal amount of General Obligation Bonds, Series 1999A. No bid of less than 99.25 percent of the par value of the bonds and accrued interest to the date of delivery will be considered.

Bond Details

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

Maturity September 1	Principal Amount
2000	\$ 95,000
2001	105,000
2002	110,000
2003	115,000
2004	120,000
2005	125,000
2006	130,000

2007	135,000
2008	140,000
2009	150,000
2010	155,000
2011	160,000
2012	170,000
2013	180,000
2014	185,000
2015	195,000

The bonds will bear interest from the date at rates to be determined when the bonds are sold as provided, which interest will be payable semiannually on March 1 and September 1, beginning March 1, 2000. A bidder may elect to have all or a portion of the bonds scheduled to mature in consecutive years issued as term bonds subject to the requirements set forth in the notice of sale.

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States or a financial surety bond in a form that complies with the requirements set forth in the notice of sale in the amount of \$45,400 (2 percent of the principal amount of the bonds).

Delivery

The city will pay for the preparation of the bonds and will deliver the same properly executed and registered without cost to the successful bidder on or about August 5, 1999, at the offices of the Depository Trust Company, New York, New York.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 1998 is \$37,522,115. The total applicable general obligation indebtedness of the city as of the date of the bonds, including the bonds being sold, is \$708,755.

Approval of Bonds

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

Additional Information

Additional information regarding the bonds may be obtained from the city clerk, (913) 856-7535; from the financial advisor, Kirkpatrick Pettis, Attention: Marty Nohe, (816) 360-2270; or from bond counsel, Logan Riley Carson & Kaup, L.C., 9200 Indian Creek Parkway, Suite 230, Overland Park, Kansas, (913) 661-0399.

Dated July 1, 1999.

City of Gardner, Kansas  
By Gwen Scott, City Clerk  
City Hall  
120 E. Main  
Gardner, KS 66030

Doc. No. 024022

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

Effective 7-5-99 through 7-11-99

Term	Rate
1-89 days	5.04%
3 months	4.69%
6 months	5.13%
9 months	5.21%
12 months	5.26%
18 months	5.49%
24 months	5.55%

Derl S. Treff  
Director of Investments

Doc. No. 024017

(Published in the Kansas Register July 8, 1999.)

**Summary Notice of Bond Sale**

Unified School District No. 252

Lyon County, Kansas (Southern Lyon County)

\$6,400,000

**General Obligation School Building Bonds, Series 1999**

(General obligation bonds payable from unlimited ad valorem taxes)

**Sealed Bids**

Subject to the notice of bond sale dated June 28, 1999, sealed bids will be received by the clerk of Unified School District No. 252, Lyon County, Kansas (Southern Lyon County) (the issuer), on behalf of the governing body at Office of the Board of Education, 302 Commercial, Hartford, Kansas, until 7 p.m. July 21, 1999, for the purchase of \$6,400,000 principal amount of General Obligation School Buildings Bonds, Series 1999. No bid of less than 100 percent of the principal amount of the bonds and accrued interest thereon to the date of delivery will be considered.

**Bond Details**

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

Year	Principal Amount
2000	\$ 50,000
2001	110,000
2002	180,000
2003	195,000
2004	210,000
2005	225,000
2006	240,000
2007	260,000
2008	280,000
2009	300,000

2010	320,000
2011	340,000
2012	365,000
2013	390,000
2014	415,000
2015	445,000
2016	470,000
2017	500,000
2018	535,000
2019	570,000

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

**Optional Book-Entry-Only System**

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

**Paying Agent and Bond Registrar**

Kansas State Treasurer, Topeka, Kansas.

**Good Faith Deposit**

Each bid shall be accompanied by a good faith deposit in the form of a cashier's or certified check drawn on a bank located in the United States or a qualified financial surety bond in the amount of \$128,000 (2 percent of the principal amount of the bonds).

**Delivery**

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about August 18, 1999, to DTC for the account of the successful bidder or at such bank or trust company in the contiguous United States as may be specified by the successful bidder, or elsewhere at the expense of the successful bidder.

**Assessed Valuation and Indebtedness**

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 1998 is \$25,066,430. The total general obligation indebtedness of the issuer as of the date of delivery of the bonds, including the bonds being sold, is \$9,525,000.

**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) 392-5510, or from the financial advisor, Ranson & Associates, Inc., 250 N. Rock Road, Suite 150, Wichita, KS 67206, Attention: Stephen E. Shogren, (316) 681-3123.

Dated June 28, 1999.

Unified School District No. 252  
Lyon County, Kansas

Doc. No. 024018

(Published in the Kansas Register July 8, 1999.)

**Summary Notice of Bond Sale  
City of Wichita, Kansas  
\$29,855,000**

**Aggregate Principal Amount  
General Obligation Bonds,  
Series 756, Series 757,  
Series 954 and Series 955**

Subject to the terms and conditions of the complete official notice of sale dated June 22, 1999, of the City of Wichita, Kansas, in connection with the city's hereinafter described Series of General Obligation Bonds, sealed, written bids for the purchase of each of the series of bonds shall be received at the office of the mayor, first floor, City Hall, 455 N. Main, Wichita, Kansas, until 10:30 a.m. Tuesday, July 20, 1999. All bids shall be publicly opened and read aloud on said date and at said time and place. The bids will be considered and the bonds will be awarded by the city council in the city council chambers, City Hall, at 11:30 a.m. July 20, 1999.

No oral or auction bid for the bonds shall be considered, and no bid for less than the entire principal amount of a series of bonds shall be considered. Bids will be accepted only on the official bid forms that have been prepared for these series of bonds, which may be obtained from the city's Department of Finance. Bids may be submitted by mail or may be delivered in person, but must be received at the place and not later than the date and time hereinbefore specified. Each bid shall be accompanied by a good faith deposit in the form of a certified or cashier's check drawn on a bank located within the United States and made payable to the order of the city, or in the form of a financial surety bond payable to the order to the city and meeting requirements therefor as set forth in the official notice of bond sale, and shall be in an amount equal to 2 percent of the principal amount of the series of bonds for which the bid is submitted.

**Description of the Bonds**

*The General Obligation Bonds, Series 756* will be issued in the aggregate principal amount of \$10,215,000; shall be issued as fully registered bonds in denominations of \$5,000, or any integral multiple thereof not exceeding the principal amount maturing in each year; shall bear a dated date of August 1, 1999; and shall mature serially on September 1 in each of the years and principal amounts as follows:

**Maturity Schedule—Series 756 Bonds**

Principal Amount	Maturity Date
\$475,000	2000
495,000	2001
520,000	2002
550,000	2003
575,000	2004
605,000	2005
635,000	2006
665,000	2007
700,000	2008
735,000	2009
770,000	2010

810,000	2011
850,000	2012
890,000	2013
940,000	2014

The Series 756 Bonds shall bear interest at the rates specified by the successful bidder, and interest shall be payable semiannually on March 1 and September 1 of each year, commencing March 1, 2000.

*The General Obligation Bonds, Series 757* will be issued in the aggregate principal amount of \$12,040,000; shall be issued as fully registered bonds in denominations of \$5,000, or any integral multiple thereof not exceeding the principal amount maturing in each year; shall bear a dated date of August 1, 1999; and shall mature serially on December 1 in each of the years and principal amounts as follows:

**Maturity Schedule—Series 757 Bonds**

Principal Amount	Maturity Date
\$1,205,000	2000
1,205,000	2001
1,205,000	2002
1,205,000	2003
1,205,000	2004
1,205,000	2005
1,205,000	2006
1,205,000	2007
1,200,000	2008
1,200,000	2009

The Series 757 Bonds shall bear interest at the rates specified by the successful bidder, and interest shall be payable semiannually on June 1 and December 1 of each year, commencing June 1, 2000.

*The General Obligation Bonds, Series 954* will be issued in the aggregate principal amount of \$4,300,000; shall be issued as fully registered bonds in denominations of \$5,000, or any integral multiple thereof not exceeding the principal amount maturing in each year; shall bear a dated date of August 1, 1999; and shall mature serially on December 1 in each of the years and principal amounts as follows:

**Maturity Schedule—Series 954 Bonds**

Principal Amount	Maturity Date
\$345,000	2000
360,000	2001
375,000	2002
395,000	2003
415,000	2004
435,000	2005
460,000	2006
480,000	2007
505,000	2008
530,000	2009

The Series 954 Bonds shall bear interest at the rates specified by the successful bidder, and interest shall be payable semiannually on June 1 and December 1 of each year, commencing June 1, 2000.

*The General Obligation Bonds, Series 955* will be issued in the aggregate principal amount of \$3,300,000; shall be is-

sued as fully registered bonds in denominations \$5,000, or any integral multiple thereof not exceeding the principal amount maturing in each year; shall bear a dated date of August 1, 1999; and shall mature serially on September 1 in each of the years and principal amounts as follows:

**Maturity Schedule—Series 955 Bonds**

Principal Amount	Maturity Date
\$ 65,000	2000
80,000	2001
95,000	2002
115,000	2003
135,000	2004
150,000	2005
175,000	2006
200,000	2007
225,000	2008
255,000	2009
285,000	2010
320,000	2011
360,000	2012
400,000	2013
440,000	2014

The Series 955 Bonds shall bear interest at the rates specified by the successful bidder, and interest shall be payable semiannually on March 1 and September 1 of each year, commencing March 1, 2000.

**Forms of Bonds**

Each series of bonds will be issued in book-entry-only form.

**Paying Agent and Bond Registrar; Payment of Principal and Interest:**

The Chase Manhattan Bank, New York, New York, shall serve as bond registrar and paying agent for the bonds. The principal amount of and the interest on the bonds shall be paid by the paying agent from funds made available by the city by wire transfer of same day funds to Cede & Co., nominee for the Depository Trust Company, New York, New York (DTC). The transfer of principal and interest payments to the participants of DTC will be the responsibility of DTC, and the transfer of principal and interest payments to beneficial owners by participants of DTC will be the responsibility of such participants and other nominees of beneficial owners. Reference is made to the official notice of bond sale for additional information regarding payment of principal and interest to owners of the bonds.

**Redemption**

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

**Delivery**

The bonds shall be delivered at the expense of the city on or about August 26, 1999. As a condition to delivery, the successful bidders shall be required to deposit the bonds with DTC. (Reference is made to the official notice of bond sale for additional information regarding delivery.)

**Legal Opinion**

Hinkle Elkouri Law Firm L.L.C., Wichita, Kansas. All fees and expenses of bond counsel shall be paid by the

city. (Reference is made to the official notice of bond sale and the city's preliminary official statement for additional information regarding legal matters.)

**Security**

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

**Ratings**

The city's outstanding general obligation bonds issued since 1975 have been rated by Moody's Investors Service, Inc. and by Standard & Poor's Corporation. The most recent ratings given to the city's general obligation bonds (sold January 12, 1999) by such rating agencies were "Aa2" and "AA." The city has applied to both of said rating services for ratings on the bonds described herein.

**Financial Matters**

The city's equalized assessed tangible valuation for computation of bonded debt limitations is \$2,071,234,803. The total outstanding general obligation bonded indebtedness of the city, at August 1, 1999, will be \$329,420,366. This amount includes the within described bonds and the following described pending indebtedness.

**Pending Indebtedness**

Concurrently with the public sale of the bonds described herein, the city will offer at public sale \$26,015,000 principal amount of General Obligation Renewal and Improvement Temporary Notes, Series 199.

**Official Statement**

The city has authorized and directed preparation of a preliminary official statement in connection with the bonds. Said preliminary official statement is in a form "deemed final" by the city for purposes of the Securities and Exchange Commission Rule 15c2-12(b)(1), but is subject to revision, amendment and completion in the final official statement. Not later than seven business days after the date of the sale of the bonds, the city shall furnish the successful bidder with a reasonable number of copies of the final official statement, without cost.

**Continuing Disclosure**

The city has adopted an ordinance establishing a master undertaking to provide ongoing disclosure concerning the city in connection with its general obligation bonds for the benefit of owners of the bonds, as required under Section (b)(5)(i) of Securities and Exchange Commission Rule 15c2-12. A copy of that ordinance is included as an appendix to the official statement.

**Additional Information**

Copies of the official notice of sale, official bid forms and preliminary official statement may be obtained from the city's Department of Finance, City Hall, 12th Floor, 455 N. Main, Wichita, KS 67202-1679, Attn: Kristi McMinville, Debt Coordinator, (316) 268-4143.

City of Wichita, Kansas  
By Pat Burnett, City Clerk

Doc. No. 024025

(Published in the Kansas Register July 8, 1999.)

**Corrected**  
**Summary Notice of Bond Sale**  
**Grant County, Kansas**  
**\$1,750,000**

**General Obligation Hospital Improvement**  
**Bonds, Series 1999**

(General Obligation Bonds Payable From  
 Unlimited Ad Valorem Taxes)

**Sealed Bids**

Subject to the notice of bond sale dated June 15, 1999, sealed bids will be received by the clerk of Grant County, Kansas (the issuer), on behalf of the governing body at the Grant County Courthouse, 108 S. Glenn, Ulysses, KS 67880, until noon July 27, 1999, for the purchase of \$1,750,000 principal amount of General Obligation Hospital Improvement Bonds, Series 1999. No bid of less than 100 percent of the principal amount of the bonds and accrued interest thereon to the date of delivery will be considered.

**Bond Details**

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

Year	Principal Amount
2000	\$ 300,000
2001	325,000
2002	360,000
2003	375,000
2004	390,000

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

**Optional Book-Entry-Only System**

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

**Paying Agent and Bond Registrar**

Kansas State Treasurer, Topeka, Kansas.

**Good Faith Deposit**

Each bid shall be accompanied by a good faith deposit in the form of a cashier's or certified check drawn on a bank located in the United States or a qualified financial surety bond in the amount of \$35,000 (2 percent of the principal amount of the bonds).

**Delivery**

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about August 18, 1999, to DTC for the account of the successful bidder or at such bank or trust company in the contiguous United States as may be specified by the successful bidder, or elsewhere at the expense of the successful bidder.

**Assessed Valuation and Indebtedness**

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 1998 is \$364,137,967. The total general obligation indebtedness of the issuer as of the date of delivery of the bonds, including the bonds being sold, is \$1,930,000.

**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) 356-1335, or from the financial advisor, Ranson & Associates, Inc., 250 N. Rock Road, Suite 150, Wichita, KS 67206, Attention: Stephen E. Shogren, (316) 681-3123.

Dated June 30, 1999.

Grant County, Kansas

Doc. No. 024026

(Published in the Kansas Register July 8, 1999.)

**Summary Notice of Bond Sale**  
**Sedgwick County, Kansas**  
**\$12,195,000**

**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 June 30, 1999, sealed bids will be received by the chief financial officer of Sedgwick County, Kansas (the issuer), on behalf of the Board of County Commissioners at the Sedgwick County Courthouse, Suite 823, 525 N. Main, Wichita, KS 67203, until 9:30 a.m. July 21, 1999, for the purchase of \$12,195,000 principal amount of General Obligation Bonds, Series A, 1999. No bid of less than 99 percent of the principal amount of the bonds and accrued interest thereon to the date of delivery will be considered.

**Bond Details**

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

Year	Principal Amount
2000	\$ 775,000
2001	825,000
2002	850,000
2003	900,000
2004	950,000
2005	980,000
2006	1,035,000
2007	1,075,000
2008	1,140,000
2009	1,200,000
2010	440,000

2011	465,000
2012	490,000
2013	520,000
2014	550,000

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 February 1 and August 1 in each year, beginning February 1, 2000.

#### Book-Entry-Only System

The bonds shall 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 \$243,900 (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 August 20, 1999, at DTC for the account of the successful bidder or at such bank or trust company in the contiguous United States as may be specified by the successful bidder.

#### Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 1998 is \$2,871,391,515. The total general obligation indebtedness of the issuer as of the date of delivery of the bonds, including the bonds being sold and \$3,500,000 principal amount of temporary notes of the issuer to be sold on the same date as the bonds, is \$106,275,000. Temporary notes in the principal amount of \$4,000,000 will be retired out of proceeds of the bonds, the notes and other available funds.

#### 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 as and when the bonds are delivered.

#### Additional Information

Additional information regarding the bonds may be obtained from Phillip D. Hanes, cash/debt management coordinator, at the address set forth above or by fax at (316) 383-7729; or from the financial advisor, A.G. Edwards & Sons, Inc., 3399 Peachtree Road, N.E., Suite 1100, Atlanta, GA 30326, Attention: Dick Layton or Dianne McNabb, (404) 237-3280.

Dated June 30, 1999.

Sedgwick County, Kansas

Doc. No. 024029

State of Kansas

## Board of Pharmacy

### Permanent Administrative Regulations

#### Article 5.—GENERAL RULES

#### 68-5-15. Training of pharmacy technicians. (a)

The pharmacist-in-charge of any pharmacy in which one or more pharmacy technicians perform any tasks authorized by the pharmacy act shall insure that each pharmacy technician complies with the training requirements in this regulation.

(b) The pharmacist-in-charge of any pharmacy in which one or more pharmacy technicians perform any tasks authorized by the pharmacy act shall insure that there exists for the pharmacy a current pharmacy technician training course, designed for the functioning of that pharmacy and addressing at least the following:

(1) Knowledge and understanding of the different pharmacy practice settings;

(2) knowledge and understanding of the duties and responsibilities of a pharmacy technician in relationship to other pharmacy personnel and knowledge of standards, ethics, laws, and regulations governing the practice of pharmacy;

(3) knowledge and ability to identify and employ pharmaceutical and medical terms, abbreviations, and symbols commonly used in prescribing and dispensing drugs and in record keeping;

(4) knowledge of and the ability to carry out calculations required for common dosage determinations;

(5) knowledge and understanding of the identification of drugs, drug dosages, routes of administration, dosage forms, storage requirements, and manufacturer recalls;

(6) knowledge of and the ability to perform the manipulative and record-keeping functions involved in and related to dispensing prescriptions or other drug distribution systems; and

(7) knowledge of and the ability to perform procedures and techniques, including aseptic techniques, relating to the compounding, packaging, and labeling of drugs.

(c) The pharmacist-in-charge of any pharmacy shall permit a pharmacy technician to perform tasks authorized by the pharmacy act only if the pharmacy technician has successfully completed, within 180 days of the effective date of this regulation or the effective date of the technician's employment in the pharmacy, whichever is later, a training course that meets the requirements of subsection (b) and was designed for the pharmacy in which the tasks are performed.

(d) The pharmacist-in-charge of any pharmacy in which one or more pharmacy technicians perform any tasks authorized by the pharmacy act shall also insure that the following requirements are met:

(1) There is an annual review of the pharmacy technician training course developed for the pharmacy.

(2) Adequate records are maintained documenting the training of each pharmacy technician as required by this regulation. These records shall be maintained at the phar-

(continued)

macy in a manner available for inspection by a board representative.

(3) The board is notified, within 30 days of the effective date of this regulation or the effective date of the employment of a pharmacy technician, of the following:

(i) The full name and current residence address of pharmacy technicians working in a pharmacy for which the pharmacist-in-charge has responsibility;

(ii) the date on which the pharmacy technician began the pharmacy technician training course or courses designed for the pharmacy or pharmacies in which the pharmacy technician is working; and

(iii) the name and address of the pharmacy or pharmacies in which the pharmacy technician is working. (Authorized by K.S.A. 65-1630 and K.S.A. 1998 Supp. 65-1642; implementing K.S.A. 1998 Supp. 65-1642; effective July 23, 1999.)

#### Article 7.—MISCELLANEOUS PROVISIONS

**68-7-18. Health departments and private not-for-profit family planning clinics.** The distribution and control of drugs provided by health departments and private not-for-profit family planning clinics authorized under K.S.A. 65-1648(d)(1), and amendments thereto, shall conform to the following requirements:

(a) The approved drugs that may be stored and distributed by health departments and not-for-profit family planning clinics shall be only noncontrolled drugs that are approved by the food and drug administration. In determining the formulary for each health department or not-for-profit family planning clinic, the pharmacist-in-charge shall consult with the medical supervisor and director of nursing for that facility. No state or federal controlled drugs shall be allowed.

(b) The pharmacist-in-charge shall review the procedures outlined below for the distribution and control of all drugs within health department facilities and family planning clinics and shall be responsible for the following:

(1) Ensuring the development of programs for supervision of all personnel in the distribution and control of drugs;

(2) ensuring the development of a policy and procedure manual governing the storage, control, and distribution of drugs;

(3) maintaining documentation of at least quarterly checks of drug records, drug storage conditions, and drugs stored in all locations within the facility;

(4) establishing a drug recall procedure that can be effectively implemented; and

(5) ensuring the development of written procedures for maintaining records of distribution and prepackaging of drugs. Prepackaged drugs shall include the following:

(A) The name, quantity, and strength of the drug;

(B) the expiration date of the drug; and

(C) the lot number of the drug.

(c) The procedures for the control and distribution of drugs within health department facilities and family planning clinics shall be consistent with the following requirements:

(1) Adequate records of the distribution of drugs by the designated registered professional nurse or nurses shall be maintained and shall include the physician's order or written protocol.

(A) If the physician's order was given orally, electronically, or by telephone, the designated registered professional nurse or nurses shall reduce that order to writing. The written copy of the order shall be signed by the designated registered professional nurse and maintained in a permanent patient file.

(B) The records shall include the following:

(i) The patient's name;

(ii) the date;

(iii) the name, quantity, and strength of the drug distributed;

(iv) the directions for use;

(v) the prescriber's name;

(vi) the expiration date of the drug; and

(vii) the lot number of the drug.

(2) A supply of drugs shall be provided to a patient by a designated registered professional nurse or nurses pursuant to a prescriber's order. Only a designated registered professional nurse or nurses may access the pharmacy area and remove the supply of the drugs. The supply shall conform with the following labeling requirements:

(A) The name, address, and telephone number of the health department or family planning clinic from which the drug is supplied;

(B) the patient's name;

(C) adequate directions for use;

(D) the prescriber's name;

(E) the date and identifying number;

(F) the name, quantity, and strength of the drug; and

(G) auxiliary labels, if needed.

(d) The appointment of any Kansas licensed pharmacist as pharmacist-in-charge of a health department or family planning clinic shall be subject to the provisions of K.A.R. 68-7-13. (Authorized, by and implementing K.S.A. 65-1648; effective, T-84-3, Feb. 10, 1983; effective May 1, 1984; amended July 23, 1999.)

**68-7-19. Transfer of a refillable prescription between pharmacies.** (a) As used in K.S.A. 65-1656, and amendments thereto, the requested or transferring pharmacy is that pharmacy which has on file the original refillable prescription that the patient wishes to transfer to a second pharmacy. The dispensing or requesting pharmacy is the pharmacy that is wanting the information transferred from the original refillable prescription so that the patient may obtain the medication at this second pharmacy or the pharmacy receiving the transferred prescription.

(b) Valid refillable prescriptions for prescription drugs not listed in schedule II of the uniform controlled substances act may be transferred either by direct communications between two licensed pharmacists from one pharmacy to another pharmacy or by a licensed pharmacist operating a suitable electronic device. Before any prescription is transferred, the prescription information at the transferring pharmacy shall meet all of the following criteria:

(1) The prescription information indicates authorization for refilling by the prescriber.



(2) The drug on the prescription information is not a schedule II controlled substance.

(3) The number of lawfully allowable refills directed by the prescriber has not been exceeded.

(4) The maximum allowable time limit from the original dating of the prescription has not been exceeded.

(c) When a prescription on record is transferred, the following record keeping shall be required:

(1)(A) If the transfer involves a noncontrolled substance, the pharmacist at the transferring pharmacy shall perform the following:

(i) Cancel the transferred prescription by writing the word "void" on its face; and

(ii) record on the face of the prescription the name and address of the pharmacy to which the prescription was transferred, the date of the transfer request, the full name of the pharmacist to which the prescription was transferred, and the full name of the pharmacist transferring the prescription.

(B) If the pharmacy from which the prescription is transferred utilizes a computerized prescription record-keeping system adequate to do so, the transferring pharmacist may record the information required by paragraphs (1)(A)(i) and (ii) in the computer record of the prescription instead of recording the information on the face of the prescription.

(C) Transferring pharmacies that have computerized record-keeping systems that permit requesting pharmacies to electronically transfer prescriptions and prescription information from the transferring pharmacy to the requesting pharmacy shall establish procedures to permit these transfers only in instances of valid and legal requests and to insure that the prescription information required by subsection (b) is available to the requesting pharmacy at the time of the electronic transfer.

(D) If the requesting pharmacy is transferring a prescription and prescription information from another pharmacy without communicating directly with a pharmacist at the transferring pharmacy, the pharmacist at the requesting pharmacy shall insure that there is a sufficient electronic record left at the transferring pharmacy so that a pharmacist at the transferring pharmacy can comply with the record-keeping requirements of K.S.A. 65-1656, and amendments thereto, and these regulations.

(2)(A) If the transfer involves a C-III, IV, or V controlled substance, the pharmacist at the transferring pharmacy shall perform the following:

(i) Cancel the transferred prescription by writing the word "void" on its face; and

(ii) record on the back of the prescription the name, address, and DEA registration number of the pharmacy to which the prescription was transferred, the date of the transfer request, the full name of the pharmacist to which the prescription was transferred and the full name of the pharmacist transferring the prescription.

(B) Transferring pharmacies that have computerized prescription record-keeping systems that permit requesting pharmacies to electronically transfer prescriptions and prescription information from the transferring pharmacy to the requesting pharmacy shall establish procedures to permit these transfers only in instances of valid and legal requests and to insure that the prescription in-

formation required by subsection (b) is available to the pharmacist at the requesting pharmacy at the time of the electronic transfer.

(C) If the requesting pharmacy is transferring a prescription and prescription information from another pharmacy without communicating directly with a pharmacist at the transferring pharmacy, the pharmacist at the requesting pharmacy shall insure that there is a sufficient electronic record left at the transferring pharmacy so that a pharmacist at the transferring pharmacy can comply with the record-keeping requirements of K.S.A. 65-1556, and amendments thereto, and these regulations.

(3) The prescription record at the pharmacy receiving the transferred prescription shall show the following, in addition to all other lawfully required information of an original prescription:

(A) The word "transfer" written on the face of the prescription record;

(B) the date of original issuance and the date of original filling, if different from the issuance date;

(C) the original number of refills authorized, the number of remaining authorized refills, and the date of last refill;

(D) the original prescription number;

(E) the name, address, and telephone number of the transferring pharmacy, and the name of the transferring pharmacist;

(F) the name, address, and telephone number of the prescriber; and

(G) if the transfer involves a C-III, IV, or V controlled substance, the DEA registration number of the prescriber and of the transferring pharmacy.

(4) If the transfer involves a noncontrolled substance and the pharmacy to which the prescription is transferred utilizes a computerized prescription record-keeping system adequate to do so, the receiving pharmacist may record the information required by paragraphs (3)(A) through (F) in the computer record of the prescription instead of otherwise recording the information.

(d) If two or more pharmacies use common electronic prescription files to maintain dispensing information and do not physically transfer prescriptions or information for dispensing purposes, all pharmacies licensed by the board that have access to these common files shall be responsible to insure that at all times the common files contain at least the following information readily available to any person accessing the file:

(1) Any authorization for refilling by the prescriber;

(2) an indication of whether or not the number of lawfully allowable refills authorized by the prescriber has been exceeded;

(3) an indication of whether or not the maximum allowable time limit from the original date of the prescription has been exceeded;

(4) any other information provided by the original prescription or prescription order; and

(5) the name and address of the pharmacy last dispensing the drug pursuant to the prescription.

(e) The dispensing pharmacy shall advise the patient and notify the transferring pharmacy that the original

*(continued)*

prescription shall be canceled in the transferring pharmacy.

(f) A Kansas pharmacist may transfer a valid, refillable prescription from or to another pharmacy in or outside the state of Kansas. Noncontrolled substance prescriptions may be transferred more than once, but C-III, IV, and V controlled substance prescriptions shall not be transferred more than one time. (Authorized by and implementing K.S.A. 1998 Supp. 65-1656; effective March 29, 1993; amended July 23, 1999.)

#### Article 14.—WHOLESALE DISTRIBUTORS

**68-14-2. Definitions.** (a) "Blood" means whole blood collected from a single donor and processed either for transfusion or for further manufacturing.

(b) "Blood component" means that part of blood separated by physical or mechanical means.

(c) "Common control" means the power to direct or cause the direction of the management and policies of a person or an organization, whether by ownership of stock, voting rights, by contract, or otherwise.

(d) "Drug sample" means a unit of a prescription-only drug that is not intended to be sold, is intended to promote the sale of the drug, and is distributed on a gratuitous basis.

(e) "Emergency medical reasons" include transfers of prescription-only drugs by a retail pharmacy to another retail pharmacy to alleviate a temporary shortage, except that the gross dollar value of these transfers shall not exceed five percent of the total prescription-only drug sales revenue of either the transferor or transferee pharmacy during any period of 12 consecutive months.

(f) "Intracompany sales" means any transaction or transfer between any division, subsidiary, parent, affiliated, or related company under the common ownership and control of a corporate entity.

(g) "Primary owner" means any person owning or controlling more than 50 percent of the wholesaler's business.

(h) "Wholesale distribution" means distribution of prescription-only drugs to persons other than a consumer or patient, but this term shall not include any of the following:

- (1) Intracompany sales;
- (2) the purchase or other acquisition by a hospital or other health care entity that is a member of a group purchasing organization of a drug for its own use from the group purchasing organization or from other hospitals or health care entities that are members of these organizations;
- (3) the sale, purchase, or trade of a drug or an offer to sell, purchase, or trade a drug by a charitable organization described in section 501(c)(3) of the U.S. internal revenue code of 1954 to a nonprofit affiliate of the organization to the extent otherwise permitted by law;
- (4) the sale, purchase, or trade of a drug or an offer to sell, purchase, or trade a drug among hospitals or other health care entities that are under common control;
- (5) the sale, purchase, or trade of a drug or an offer to sell, purchase, or trade a drug for emergency medical reasons;
- (6) the sale, purchase, or trade of a drug; an offer to sell, purchase, or trade a drug; or the dispensing of a drug pursuant to a prescription;

(7) the distribution of drug samples by manufacturers' representatives or distributors' representatives; or

(8) the sale, purchase, or trade of blood and blood components intended for transfusion.

(i) "Wholesale distributor" means anyone doing business in this state and engaging in wholesale distribution of prescription-only drugs, including the following:

- (1) Manufacturers;
- (2) repackers;
- (3) own-label distributors;
- (4) private-label distributors;
- (5) jobbers;
- (6) brokers;
- (7) warehouses, including manufacturers' and distributors' warehouses, chain drug warehouses, and wholesale drug warehouses;
- (8) independent wholesale drug traders; and
- (9) retail pharmacies that conduct wholesale distributions. (Authorized by and implementing K.S.A. 65-1630; effective June 15, 1992; amended July 23, 1999.)

**68-14-3. Wholesale distributor registration requirement.** Every wholesale distributor doing business in this state who engages in wholesale distributions of prescription-only drugs shall be registered by the board, in accordance with the laws of the pharmacy act and regulations, before engaging in wholesale distributions of prescription-only drugs. (Authorized by and implementing K.S.A. 1998 Supp. 65-1655 and 65-1643; effective June 15, 1992; amended July 23, 1999.)

**68-14-4. Minimum required information for registration.** (a) Each wholesale distributor shall provide the board with the following minimum information as part of the registration requirements described in K.S.A. 65-1645, and amendments thereto, and as part of any renewal of any registration:

- (1) The name, full business address, and telephone number of the registrant;
- (2) each trade or business name used by the registrant;
- (3) the address, telephone number, and name of the contact person for each facility used by the registrant for the storage, handling, and distribution of prescription-only drugs;
- (4) the type of ownership or operation, including partnership, corporation, or sole proprietorship; and
- (5) the name of each owner, operator, or both, of the registrant, including the following:
  - (A) If a person, the name of the person;
  - (B) if a partnership, the name of each partner, and the name of the partnership;
  - (C) if a corporation, the name and title of each corporate officer and director, the corporate name, and the name of the state of incorporation; and
  - (D) if a sole proprietorship, the full name of the sole proprietor and the name of the business entity.
- (b) A single registration may be issued by the board for any business entity operating more than one facility within this state, or for a parent entity with divisions, subsidiaries, affiliate companies, or some combination of these within this state when operations are conducted at more than one location and there exists joint ownership and control among all the entities.
- (c) Each registrant shall submit revised information requested by subsection (a) within 30 days after any change

in that information. (Authorized by K.S.A. 65-1630; implementing K.S.A. 1998 Supp. 65-1645 and 65-1655; effective June 15, 1992; amended July 23, 1999.)

**68-14-5. Personnel.** As a condition for receiving and retaining a wholesale distributor registration, the registrant shall require each person employed in any prescription-only drug wholesale distribution activity to have education, training, and experience, or any combination of these, sufficient for that person to perform the assigned functions in a manner providing assurance that the drug product quality, safety, and security will at all times be maintained as required by law. (Authorized by and implementing K.S.A. 1998 Supp. 65-1655; effective June 15, 1992; amended July 23, 1999.)

**68-14-7. Minimum requirements for the storage and handling of prescription-only drugs and for the establishment and maintenance of prescription-only drug distribution records.** Each registrant shall meet the following minimum requirements for the storage and handling of prescription-only drugs, and for the establishment and maintenance of prescription-only drug distribution records by wholesale distributors and their officers, agents, representatives, and employees.

(a) Facilities. Each facility at which prescription-only drugs are stored, warehoused, handled, held, offered, marketed, or displayed shall meet the following requirements:

(1) Be of suitable size and construction to facilitate cleaning, maintenance, and proper operations;

(2) have storage areas designed to provide adequate lighting, ventilation, temperature, sanitation, humidity, space, equipment, and security conditions;

(3) have a quarantine area for storage of prescription-only drugs that are outdated, damaged, deteriorated, misbranded, or adulterated, or that are in immediate or sealed, secondary containers that have been opened;

(4) be maintained in a clean and orderly condition; and

(5) be free from infestation by insects, rodents, birds, or vermin of any kind.

(b) Security.

(1) Each facility used for wholesale drug distribution shall be secure from unauthorized entry.

(A) Access from outside the premises shall be kept to a minimum and be well controlled.

(B) The outside perimeter of the premises shall be well lighted.

(C) Entry into areas where prescription-only drugs are held shall be limited to authorized personnel.

(2) Each facility shall be equipped with an alarm system to detect entry after hours.

(3) Each facility shall be equipped with a security system that will provide suitable protection against theft and diversion. When appropriate, the security system shall provide protection against theft or diversion that is facilitated or hidden by tampering with computers or electronic records.

(c) Storage. All prescription-only drugs shall be stored at appropriate temperatures and under appropriate conditions in accordance with requirements, if any, in the labeling of these drugs, or with requirements in the 1995 edition of the United States pharmacopeia/national formulary (USP/NF), which is adopted by reference.

(1) If no storage requirements are established for a prescription-only drug, the drug may be held at "controlled" room temperature, as defined in an official compendium, to help ensure that its identity, strength, quality, and purity are not adversely affected.

(2) Appropriate manual, electromechanical, or electronic temperature and humidity-recording equipment, devices, logs, or a combination of these methods shall be utilized to document proper storage of prescription-only drugs.

(3) The record-keeping requirements in subsection (f) of this regulation shall be followed for all stored drugs.

(d) Examination of materials.

(1) Upon receipt, each outside shipping container shall be visually examined for identity and to prevent the acceptance of contaminated prescription-only drugs or prescription-only drugs that are otherwise unfit for distribution. This examination shall be adequate to reveal container damage that would suggest possible contamination or other damage to the contents.

(2) Each outgoing shipment shall be carefully inspected for identity of the prescription-only drug products and to ensure that there is no delivery of prescription-only drugs that have been damaged in storage or held under improper conditions.

(3) The record-keeping requirements in subsection (f) of this regulation shall be followed for all incoming and outgoing prescription-only drugs.

(e) Returned, damaged, and outdated prescription-only drugs.

(1) Prescription-only drugs that are outdated, damaged, deteriorated, misbranded, or adulterated shall be quarantined and physically separated from other prescription-only drugs until they are destroyed or returned to their supplier.

(2) Any prescription-only drugs whose immediate or sealed outer or sealed secondary containers have been opened or used shall be identified as such, and shall be quarantined and physically separated from other prescription-only drugs until they are either destroyed or returned to the supplier.

(3) If the conditions under which a prescription-only drug has been returned cast doubt on the drug's safety, identity, strength, quality, or purity, then the drug shall be destroyed or returned to the supplier, unless examination, testing, or other investigations prove that the drug meets appropriate standards of safety, identity, strength, quality, and purity. In determining whether or not the conditions under which a drug has been returned cast doubt on the drug's safety, identity, strength, quality, or purity, the wholesale distributor shall consider, among other factors, the conditions under which the drug has been held, stored, or shipped before or during its return and the condition of the drug and its container, carton, or labeling, as a result of storage or shipping.

(4) The record-keeping requirements in subsection (f) of this regulation shall be followed for all outdated, damaged, deteriorated, misbranded, or adulterated prescription-only drugs.

(f) Record keeping.

(1) Each wholesale distributor shall establish and maintain inventories and records of all transactions regarding the receipt and distribution or other disposition

(continued)

of prescription-only drugs. These records shall include the following information:

(A) The source of the drugs, including the name and principal address of the seller or transferor, and the address of the location from which the drugs were shipped;

(B) the identity and quantity of the drugs received and either distributed or disposed of; and

(C) the dates of receipt and either distribution or other disposition of the drugs.

(2) Inventories and records shall be made available for inspection and photocopying by authorized federal, state, or local law enforcement agency officials for five years following disposition of the drugs.

(3) Records described in this regulation that are kept at the inspection site or that can be immediately retrieved by computer or other electronic means shall be readily available for authorized inspection during the retention period. Records kept at a central location apart from the inspection site and not electronically retrievable shall be made available for inspection within two working days of a request by an authorized official of a federal, state, or local law enforcement agency.

(g) Written policies and procedures. Each wholesale distributor shall establish, maintain, and adhere to written policies and procedures concerning the receipt, security, storage, inventory, and distribution of prescription-only drugs, including policies and procedures for identifying, recording, and reporting losses or thefts, and for correcting all errors and inaccuracies in inventories. In addition, each wholesale distributor shall establish, maintain, and adhere to the following written policies and procedures:

(1) A procedure by which the oldest approved stock of a prescription-only drug product is distributed first. The procedure may permit deviation from this requirement, if the deviation is temporary and appropriate;

(2) A procedure to be followed for handling recalls and withdrawals of prescription-only drugs. This procedure shall be adequate to deal with recalls and withdrawals due to any of the following:

(A) Any action initiated at the request of the food and drug administration or other federal, state, or local law enforcement or other government agency, including the board;

(B) any voluntary action by the manufacturer to remove defective or potentially defective drugs from the market; or

(C) any action undertaken to promote public health and safety by replacing existing merchandise with an improved product or new package design;

(3) a procedure to ensure that wholesale distributors prepare for, protect against, and handle any crisis that affects security or operation of any facility in the event of strike, fire, flood, or other natural disaster, or other situations of local, state, or national emergency; and

(4) a procedure to ensure that any outdated prescription-only drugs shall be segregated from other drugs and either returned to the manufacturer or destroyed. This procedure shall provide for written documentation of the disposition of outdated prescription-only drugs. This documentation shall be maintained for five years after disposition of the outdated drugs.

(h) Responsible persons. Each wholesale distributor shall establish and maintain lists of officers, directors,

managers, and other persons in charge of wholesale prescription-only drug distribution, storage, and handling, including a description of their duties and a summary of their qualifications.

(i) Compliance with federal, state, and local law. Each wholesale distributor that deals in controlled substances shall register with the drug enforcement administration.

Each wholesale distributor shall permit the board's authorized personnel and authorized federal, state, and local law enforcement officials to enter and inspect the distributor's premises and delivery vehicles, and to audit the records and written operating procedures, at reasonable times and in a reasonable manner, to the extent authorized by law. These officials shall be required to show appropriate identification before being permitted access to wholesale distributors' premises and delivery vehicles.

(j) Salvaging and reprocessing. Each wholesale distributor shall be subject to the provisions of any applicable federal, state, or local laws or regulations that relate to prescription-only drug product salvaging or reprocessing. (Authorized by K.S.A. 65-1630 and implementing K.S.A. 65-1634; effective June 15, 1992; amended July 23, 1999.)

**68-14-8. Wholesale distributor transaction.** Notwithstanding any other provision of these regulations, a wholesale distributor, duly registered with the board, may sell or deliver to a layperson responsible for the control of an animal, a prescription-only drug to be administered to the animal only if a licensed veterinarian practitioner has issued, before the sale or delivery, a lawful prescription or order for the prescription-only drug in the course of an existing, valid veterinarian-client-patient relationship as defined in K.S.A. 47-816 and amendments thereto. As used in these regulations, "wholesale distribution" shall include this transaction.

(a) At the time the prescription-only drug leaves the registered location of the wholesale distributor, the wholesale distributor shall possess a copy of the prescription or order for the drugs.

(b) At the time the prescription-only drug is delivered to the layperson, the person making the delivery shall possess a copy of the prescription or order for the drugs.

(c) The wholesale distributor shall retain, for a period of five years, a copy of the prescription or order in a manner that it is readily available for review by a board representative. (Authorized by K.S.A. 65-1630; implementing K.S.A. 1998 Supp. 65-1635(d); effective July 23, 1999.)

#### Article 15.—NONPRESCRIPTION WHOLESALE DISTRIBUTORS

**68-15-1. Nonprescription wholesale distributors.** "Nonprescription wholesale distributor" shall mean any person, partnership, corporation, or business firm registered in this state and engaging in the distribution of drugs that are not prescription-only drugs to persons or entities other than a consumer or patient. (Authorized by K.S.A. 65-1630; implementing K.S.A. 1998 Supp. 65-1643(c); effective July 23, 1999.)

Larry Froelich  
Executive Secretary

Doc. No. 024028

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, Room 102, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612, 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, July 19, 1999

33763

Kansas Correctional Industries—Twill fabric, Hutchinson

33765

Emporia State University—Beds

33766

Larned Correctional Mental Health Facility— Portable radio batteries

Thursday, July 29, 1999

A-8611

Wichita State University—Campus walk repair, various locations

A-8804

Wichita State University—Correction of campus accessibility issues

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Request for Proposals

Monday, July 26, 1999

33764

Strategic planning services for the Kansas Arts Commission

John T. Houlihan  
Director of Purchases

Doc. No. 024038

State of Kansas

State Corporation Commission

Notice of Motor Carrier Hearings

The following motor carriers have filed various applications and are scheduled for hearing at 9:30 a.m. July 27 before the commission at its offices, 1500 S.W. Arrowhead Road, Topeka, as indicated below. All applications listed herein are for statewide authority, unless otherwise stated. This list does not include cases which have been continued from earlier assigned hearing dates for which parties of record have received notice.

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

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

Applications for Certificate of Public Service:

Agricultural Community Alliance, Inc., 602 W. Amity, Louisburg, KS 66053; MC ID No. 157213; General commodities (except household goods and hazardous materials).

Circle C Farms, Inc., 1014 Cedar Drive, Scott City, KS 67871; MC ID No. 157295; William Barker, Attorney; General commodities (except household goods and hazardous materials).

Circle H Transport, Inc., 104 E. 7th, Hugoton, KS 67951; MC ID No. 157296; General commodities (except household goods and hazardous materials).

Rodney L. Coomes, dba R & R Trucking, RR 1, Box 12G, Glade, KS 67639; MC ID No. 157291; General commodities (except household goods and hazardous materials).

IBC Trucking Corporation, 12 E. Armour Blvd., Kansas City, MO 64111; MC ID No. 157294; W. Robert Alderson, Attorney; General commodities.

Millennium Enterprises, Inc., 905 Weaver, Emporia, KS 66801; MC ID No. 157298; General commodities (except household goods).

Mule Train Express, Inc., 118 E. AA Hwy, Grain Valley, MO 64029; MC ID No. 232554; General commodities (except household goods and hazardous materials).

Nard II, Inc., Route 1, Box 61, Buffalo, OK 73834; MC ID No. 157289; William Parker, Attorney; General commodities (except household goods, Classes A & B explosives, poison gas, highway controlled radioactive materials).

Newton Enterprises, Inc., dba Newton Relocation Services, 735 Main, Wellsville, KS 66092; MC ID No. 152768; Barry Martin, Attorney; Household goods.

Specialized Dedicated Fleets, Inc., One Rollins Plaza, Wilmington, DE 19803; MC ID No. 216120; General commodities (except household goods).

T & E Oil Company, Inc., 911 North Halstead, Hutchinson, KS 67504; MC ID No. 112976; Joseph Weiler, Attorney; General commodities (except Classes A & B explosives and household goods).

T & M Energy LLC, 108 N. 6th, Dumas, TX 79029; MC ID No. 157297; General commodities (except household goods).

Trambly Farms, Inc. RR 1, Box 71, Campbell, NE 68932; MC ID No. 237939; General commodities (except household goods and hazardous materials).

Voyager Trucks, Inc., 1427 East Steve Owens Blvd., Miami, OK 74354; MC ID No. 157290; General commodities (except household goods and hazardous materials).

Lloyd J. Williams, dba City Transport Co., 800 W. 31st, Independence, MO 64055; MC ID No. 157293; General commodities (except household goods and hazardous materials).

John C. Young, dba Young Trucking, 24430 W. 383rd, Paola, KS 66071; MC ID No. 157292; General commodities (except household goods).

Applications for Transfer of Certificate of Public Service:

Waechter Hay & Grain, Inc., 2307 W. 7th, Emporia, KS 66801; MC ID No. 102695; TO: Waechtere, LLC, 2307 West 7th, Emporia, KS 66801; William Barker, Attorney; General commodities (except household goods, Classes A & B explosives,

(continued)

commodities requiring temperature control, liquid commodities and hazardous materials.

**Austin R. Berg, III, dba Hot Shot Delivery**, 40018 K Highway, Richmond, MO 64085; MC ID No. 156245; TO: Hot Shot Delivery, Inc., 40018 K Highway, Richmond, MO 64085; General commodities (except household goods and hazardous materials).

**Application for Amendment of Contract Carrier Permit:**

**Merchants Home Delivery Service, Inc.**, 1911 Williams Drive, Suite 101, Oxnard, CA 93030; MC ID No. 108154; General commodities (except commodities in bulk, Classes A & B ex-

plosives and hazardous materials) under contract with Benchmark Industries, Inc., of Olathe, Kansas.

**Applications for Abandonment of Certificate of Public Service:**

**Artex, Inc.**, 324 W. 39th, South Sioux City, NE 68776; MC ID No. 120967.

**John W. Rutherford, dba Rutherford Trucking**, 1608 2nd Road, Palmer, KS 66962; MC ID No. 156298.

Jacquelyn S. Miller  
Administrator  
Transportation Division

Doc. No. 024031

**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. 18, p. 869
1-16-18a	Amended	V. 18, p. 869
1-18-1a	Amended (T)	V. 18, p. 356
1-18-1a	Amended	V. 18, p. 871
1-39-1 through 1-39-4	New	V. 17, p. 1678

**AGENCY 4: DEPARTMENT OF AGRICULTURE**

Reg. No.	Action	Register
4-7-213	Amended	V. 17, p. 171
4-7-213a	New	V. 17, p. 171
4-20-11	Amended (T)	V. 18, p. 13
4-20-11	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
7-31-1 through 7-31-4	Revoked	V. 18, p. 672
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. 164
9-29-6	Amended	V. 18, p. 895

**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 17: STATE BANK COMMISSIONER**

Reg. No.	Action	Register
17-24-1	New (T)	V. 18, p. 484
17-24-1	New	V. 18, p. 956
17-24-2	New (T)	V. 18, p. 484
17-24-2	New	V. 18, p. 956

**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
26-1-4	Amended	V. 18, p. 544
26-1-6	Amended	V. 18, p. 544
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
28-1-6	Amended	V. 18, p. 953
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
28-19-720	Amended	V. 18, p. 782
28-19-735	Amended	V. 18, p. 782
28-19-750	Amended	V. 18, p. 782
28-29-12	Amended	V. 17, p. 1026
28-29-25d	New	V. 17, p. 1931
28-29-26	Revoked	V. 18, p. 673
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
28-31-1	Amended	V. 18, p. 673
28-31-2	Amended	V. 18, p. 673
28-31-3	Amended	V. 18, p. 674
28-31-4	Amended	V. 18, p. 674
28-31-6	Amended	V. 18, p. 678
28-31-8	Amended	V. 18, p. 679
28-31-8b	Amended	V. 18, p. 680
28-31-9	Amended	V. 18, p. 680
28-31-10	Amended	V. 18, p. 681
28-31-12	Amended	V. 18, p. 681
28-31-13	Amended	V. 18, p. 682
28-31-14	Amended	V. 18, p. 682
28-31-15	New	V. 18, p. 682
28-31-16	New	V. 18, p. 682
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
28-65-1	Amended	V. 18, p. 682
28-65-2	Amended	V. 18, p. 683
28-65-3	Amended	V. 18, p. 683
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
30-2-16	Amended	V. 18, p. 895
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
30-6-59	Revoked	V. 18, p. 895
30-6-65	Amended	V. 17, p. 940
30-6-70	Amended	V. 17, p. 941
30-6-77	Amended	V. 17, p. 1581
30-6-86	Amended	V. 18, p. 895
30-6-103	Amended	V. 18, p. 896
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
30-14-30	Amended	V. 18, p. 896
30-14-50	New	V. 17, p. 1586
30-63-1	Amended	V. 17, p. 1378
30-63-10	Amended	V. 17, p. 1378
30-63-13	Amended	V. 17, p. 1379
30-63-20 through 30-63-25	Amended	V. 17, p. 1380-1382
30-63-28	Amended	V. 17, p. 1383
30-63-30	Amended	V. 17, p. 1383
30-64-12	Amended	V. 17, p. 1384
30-64-22	Amended	V. 17, p. 1384
30-64-23	Amended	V. 17, p. 1385
30-64-24	Amended	V. 17, p. 1385
30-64-25	Amended	V. 17, p. 1386
30-64-27	Amended	V. 17, p. 1386
30-64-28	Amended	V. 17, p. 1386
30-64-29	Amended	V. 17, p. 1387
30-64-31	Amended	V. 17, p. 1387
30-64-32	Amended	V. 17, p. 1387

**AGENCY 39: KANSAS TURNPIKE AUTHORITY**

Reg. No.	Action	Register
39-1-1	Amended	V. 17, p. 1935
39-1-8	Revoked	V. 17, p. 1935

39-1-9	Amended	V. 17, p. 1935
39-1-14	Revoked	V. 17, p. 1936
39-1-19	Amended	V. 17, p. 1936
39-3-1 through 39-3-8	Revoked	V. 17, p. 1936
39-5-1	Revoked	V. 17, p. 1936
39-6-1	Revoked	V. 17, p. 1936
39-6-2	Revoked	V. 17, p. 1936

**AGENCY 40: KANSAS INSURANCE DEPARTMENT**

Reg. No.	Action	Register
40-1-35	Revoked	V. 17, p. 1837
40-1-45	New	V. 17, p. 1211
40-2-25	Amended	V. 17, p. 1546
40-4-34	Amended	V. 18, p. 124
40-4-35	Amended (T)	V. 18, p. 358
40-4-36	Amended	V. 17, p. 689
40-5-10	Amended	V. 17, p. 1578
40-9-118	Amended	V. 17, p. 1033
40-15b-1	Amended	V. 17, p. 1547

**AGENCY 44: DEPARTMENT OF CORRECTIONS**

Reg. No.	Action	Register
44-1-103	Amended (T)	V. 18, p. 131
44-1-103	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

(continued)

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
74-12-1	Amended	V. 18, p. 581

**AGENCY 75: CONSUMER CREDIT COMMISSIONER**

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

**AGENCY 82: STATE CORPORATION COMMISSION**

Reg. No.	Action	Register
82-1-221a	New	V. 18, p. 231
82-1-221b	New	V. 18, p. 232
82-1-228	Amended	V. 18, p. 232
82-1-235	Amended	V. 18, p. 233
82-3-101	Amended	V. 18, p. 273
82-3-401b	New	V. 18, p. 276
82-3-408	Amended	V. 18, p. 276
82-3-800		
through		
82-3-804	New	V. 17, p. 362, 363
82-3-900		
through		
82-3-908	New	V. 18, p. 276, 277
82-4-1	Amended	V. 17, p. 1887
82-4-3	Amended	V. 17, p. 1888
82-4-6d	Amended	V. 17, p. 1888
82-4-20	Amended	V. 17, p. 1889
82-4-21	Amended	V. 17, p. 1889
82-4-22	Amended	V. 17, p. 1890
82-4-23	Amended	V. 17, p. 1890
82-4-24a	Amended	V. 17, p. 1890
82-4-26	Amended	V. 17, p. 1890
82-4-27	Amended	V. 17, p. 1891
82-4-27a	Amended	V. 17, p. 1891
82-4-27c	Amended	V. 17, p. 1892
82-4-27e	Amended	V. 17, p. 1892
82-4-27f	Amended	V. 17, p. 1893
82-4-27g	Amended	V. 17, p. 1893
82-4-28	Amended	V. 17, p. 1893
82-24-28a	Amended	V. 17, p. 1894
82-4-28b	Amended	V. 17, p. 1894
82-4-29a	Amended	V. 17, p. 1894
82-4-30a	Amended	V. 17, p. 1894
82-4-30b	Revoked	V. 17, p. 1895
82-4-31	Amended	V. 17, p. 1895
82-4-32	Amended	V. 17, p. 1895
82-4-33	Amended	V. 17, p. 1895
82-4-35a	Amended	V. 17, p. 1895
82-4-37	Amended	V. 17, p. 1895
82-4-42	Amended	V. 17, p. 1896
82-4-46	Amended	V. 17, p. 1896
82-4-48	Amended	V. 17, p. 1896
82-4-48a	New	V. 17, p. 1896
82-4-49c	Amended	V. 17, p. 1897
82-4-53	Amended	V. 17, p. 1897
82-4-54	Amended	V. 17, p. 1897
82-4-55	Amended	V. 17, p. 1897
82-4-56a	Amended	V. 17, p. 1898
82-4-57	Amended	V. 17, p. 1898
82-4-58a	Revoked	V. 17, p. 1898
82-4-58b	Revoked	V. 17, p. 1898
82-4-58c	Revoked	V. 17, p. 1899
82-4-58d	Amended	V. 17, p. 1899
82-4-59	Revoked	V. 17, p. 1899
82-4-62	Amended	V. 17, p. 1899
82-4-63	Amended	V. 17, p. 1899
82-4-64	Revoked	V. 17, p. 1899

82-4-65	Amended	V. 17, p. 1899
82-4-67	Revoked	V. 17, p. 1899
82-4-68	Amended	V. 17, p. 1899
82-4-69	Amended	V. 17, p. 1900
82-4-85	Amended	V. 17, p. 1900
82-11-3	Amended	V. 18, p. 234
82-11-4	Amended	V. 18, p. 234
82-11-9	Amended	V. 18, p. 238
82-11-10	Amended	V. 18, p. 239
82-11-11	New	V. 18, p. 239
82-12-2	Amended	V. 18, p. 239

**AGENCY 86: KANSAS REAL ESTATE COMMISSION**

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

**AGENCY 88: BOARD OF REGENTS**

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

**AGENCY 91: DEPARTMENT OF EDUCATION**

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

**AGENCY 92: DEPARTMENT OF REVENUE**

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

**AGENCY 93: DEPARTMENT OF REVENUE—DIVISION OF PROPERTY VALUATION**

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

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

Reg. No.	Action	Register
99-25-1	Amended	V. 18, p. 189
99-25-2	Revoked	V. 17, p. 209

99-25-4		
through		
99-25-8	New	V. 17, p. 209, 210
99-27-1		
through		
99-27-5	New	V. 17, p. 210-212
99-30-5	Amended	V. 17, p. 212
99-30-6	Amended	V. 17, p. 212
99-31-5	Amended	V. 17, p. 212
99-31-6	Amended	V. 17, p. 213
99-40-47	New	V. 17, p. 213

**AGENCY 100: BOARD OF HEALING ARTS**

Reg. No.	Action	Register
100-11-1	Amended	V. 17, p. 509
100-15-1	Amended	V. 16, p. 1176
100-22-1	Amended	V. 17, p. 1644
100-23-1	Amended	V. 17, p. 299
100-24-1	Amended	V. 17, p. 1644
100-24-2	New	V. 17, p. 1644
100-24-3	New	V. 18, p. 483
100-29-3a	New	V. 17, p. 1323
100-29-7	Amended	V. 17, p. 510
100-49-4	Amended	V. 17, p. 510
100-54-1	Amended	V. 17, p. 1969
100-54-2	Amended	V. 17, p. 1969
100-54-3	Amended	V. 17, p. 1969
100-54-4	Amended	V. 17, p. 510
100-54-5	Amended	V. 17, p. 1969
100-54-6	Amended	V. 17, p. 1970
100-54-8	Amended	V. 17, p. 1970
100-54-9	Amended	V. 17, p. 1970
100-55-4	Amended	V. 17, p. 510
100-55-10	Revoked	V. 17, p. 510
100-60-1	Amended	V. 17, p. 510
100-69-5	Amended	V. 17, p. 510

**AGENCY 102: BEHAVIORAL SCIENCES REGULATORY BOARD**

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

**AGENCY 108: STATE EMPLOYEES HEALTH CARE COMMISSION**

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

**AGENCY 111: KANSAS LOTTERY**

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

Reg. No.	Action	Register
111-1-5	Amended	V. 18, p. 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	Amended	V. 18, p. 773
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
111-3-1	Amended	V. 18, p. 956
111-3-14	Amended	V. 18, p. 957



111-3-21	Amended	V. 18, p. 958
111-3-22	Amended	V. 18, p. 958
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
111-4-1384	Amended	V. 18, p. 958
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
111-4-1444		
through		
111-4-1468	New	V. 18, p. 773-779
111-4-1457	Amended	V. 18, p. 958
111-4-1469		
through		
111-4-1485	New	V. 18, p. 959-963
111-5-24	Amended	V. 18, p. 130
111-5-28	Amended	V. 18, p. 130
111-5-31	Amended	V. 18, p. 457
111-7-66	Amended	V. 18, p. 963
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

111-9-103		
through		
111-9-108	New	V. 18, p. 963, 964

**AGENCY 112: KANSAS RACING AND GAMING COMMISSION**

Reg. No.	Action	Register
112-4-1	Amended	V. 17, p. 511
112-4-22	Amended	V. 17, p. 512
112-4-22a	New	V. 17, p. 512
112-4-23	Amended	V. 17, p. 590
112-7-7	Amended	V. 17, p. 512
112-10-6	Amended	V. 18, p. 954
112-10-8	Amended	V. 17, p. 1968
112-12-9	Amended	V. 17, p. 213
112-16-11	Amended	V. 17, p. 590
112-18-21	Amended	V. 17, p. 60

**AGENCY 115: DEPARTMENT OF WILDLIFE AND PARKS**

Reg. No.	Action	Register
115-2-3	Amended	V. 17, p. 462
115-2-6	New	V. 17, p. 462
115-4-1	Amended	V. 17, p. 463
115-4-7	Amended	V. 17, p. 464
115-11-2	Amended	V. 18, p. 484
115-16-4	Amended	V. 18, p. 780
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
115-17-21	New	V. 18, p. 781
115-18-12	Amended	V. 17, p. 1086
115-18-13	Amended	V. 17, p. 1414

115-20-2	Amended	V. 17, p. 1709
115-30-10	Amended	V. 18, p. 781
115-35-1	New	V. 17, p. 1710

**AGENCY 117: REAL ESTATE APPRAISAL BOARD**

Reg. No.	Action	Register
117-2-1	Amended	V. 18, p. 294
117-2-2	Amended	V. 18, p. 295
117-3-1	Amended	V. 18, p. 296
117-3-2	Amended	V. 18, p. 296
117-4-1	Amended	V. 18, p. 297
117-4-2	Amended	V. 18, p. 298
117-5-1	Amended	V. 17, p. 465
117-5-2	New	V. 17, p. 465
117-5-3	New	V. 17, p. 465
117-6-1	Amended	V. 18, p. 955
117-6-3	Amended	V. 17, p. 1706
117-8-1	Amended	V. 18, p. 995
117-8-2	New	V. 17, p. 1707

**AGENCY 118: KANSAS STATE HISTORICAL SOCIETY**

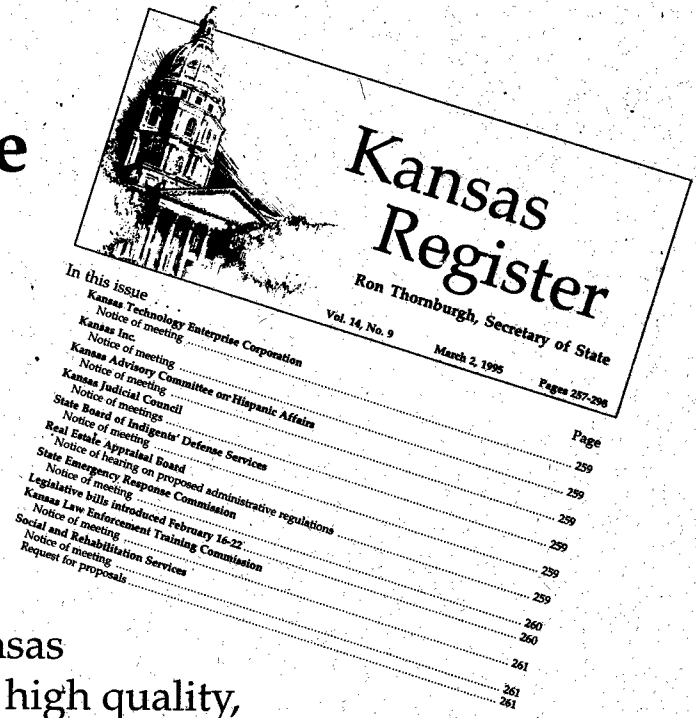
Reg. No.	Action	Register
118-1-1		
through		
118-1-4	Amended	V. 17, p. 1547, 1548
118-3-1		
through		
118-3-16	New	V. 17, p. 1549-1553
118-4-1		
through		
118-4-4	New	V. 18, p. 672, 673



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