

Kansas Register

Ron Thornburgh, Secretary of State

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State of Kansas

State Fair Board**Notice of Meeting**

The Kansas State Fair Board will meet from 7 to 9 p.m. Monday, November 22, in the Phoenix Room of the Double Tree Hotel Kansas City at Corporate Woods, Overland Park. The meeting will reconvene from 1:30 to 3:30 p.m. Tuesday, November 23, at the Chanute Country Club, Chanute. For further information, contact Deana Novak at (316) 669-3612.

Mike Gaskill
President

Doc. No. 024512

State of Kansas

**State Employees
Health Care Commission****Notice of Meeting**

A Kansas State Employees Health Care Commission meeting has been scheduled for 1:30 p.m. Wednesday, December 1, at the Kansas Public Employees Retirement System (KPERs) office, board room, 611 S. Kansas Ave., Topeka. For additional information, contact the Benefits Office at (785) 296-6280.

Dan Stanley
Chair

Doc. No. 024515

State of Kansas

**Board of Adult Care Home
Administrators****Notice of Meeting**

The Board of Adult Care Home Administrators will meet at 9:30 a.m. Friday, December 3, in Classroom B of the Wheatland Habilitation Center, Kansas Neurological Institute, 21st and Oakley, Topeka.

Lesa Bray, Director
Health Occupations Credentialing

Doc. No. 024518

State of Kansas

State Conservation Commission**Notice to Contractors**

Sealed bids for the construction of a 43,000 cubic yard detention dam, Site 27 in Pottawatomie County, will be received by the Rock Creek Watershed District No. 45 at King Engineering, Inc., 307 Montana Ave., Holton, 66436-1127, (785) 364-4312, until 5 p.m. December 8, or hand carried and submitted prior to bid opening at 7:30 p.m. December 8 at the USDA Service Center, 501 State St., Westmoreland, (785) 457-3398. A copy of the invitation for bids and the plans and specifications can be reviewed at and/or obtained from the King Engineering, Inc. office. A \$25 nonrefundable deposit will be required for each set of plans requested.

Tracy D. Streeter
Executive Director

Doc. No. 024513

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(785) 296-3489
Fax (785) 291-3051

State of Kansas

Department of Agriculture

Notice of Temporary Quarantine Order

The Kansas Department of Agriculture has issued a Temporary Quarantine Order, effective November 1, 1999, prohibiting the movement of all plants, plant products and nursery stock, as defined by K.S.A. 2-2113 (d) and (e), from property located at 21650 Mission Road, Bucyrus; the actual legal description of which is: The North one-half (N ½) of the South 1-6.66 acres of the Northeast Quarter (NE ¼) of Section 21, Township 15, Range 25, Miami County, containing 53 ⅓ acres, more or less.

Any person who moves plants, plant products or nursery stock from the property will be in violation of the Temporary Quarantine Order.

A nursery business known as Ridgeview Turf and Tree Farm, also known as Mission Road Sod Farm, is operated on this property. The plants, plant products and nursery stock on this property have been found to be infested with field bindweed, quackgrass, musk thistle, and Johnson grass, all of which are weeds that injure plants and plant products. The Temporary Quarantine Order will be in effect for 90 days following November 1, unless rescinded or modified by further order.

Jamie Clover Adams
Secretary of Agriculture

Doc. No. 024514

State of Kansas

Department of Administration
Division of Architectural ServicesNotice of Commencement of Negotiations for
"On-Call" Environmental Engineering Services

Notice is hereby given of the commencement of negotiations for "on-call" environmental engineering services for small projects at the University of Kansas. Services shall include asbestos abatement, lead paint, chemical and air quality, and other hazardous material engineering services.

For information regarding the scope of services, contact Jim Modig, Director of Design and Construction Management, University of Kansas, (785) 864-3431.

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. December 3.

Thaine Hoffman, AIA
Director, Division of
Architectural Services

Doc. No. 024526

State of Kansas

Legislative Division of Post Audit

Invitation for Bids

Sealed bid proposals in response to a Legislative Division of Post Audit invitation for bids on audit work will be received until 3 p.m. Monday, November 29. The invitation covers the performance audit work for the State Treasurer's Office and the Pooled Money Investment Board.

A copy of the invitation for bids may be obtained from the Legislative Division of Post Audit, 800 S.W. Jackson, Suite 1200, Topeka, 66612, (785) 296-3792.

Barbara J. Hinton
Legislative Post Auditor

Doc. No. 024507

State of Kansas

Board of Emergency Medical Services

Correction Notice Concerning Permanent
Administrative Regulation

K.A.R. 109-5-1, which was published in the Kansas Register October 28, 1999, made an incorrect reference in subsection (l) (6) to subsection (n). The correct reference should have been made to subsection (m). Subsection (l) (6) is reprinted below:

(6) clinical training that meets the requirements of subsection (m); or

The effective date of the regulation remains November 12, 1999.

David Lake
Administrator

Doc. No. 024530

State of Kansas

Board of Emergency Medical Services

Notice of Meeting

The Board of Emergency Medical Services will meet at 9 a.m. Friday, December 3, at the Pozez Education Center, Stormont-Vail Medical Center, 1500 S.W. 10th, Topeka. Committee meetings will begin at noon Thursday, December 2.

Agenda items include committee reports, EMSC grant update, Rural Health Options Project Grant, Trauma Registry Committee update, budget update, calendar year 2000 meeting dates and locations, and the annual evaluation of the administrator.

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

David Lake
Administrator

Doc. No. 024519

State of Kansas

Legislative Administrative Services

Request for Proposals

The Division of Legislative Administrative Services announces the re-release of a request for proposals by the Legislative Coordinating Council for project management services. This request is for a qualified project manager to provide project design for a document management system (DMS). The purpose of the project is to provide an implementation plan for the DMS; DMS acquisition, development, integration and testing; and project coordination, tactical management and staff training for the DMS.

This advertisement is supplemental to the notice found on the Internet at <http://www.ink.org/public/legislative/main.html> and other notice provided previously to interested parties.

Vendors interested in receiving a request for proposal should contact Jeff Russell, Director, Legislative Administrative Services, Room 511-S, State Capitol, 300 S.W. 10th Ave., Topeka, 66612, (785) 296-2391, fax (785) 296-1153. Completed proposals must be received not later than 2 p.m. December 6.

Jeff Russell
Director of Legislative
Administrative Services

Doc. No. 024520

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, 66612-1568. Responses shall be limited to four pages. Responses must be in Room 1084-West by 5 p.m. December 15 for the consulting engineering firm to be considered.

A 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.

A 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. 106 K-7874-01
Statewide

The scope of improvement is to provide for the upgrade of the existing guard fence installations to the cur-

rent criteria at the following locations: K-96 in Sedgwick County from RS 1805 east to I-235; US-50 in Reno County from K-96 east to the Harvey-Reno county line; US-54 in Kingman County from RP 170 east to the east city limits of Kingman. The project is scheduled for plan completion in December 2000 and the construction estimate is \$942,000.

Project No. 81-72 K-7875-01

Ottawa County

The scope of improvement is to provide for the upgrade of the existing guard fence installations to the current criteria at US-81 from the Saline-Ottawa county line north to K-106. The project is scheduled for plan completion in December 2000 and the construction estimate is \$597,000.

Project No. 106 K-7878-01

Statewide

The scope of improvement is to provide for the upgrade of the existing guard fence installations to the current criteria at US-36 from the east city limits of Marysville east to the west city limits of Seneca and from the west junction of US-75 east to RS 1265 at Hiawatha. The project is scheduled for plan completion in December 2000 and the construction estimate is \$1,125,000.

Project No. 35-16 K-6791-01

Coffey County

The scope of improvement is to provide for the reconstruction of I-35 from 1.4 km west of K-131, east to 0.5 km west of US-75. The project is scheduled for a possible FY 2004 letting and the construction estimate is \$30,053,000.

Project No. 35-16 K-6792-01

Coffey County

The scope of improvement is to provide for the reconstruction of I-35 from 0.5 km west of US-75, northeast to the Osage-Coffey county line. The project is scheduled for a possible FY 2004 letting and the construction estimate is \$7,181,000.

Project No. 35-70 K-6793-01

Coffey County

The scope of improvement is to provide for the reconstruction of I-35 from the Coffey-Osage county line, east to the east junction of K-31 at Waverly. The project is scheduled for a possible FY 2002 letting and the construction estimate is \$24,937,000.

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

- Size and professional qualifications;
- experience of staff;
- location of firm with respect to proposed project;
- work load of firm; and
- firm's performance record.

E. Dean Carlson
Secretary of Transportation

Doc. No. 024531

State of Kansas

**Legislature
Interim Committee Schedule**

The following committee meetings have been scheduled during the period of November 22 through December 5. Any individual with a disability may request accommodation in order to participate in committee meetings. Requests for accommodation should be made at least two working days in advance of the meeting by contacting Legislative Administrative Services at (785) 296-2391 or 296-8430 (TTY).

Date	Room	Time	Committee	Agenda
November 22	123-S	10:00 a.m.	Special Committee on Judiciary	Committee discussion and decisions on Topic #2—Interlocks; Topic #3—Consolidation; Topic #4—Article 9; and Topics #6 & #7—Internet and Identity Theft.
November 23	Canceled			
November 22	514-S	10:00 a.m.	Joint Committee on Health Care	Medical information privacy; ethnic and cultural factors in health care; follow-up on topics already heard.
November 23	514-S	9:00 a.m.	Reform Legislative Oversight	
November 29	123-S	10:00 a.m.	Joint Committee on State	Agenda not available.
November 30	123-S	9:00 a.m.	Building Construction	
November 29	519-S	10:00 a.m.	Legislative Post Audit	

Jeff Russell
Director of Legislative
Administrative Services

Doc. No. 024516

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:

Tuesday, November 30, 1999

00654

Statewide—Animal bedding

00788

El Dorado Correctional Facility—Furnish and fabricate rebar

00791

University of Kansas—Furnish and install bridge crane

Wednesday, December 1, 1999

00794

Osawatomie State Hospital—Commercial washer/extractors

Thursday, December 2, 1999

00729

Fort Hays State University—Furnish and install modular seating

Thursday, December 9, 1999

A-8818

Department of Transportation—Reroof district shop, Hutchinson

Tuesday, December 14, 1999

A-8537

Pittsburg State University—McCray Hall remodel

0079

Kansas Highway Patrol—Food service

Wednesday, December 15, 1999

A-8841

Parsons State Hospital and Training Center—Replace air handler and controls, cafeteria building

A-8842

Parsons State Hospital and Training Center—Replace air conditioner compressor and auxiliary equipment, Hickory Cottage

Thursday, December 16, 1999

A-8397

Department of Wildlife and Parks—1999 Miami State Fishing Lake dam repair, Miami County

Request for Proposals

Monday, December 20, 1999

00730

Evaluation, assessment and determination of Best Practices Programs, Services and Systems of the Kansas Children's Cabinet for the Department of Social and Rehabilitation Services

John T. Houlihan
Director of Purchases

Doc. No. 024532

State of Kansas

Kansas Development Finance Authority

Notice of Hearing

A public hearing will be held at 9 a.m. Thursday, December 2, 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 Bonds for the project numbered below in the respective maximum principal amount. The bond will be issued to assist the respective borrower named below (who will be the owner and operator of the project) to finance the cost in the amount of the bond of acquiring the project or for the purpose of refunding a bond previously issued to finance the project. The project shall be located as shown:

Project No. 000428, Maximum Principal Amount: \$178,680.20. Owner/Operator: Michael J. and Shannon L. Kats. Description: Acquisition of 440 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 West Half; and West Half of the Southeast Quarter and Southeast Quarter of the Southeast Quarter of Section 26, Township 2 South, Range 20 West, Prairie View Township, Phillips County, Kansas; approximately 2 miles east of Prairie View on Highway 36 and 2 miles north on county blacktop in Phillips County.

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. 024517

Neosho County Community College

Notice of Intent to Issue Revenue Bonds

The Board of Trustees of the Neosho County Community College, Neosho County, Kansas (the district), adopted a resolution November 11, 1999, declaring necessary and authorizing improvements to the Student Union and Dormitory System (the system), comprised of constructing and equipping a student housing facility to house approximately 200 students on the campus of Neosho County Community College, Chanute, Kansas (the project), at an estimated cost of \$5,700,000, including financing and reserve costs, under the authority of K.S.A. 76-6a13 to 76-6a25, inclusive, as amended and supplemented (the act). In the resolution, the board further authorized the refunding of the college's Student Union Dormitory System Revenue Bonds, Series 1995, the outstanding principal amount of which will be \$910,000 as of December 1, 1999, at an estimated cost of \$1,000,000, including financing and reserve costs.

The resolution also authorizes the issuance and sale of system revenue bonds of the college in an amount of not to exceed \$6,700,000; such bonds to be used to pay the costs of the project and of refunding the Series 1995 Bonds, including bond reserve funds and related costs of issuance. In the resolution, the board expressly reserved the right to determine, by subsequent resolution, the exact principal amount of revenue bonds to be issued for the separate project and refunding purposes, provided that the board shall not issue bonds in excess of \$6,700,000 for such purposes unless the board gives further notice of such additional bonds, as provided by the act.

Unless an action to contest the legality of the proposed revenue bonds of the college shall be filed in a court of law within 30 days of the date of publication of this notice, the right to contest the legality of any revenue bonds issued in compliance with the aforesaid resolution and other proceedings duly and legally had and taken by the board prior to the date of publication of this notice, and the right to contest the validity of the provisions of such proceedings, shall cease to exist, and no court shall thereafter have the authority to inquire into such matters. After the expiration of said 30 days from the date of publication of this notice, no one shall have any right to commence an action contesting the validity of such revenue bonds or the provisions of such proceedings of the board, all such revenue bonds shall be conclusively presumed to be legal, and no court shall thereafter have the authority to inquire into such matters.

Dated November 11, 1999.

Board of Trustees
Neosho County Community College
Neosho County, Kansas
By Steve Huebert
Chairperson, Board of Trustees
Attest: James O. Hill
Secretary of the Board

Doc. No. 024533

State of Kansas

Pooled Money Investment Board

Notice of Investment Rates

The following rates are published in accordance with K.S.A. 75-4210. These rates and their uses are defined in K.S.A. 1998 Supp. 12-1675(b)(c)(d), and K.S.A. 75-4201(l) and 75-4209(a)(1)(B).

Effective 11-15-99 through 11-21-99

Term	Rate
1-89 days	5.33%
3 months	5.18%
6 months	5.42%
9 months	5.54%
12 months	5.61%
18 months	5.71%
24 months	5.76%

Derl S. Treff
Director of Investments

Doc. No. 024508

(Published in the Kansas Register November 18, 1999.)

Summary Notice of Bond Sale

\$1,500,000

Rush County, Kansas

General Obligation Bonds

Series 1999-A (Bridges)

(General obligation bonds payable from unlimited ad valorem taxes)

Sealed Bids

Subject to the official notice of bond sale and preliminary official statement dated November 8, 1999, sealed bids will be received by the county clerk of Rush County, Kansas (the issuer), on behalf of the governing body of the county at the Rush County Courthouse, 715 Elm, LaCrosse, KS 67548, until 2 p.m. Monday, December 6, 1999, for the purchase of \$1,500,000 principal amount of General Obligation Bonds, Series 1999A (Bridges). No bid of less than the entire par value of the bonds and accrued interest thereon to the date of delivery will be considered.

Bond Details

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

Year	Principal Amount
2001	\$ 40,000
2002	45,000
2003	50,000
2004	55,000
2005	55,000
2006	60,000
2007	60,000
2008	65,000
2009	65,000
2010	70,000
2011	75,000
2012	80,000

2013	80,000
2014	85,000
2015	90,000
2016	95,000
2017	100,000
2018	105,000
2019	110,000
2020	115,000

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

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on June 1 and December 1 in each year, beginning June 1, 2001.

Paying Agent and Bond Registrar

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

Good Faith Deposit

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States or a qualified financial surety bond in the amount of \$30,000 (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 at such bank or trust company in the contiguous United States as may be specified by the successful bidder without cost to the successful bidder within 45 days after the date of sale.

Assessed Valuation and Indebtedness

The total assessed valuation of taxable tangible property in the county for the year 1999 is \$31,112,451. The total general obligation indebtedness of the issuer as of the date of the bonds, including the bonds being sold, is \$1,500,000.

Approval of Bonds

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

Additional Information

Additional information regarding the bonds may be obtained from the county clerk, (785) 222-2731.

Dated November 8, 1999.

Rush County, Kansas
Linda M. Bott, County Clerk
Rush County Courthouse
715 Elm
P.O. Box 220
LaCrosse, KS 67548

Doc. No. 024528

State of Kansas

Department of Wildlife and Parks

Public Notice

The Kansas Department of Wildlife and Parks has reached agreement for the purchase of a tract of land in Ford County. The tract consists of approximately 160 acres and is located in the SE/4 of S7-T26S-R22W. This tract was appraised at \$64,000 and will be purchased for \$50,000 with the landowner retaining the CRP payments. The tract will be part of the Playa Wildlife Area and will remain on the county tax rolls.

Steve A. Williams
Secretary of Wildlife and Parks

Doc. No. 024529

State of Kansas

Kansas Arts Commission

Notice of Policy Planning Meeting

Kansas citizens interested in the arts are encouraged by the Kansas Arts Commission to register for "The Arts Beyond 2000: A Statewide Visioning Meeting," on Wednesday, December 8, at the Bicentennial Center in Salina.

The purpose of the meeting is to provide artists, persons involved in arts organizations and programming, educators, community leaders, legislators, and other citizens with an opportunity to help the commission in shaping arts policy in Kansas for the next five years and beyond. This is the first step in updating the long-range, strategic plan for the commission.

Sign-in begins at 9:30 a.m. The meeting is scheduled to end by 4 p.m. Registrants are asked to bring their ideas and visions for the arts and to be prepared to brainstorm in small groups.

The facilitator will be Jonathan Katz, Ph.D., executive director of the National Assembly of State Arts Agencies in Washington, D.C., and former executive director of the Kansas Arts Commission.

To register, persons should send their names, along with the names of any persons accompanying them, and a check for \$15 per person payable to the "Kansas Arts Commission" to the commission office, 700 S.W. Jackson, Suite 1004, Topeka, 66603-3761.

Registrants also should enclose, in printed form, the name of their organizations (if applicable), address, city, state, zip code, telephone and fax numbers, and e-mail addresses (if available).

No registrations will be accepted after Monday, December 6. The fee provides morning coffee and rolls plus a lunch. Persons with special needs or diets are asked to notify the commission in advance.

For more information, contact the Kansas Arts Commission at the address above, (785) 296-3335, fax (785) 296-4989, or e-mail KAC@arts.state.ks.us. Persons with special communication needs may use the Kansas Relay Service, (800) 766-3777.

David M. Wilson
Executive Director

Doc. No. 024525

State of Kansas

Department of Health
and Environment

Request for Comments

The Kansas Department of Health and Environment is soliciting comments regarding issuance of authorizations to operate under the general Class I air quality operating permit for natural gas compressor stations. Authorizations to operate under the general Class I operating permit have been issued in accordance with the provisions of K.A.R. 28-19-400 *et seq.*

A copy of each permit application, authorization and all supporting documentation is available for public review during normal business hours at the KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka. Information also is available at the KDHE district office indicated for each facility. To obtain or review the permit, authorization and supporting documentation, contact Connie Carreno, (785) 296-6422, at the KDHE central office, or the indicated district representative. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding an authorization to Connie Carreno, Bureau of Air and Radiation, KDHE, Building 283, Forbes Field, Topeka, 66620.

A list of all major spurces within the state authorized to operate under the terms of the general Class I operating permit will be maintained at the Topeka KDHE offices.

Authorizations issued during the week of
November 23, 1998:

Company:

Compressor Station:

Source ID No.:

Location:

KDHE District Rep.:

Rep. Location:

Anadarko

Rolla Booster Station

1290012

S1, T35S, R40W, Morton County

Wayne Neese (316) 225-0596

Southwest District Office, Dodge City

Authorizations issued during the week of
April 26, 1999:

Anadarko

West South Breech Station

1890192

S6, T35S, R38W, Stevens County

Wayne Neese, (316) 225-0596

Southwest District Office, Dodge City

Anadarko

South Breech Station

1890198

S16, T35S, R38W, Stevens County

Wayne Neese, (316) 225-0596

Southwest District Office, Dodge City

Anadarko

Hinshaw Station

1890199

S34, T33S, R39W, Stevens County

Wayne Neese, (316) 225-0596
Southwest District Office, Dodge City

Authorizations issued during the week of August 2, 1999:

Anadarko
Moscow Station
1890058
S4, T31S, R37W, Stevens County
Wayne Neese, (316) 225-0596
Southwest District Office, Dodge City

Authorizations issued during the week of October 11, 1999:

Anadarko
South Booster Station
1890042
S33, T33S, R38W, Stevens County
Wayne Neese, (316) 225-0596
Southwest District Office, Dodge City

Clyde D. Graeber
Secretary of Health
and Environment

Doc. No. 024523

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

Monday, December 13, 1999

1:30 p.m.

Before Brazil, C.J.; Rulon and Green, JJ.

Case No.	Case Name	Attorneys	County
80,797	State of Kansas, Appellee, v. Bevo C. Cole, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. David Lowden, Asst. D.A. Jessica R. Kunen, Chief A.D. Janine Cox, Asst. A.D.	Sedgwick
80,781	State of Kansas, Appellee, v. Richard Joseph Wessell, Appellant.	Attorney General Brian R. Sherwood, C.A. Lois K. Malin, Asst. C.A. Geary N. Gorup	Finney
Before Rulon, P.J.; Green, J.; and Wahl, S.J., assigned.			
79,376	State of Kansas, Appellee, v. James L. McKinney, a/k/a Robert J. Bush, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Charles R. Reimer, Asst. D.A. Geary N. Gorup	Sedgwick
79,787	State of Kansas, Appellee, v. Darrell D. Wyer, Appellant.	Attorney General County Attorney Jessica R. Kunen, Chief A.D.	Butler

Tuesday, December 14, 1999

9:00 a.m.

Before Brazil C.J.; Green, J.; and Wahl, S.J., assigned.

Case No.	Case Name	Attorneys	County
80,497	Linda G. Smith, Appellant, v. Rodolfo O. Almonte, M.D., Appellee.	Graig A. Shultz Eldon L. Boisseau	Sedgwick
80,074	State of Kansas, Appellee, v. J. Scott Stuber, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Doyle Baker, Asst. D.A. Stephen M. Joseph	Sedgwick

(continued)

Before Brazil, C.J.; Rulon, J.; and Wahl, S.J., assigned.

80,646	State of Kansas, Appellee, v. Keith L. Crawford, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. David Lowden, Asst. D.A. Michael C. Brown	Sedgwick
81,267	George E. Smith and Violet L. Smith, Appellants, v. Dennis E. Smith, Appellee, v. Smith Sand Co., Inc., et al., Appellants.	Ward Loyd Bradley W. Maudlin Charles E. Owen II	Finney

1:30 p.m.

Before Brazil, C.J.; Rulon and Green, JJ.

80,822	State of Kansas, Appellee, v. Jerome E. Lewis, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. David Lowden, Asst. A.D. Jessica R. Kunen, Chief A.D. Debra J. Wilson, Asst. A.D.	Sedgwick
81,119	State of Kansas, ex rel. Carla J. Stovall, Attorney General, Appellee, v. Dan Martinez, d/b/a Insurance Claims Consultants, Inc., Appellant.	Gail Bright, Asst. A.G. Dan Martinez, pro se	Sedgwick

Before Rulon, P.J.; Green, J.; and Wahl, S.J., assigned.

80,857	Lon G. Redgate, Appellee, v. City of Wichita and City of Wichita Police and Fire Retirement Bd., Appellants.	James T. McIntyre Douglas J. Moshier	Sedgwick
80,430	Team Electric Supply, Inc., Rod Stevenson, and Randy Cubbage, Appellants, v. Stanion Wholesale Electric Company, Inc., and Otto Buche, Appellees.	John W. Johnson Jeffery L. Carmichael Bryce A. Abbott	Sedgwick

Wednesday, December 15, 1999

9:00 a.m.

Before Brazil, C.J.; Green, J.; and Wahl, S.J., assigned.

Case No.	Case Name	Attorneys	County
81,328	Continental Western Insurance Company as Subrogee of Jeff Foster and Sara Foster, Appellant, and Farmland Insurance Company as Subrogee of John Emerson, d/b/a Poor John's, v. Harold Schlinder, d/b/a Schlinder Roofing Company and Wray Roofing, Inc., Appellees.	E. Craig Kennedy Harold T. Pickler Alan L. Rupe Richard A. Boeckman Payal Mehta Bruce A. Moothart	McPherson
82,278	Branson & Associates, Inc., Appellant, v. Phillip S. Frick and Phillip L. Bowman, Appellees.	Allyson Yarbrough Mark G. Aylesh Darrell L. Warta Stephen M. Kerwich	Sedgwick

Before Brazil, C.J.; Rulon, J.; and Wahl, S.J., assigned.

80,868	Joe Beckman, Appellant, v. Jim Fellhoelter, Appellee.	Caleb Boone Norman R. Kelly	Thomas
82,312 82,341	Creative Care Corporation, Appellant, v. Integra Care, Inc. (Woodlawn Nursing Home, Inc., Intervenor), Appellee.	Kevin B. Johnson Craig West Gregory Hancks	Sedgwick

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

Before Elliott, P.J.; Pierron and Knudson, J.J.

Tuesday, December 14, 1999

9:00 a.m.

Case No.	Case Name	Attorneys	County
81,605	Sandra L. Scott, Surviving Legal Spouse of Gary R. Scott, Deceased; and John Wayne Scott and Thomas Richard Scott, Minor Dependent Children of Gary R. Scott, Deceased, Appellant, v. Wolf Creek Nuclear Operating Corporation, Appellee.	Randall E. Fisher Kim R. Martens Kelly W. Johnston	Work Comp
78,959	State of Kansas, Appellee, v. Michael Kenneth Bowen, Appellant.	Attorney General Larry D. Tittel, C.A. M. Ruth O'Neill	Ness
79,002 79,574	State of Kansas, Appellee, v. James L. Brandon, Appellant.	Attorney General Brett W. Berry, Asst. D.A. Bobby J. Hiebert, Jr. Jessica R. Kunen, Chief A.D. Ezra Ginzburg, Asst. A.D. Craig Durham, Asst. A.D.	Shawnee
1:30 p.m.			
81,264	Freda Thiessen, Individually and on Behalf of the Survivors of Jerry M. Thiessen, Deceased, Appellant, v. Union Pacific Railroad Company, Appellee.	W.J. Fitzpatrick James M. Yeretsky	Montgomery
81,989	J. Franklin Hummer, Appellant, v. City of Eskridge, KS, Appellee.	J. Franklin Hummer Gary H. Hanson	Wabaunsee
80,292	State of Kansas, Appellee, v. Edward E. Ice, Jr., Appellant.	Attorney General County Attorney Jessica R. Kunen, Chief A.D. Mary D. Prewit, Asst. A.D.	Chautauqua

(continued)

Wednesday, December 15, 1999

9:00 a.m.

Case No.	Case Name	Attorneys	County
81,493	State of Kansas, Appellee,	Attorney General	Neosho
81,494	v.	Linus A. Thuston, C.A.	
81,495	Bryan S. McTigue, Appellant.	Jessica R. Kunen, Chief A.D. Steven R. Zinn, Asst. A.D.	
80,802	Board of Trustees of Lawrence Memorial Hospital, Appellee,	Peter K. Curran	Douglas
	v.	Mark A. Buck	
	Blue Cross and Blue Shield of Kansas, Inc., a Corporation, Appellant.		
82,656	Marie Basart, Appellant,	Ellen Byers	Jewell
	v.	Darrell E. Miller	
	The State Exchange Bank, Richard L. Diamond, and Philip Menhusen, Appellees.	Stanley R. Parker	
1:30 p.m.			
81,334	St. Francis Mercantile Equity Exchange, Inc., Appellee,	James M. Milliken	Cheyenne
	v.	Michael J. Day	
	Pete*Newton, Appellant.		
82,344	In the Matter of the Marriage of Rex Romain Bahr, Appellant,	Frank D. Taff	Shawnee
	and	Patricia A. Reeder	
	Ella Marie Bahr, Appellee.		
81,929	Girrens, Inc., and Dan and Jean Roff, on their own Behalf and on Behalf of all Others Similarly Situated, Appellants,	D. Brian Hufford	Shawnee
	v.	Mark V. Parkinson	
	Simon Debartolo Group, Inc., d/b/a Simon Property Group, Inc., Simon Property Group, L.P., and M.S. Management Associates, Inc., Appellees.	Elizabeth Drill Nay	

**Kansas Court of Appeals
Commission Meeting Room, 2nd Floor
Old Douglas County Courthouse
1100 Massachusetts
Lawrence, Kansas**

Before Gernon, P.J.; Marquardt, J.; and Buchele, S.J., assigned.

Tuesday, December 14, 1999

9:00 a.m.

Case No.	Case Name	Attorneys	County
78,698	State of Kansas, Appellee,	Attorney General	Johnson
	v.	Steven J. Obermeier, Asst. D.A.	
	Robert Jeffrey Gaudina, Appellant.	Jessica R. Kunen, Chief A.D.	
81,717	Traders Insurance Company, Appellant,	Leo L. Logan	Wyandotte
	v.	Lawrence P. Warshaw	
	Tammy J. Hill, Charles D. Perkins, Sondra M. Nally,		
	and		
	Metropolitan Property & Casualty Company, Appellee.		

80,134	State of Kansas, Appellee, v. William B. Maybin, Appellant.	Attorney General Steven J. Obermeier, Asst. D.A. Jessica R. Kunen, Chief A.D. Elizabeth Seale Cateforis, Asst. A.D.	Johnson
1:30 p.m.			
80,874	State of Kansas, Appellee, v. Jose Juan Gonzalez, Appellant.	Attorney General Sheryl L. Lidtke, Asst. D.A. Jessica R. Kunen, Chief A.D. Rick Kittel, Asst. A.D.	Wyandotte
81,531	Stephen E. Williams, Appellant, v. W. Jeff Winslow, Appellee.	Thomas M. Franklin Linda C. McFee W. Jeff Winslow, pro se	Johnson
82,697	Todd Myers, <i>et al.</i> , Appellees, v. Donald F. Tanner, <i>et al.</i> , Appellants.	Patrick L. Dunn John J. Bengé Lawrence L. Ferree III	Johnson

Wednesday, December 15, 1999

9:00 a.m.

Case No.	Case Name	Attorneys	County
81,671	State of Kansas, Appellee, v. Richard W. Parker, Appellant.	Attorney General District Attorney Joseph L. Dioszeghy	Johnson
82,075	Ann Hall Justus, <i>et al.</i> , Appellants, v. J. Kirkland Douglass, <i>et al.</i> , Appellees.	James K. Logan Steven D. Ruse	Johnson
81,225	Robert Galvin, Appellee, v. Antonio Garcia-Paz, Appellant.	Keith J. Shuttleworth Dale L. Beckerman	Johnson

1:30 p.m.

81,075	Clark Douglas Bloomer, Cheryl Ann Bloomer and Mary C. Baldwin, Special Administrator for the Estate of Zachary Douglas Bloomer, Deceased, Appellees, v. University of Kansas Hospital, the University of Kansas Medical Center and the University of Kansas Medical Center and College of Health Sciences Hospital, <i>et al.</i> , Appellants.	Joel W. Riggs Janet M. Simpson	Wyandotte
82,435	Janie Stockman, <i>et al.</i> , Appellants, v. The Unified Government of Wyandotte County/Kansas City, Kansas, Appellee.	David W. Carson Timothy P. McCarthy Harold T. Walker Stephen P. Chinn	Wyandotte
81,142	Glen H. Surritte, by and through his Father and Conservator, Elbert Surritte, Appellant, v. Bucher, Willis & Rattliff Consulting Engineers, Planners & Architects, <i>et al.</i> , Appellees.	David W. Hauber D. Scott Brown Michael G. Norris John E. Bordeau	Wyandotte

Carol G. Green
Clerk of the Appellate Courts

State of Kansas

Department of Health
and Environment

Request for Comments

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality operating permit. Hallmark Cards, Inc. has applied for a Class I operating permit in accordance with the provisions of K.A.R. 28-19-510 *et seq.* The purpose of a Class I permit is to identify the sources and types of regulated air pollutants emitted from the facility; the emission limitations, standards and requirements applicable to each source; and the monitoring, record keeping and reporting requirements applicable to each source as of the effective date of permit issuance.

Hallmark Cards, Inc., Kansas City, Missouri, owns and operates a converted gift wrap/printed party products facility located at 450 Eisenhower Road, Leavenworth, Kansas.

A copy of the proposed permit, permit application, all supporting documentation, and all information relied upon during the permit application review process is available for public review during normal business hours at the KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, and at the KDHE Northeast District Office, 800 W. 24th, Lawrence. To obtain or review the proposed permit and supporting documentation, contact David A Peter, (785) 296-1615, at the KDHE central office, or Pat Simpson, (785) 842-4600, at the KDHE Northeast District Office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to David A Peter, 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 January 3.

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

The United States Environmental Protection Agency has 45 days after receipt of the proposed Class I operating permit within which to object to the proposed permit. If the EPA has not objected in writing to the issuance of the permit within the 45-day review period, any person may petition the administrator of the EPA within 60 days after the expiration of the 45-day review period to review the permit. Any such petition shall be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided for in this notice, unless the petitioner demonstrates that it was impracticable to raise such objections within such period, or unless the grounds for such objection arose after such period. Contact Gary Schlicht, EPA, Region VII, Air Permitting and Compliance Branch, 901 N. 5th, Kansas City,

KS 66101, (913) 551-7097, to determine when the 60-day petition period commences.

Clyde D. Graeber
Secretary of Health
and Environment

Doc. No. 024521

State of Kansas

Kansas Arts Commission

Notice of Advisory Panel and
Commission Meetings

The Kansas Arts Commission has scheduled meetings of advisory panels for the Individual Artist Program components, as well as its own final business meeting in 1999.

Two advisory panels will evaluate applications from individual performing artists and groups, companies and ensembles seeking new or renewed three-year appointments—fiscal years 2001 through 2003—to the roster of the Kansas Touring Program. Both panels will meet on Monday, November 22, in the Potawatomie conference room on the second floor of the Koch Industries Education Center on the grounds of the Kansas History Center and Museum, 6425 S.W. 6th, Topeka. The Touring Program music panel will convene at 9 a.m. and the Touring Program theater and dance panel will convene at 1 p.m.

The panelists' recommendations will be presented to the Kansas Arts Commission during its quarterly business meeting at 9 a.m. December 1 in the Crest Theatre, 1905 Lakin St., Great Bend.

During its meeting in February 2000, the commission will award up to five Kansas Artist Fellowships of \$5,000 each and up to 12 Mini-Fellowships of \$500 each to qualified artists.

Three advisory panels will evaluate applications for Fellowships and Mini-Fellowships. Each panel will convene at 9 a.m. in the Senate Room on the lobby level of the Jayhawk Tower, 700 S.W. Jackson, Topeka. The panel in the Fellowship visual art categories of two-dimensional, three-dimensional and crafts will meet Tuesday, January 11. The panel for Mini-Fellowships, offered in all eligible disciplines, will meet Wednesday, January 12. The panel in the Fellowship literature categories of poetry and fiction will meet Thursday, January 13.

Meetings of the Kansas Arts Commission, a state agency, and its advisory panels are open to public observation in accessible locations. Persons with special needs are asked to request accommodation in advance. Assisted listening devices are available upon request. Official proceedings are recorded on audiotape.

For more information, contact the Kansas Arts Commission, 700 S.W. Jackson, Suite 1004, Topeka, 66603-3761, (785) 296-3335, fax (785) 296-4989, e-mail KAC@arts.state.ks.us. Persons with special communication needs may use the Kansas Relay Service, (800) 766-3777.

David M. Wilson
Executive Director

Doc. No. 024527

State of Kansas

Department of Health
and Environment

Request for Comments

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality operating permit. Amoco Pipeline Company (Humboldt) has applied for a Class I operating permit in accordance with the provisions of K.A.R. 28-19-510 *et seq.* The purpose of a Class I permit is to identify the sources and types of regulated air pollutants emitted from the facility; the emission limitations, standards and requirements applicable to each source; and the monitoring, record keeping and reporting requirements applicable to each source as of the effective date of permit issuance.

Amoco Pipeline Company (Humboldt), Oak Brook Terrace, Illinois, owns and operates a crude petroleum pipeline station located at S15-T26S-R18E, Humboldt, Allen County, Kansas.

A copy of the proposed permit, permit application, all supporting documentation, and all information relied upon during the permit application review process is available for public review during normal business hours at the KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, and at the KDHE Southeast District Office, 1500 W. 7th, Chanute. To obtain or review the proposed permit and supporting documentation, contact David A. Peter, (785) 296-1615, 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 David A. Peter, 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 January 3.

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

The United States Environmental Protection Agency has 45 days after receipt of the proposed Class I operating permit within which to object to the proposed permit. If the EPA has not objected in writing to the issuance of the permit within the 45-day review period, any person may petition the administrator of the EPA within 60 days after the expiration of the 45-day review period to review the permit. Any such petition shall be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided for in this notice, unless the petitioner demonstrates that it was impracticable to raise such objections within such period, or unless the grounds for such objection arose after such period. Contact Gary Schlicht, EPA, Region VII, Air Permitting and Compliance Branch, 901 N. 5th, Kansas City,

KS 66101, (913) 551-7097, to determine when the 60-day petition period commences.

Clyde D. Graeber
Secretary of Health
and Environment

Doc. No. 024524

State of Kansas

Board of Healing Arts

Temporary Administrative
Regulations

Article 6.—LICENSES

100-6-2. General qualifications. (a) Each applicant for licensure in medicine and surgery who is a graduate of an accredited school of medicine shall present to the board proof of completion of a postgraduate training or residency training program that is at least one year in length. This program shall have been approved by the council of education of the American medical association or its equivalent in the year in which the training took place.

(b) Each applicant for licensure in medicine and surgery who is a graduate of an unaccredited school of medicine shall present to the board proof of completion of a postgraduate training or residency training program that is at least two years in length. This program shall have been approved by the council of education of the American medical association or its equivalent in the year in which the training took place.

(c) Each applicant for licensure in osteopathic medicine and surgery who is a graduate of an accredited school of osteopathic medicine shall present to the board proof of completion of a postgraduate training program that is at least one year in length. This program shall have been approved by the American osteopathic association or its equivalent in the year in which the training took place.

(d) Each applicant for licensure in chiropractic who matriculates in chiropractic college on or after January 1, 2000 shall present proof of having received a baccalaureate degree from an accredited school or college. If the baccalaureate degree is granted by a chiropractic school or college, at least 90 semester hours applicable to the baccalaureate degree shall be earned at an accredited school or college, with none of these hours applying to the doctor of chiropractic degree. For purposes of this subsection, an "accredited school or college" shall meet the standards for accreditation of the north central association of colleges and schools or its regional equivalent, as in effect July 1, 1999, which are hereby adopted by reference. (Authorized by K.S.A. 65-2865; implementing K.S.A. 65-2873; effective Jan. 1, 1966; amended Feb. 15, 1977; amended May 1, 1979; amended, T-86-44, Dec. 18, 1985; amended May 1, 1986; amended May 23, 1997; amended, T-100-11-5-99, Nov. 5, 1999.)

Lawrence T. Buening, Jr.
Executive Director

Doc. No. 024510

State of Kansas

Department of Health
and Environment

Request for Comments

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality operating permit. Meridian Automotive Systems, Inc. has applied for a Class I operating permit in accordance with the provisions of K.A.R. 28-19-510 *et seq.* The purpose of a Class I permit is to identify the sources and types of regulated air pollutants emitted from the facility; the emission limitations, standards and requirements applicable to each source; and the monitoring, record keeping and reporting requirements applicable to each source as of the effective date of permit issuance.

Meridian Automotive Systems, Inc. owns and operates the plastic parts surface coating facility located at 900 S. 68th St., Kansas City, Kansas.

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

Direct written comments or questions regarding the proposed permit to Bruce Andersen, Unified Government of Wyandotte County - Kansas City, Kansas Health Department, Department of Air Quality, 619 Ann Ave., Kansas City, KS 66101. In order to be considered in formulating a final permit decision, written comments must be received not later than the close of business January 3.

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, KDHE, Building 283, Forbes Field, Topeka, 66620, not later than the close of business January 3 in order for the Secretary of Health and Environment to consider the request.

The United States Environmental Protection Agency has 45 days after receipt of the proposed Class I operating permit within which to object to the proposed permit. If the EPA has not objected in writing to the issuance of the permit within the 45-day review period, any person may petition the administrator of the EPA within 60 days after the expiration of the 45-day review period to review the permit. Any such petition shall be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided for in this notice, unless the petitioner demonstrates that it was impracticable to raise such objections within such period,

or unless the grounds for such objection arose after such period. Contact Gary Schlicht, EPA, Region VII, Air Permitting and Compliance Branch, 901 N. 5th, Kansas City, KS 66101, (913) 551-7097, to determine when the 60-day petition period commences.

Clyde D. Graeber
Secretary of Health
and Environment

Doc. No. 024522

State of Kansas

Department of Administration

Temporary Administrative
RegulationsArticle 9.—HOURS; LEAVES;
EMPLOYEE-MANAGEMENT RELATIONS**1-9-7b. Military leave; voluntary or involuntary service with reserve component of the Armed Forces. (a)**

(1) Subject to the additional requirements and limitations of Title 38, U.S. Code, Chapter 43, each employee in a regular position who is a member of a reserve component of the military service of the United States shall be granted a maximum of 12 working days per federal fiscal year of military leave with pay for active duty for training purposes as defined in paragraph (a)(3). Any active duty for training purposes in excess of 12 working days in a federal fiscal year shall be charged to military leave without pay or, at the employee's request, to accrued vacation leave.

(2) "Federal fiscal year" means the 12-month period that begins on October 1 and ends on September 30.

(3) "Active duty for training purposes" means the following:

(A) The initial period of full-time, active duty required by federal law for newly enlisted members;

(B) annual training on active duty, which is normally conducted for 15 consecutive days. This annual training may also be conducted on an intermittent schedule totaling 15 days in a federal fiscal year; or

(C) periodic individual military training or schooling that offers the employee an opportunity to retain the employee's reserve component membership or to receive a promotion.

(b) Each employee in a regular position who is a member of a reserve component of the military reserve of the United States shall be granted military leave without pay or, at the employee's request, accrued vacation leave for the purpose of performing inactive duty for training.

(c) Requests for military leave shall be made to the appointing authority with an appropriate military order or duty training document as follows:

(1) At least one month before the start of any inactive or active duty for training, except initial active duty for training; or

(2) at least two weeks before the start of any initial active duty for training.

Leave that is not requested as prescribed in this subsection shall not be approved, unless the employee furnishes the appointing authority with evidence that is sat-

isfactory to the appointing authority and demonstrates that, due to extenuating circumstances, the leave should be granted.

(d) Each employee in a regular position shall be granted military leave without pay or, at the employee's request, accrued vacation leave for the purpose of induction, entrance, or examination for entrance into a reserve component. Notice to the appointing authority shall be provided as prescribed by the appointing authority. Upon completion of the induction, entrance, or examination, the employee shall return to state employment as prescribed in subsection (e).

(e) Upon release from a period of active or inactive duty for training, or upon discharge from hospitalization for injuries suffered during this training, each employee shall be permitted to return to a position with status and pay similar to what the employee would have had if the employee had not been absent for these purposes. If the employee is not qualified to perform the duties of the position by reason of disability sustained during training but is qualified to perform the duties of any other position, the employee shall be offered employment in a position comparable in status and pay to the former position.

(f) When returning from periods of inactive or active duty for training, except initial active duty for training, the employee shall report for work at the beginning of

the next regularly scheduled working period or within a reasonable time thereafter, if the delayed return is due to factors beyond the employee's control and the employee provides documentation of the delay.

(g) When returning from performing initial active duty for training, each employee shall report back to work before whichever of the following dates occurs first:

(1) Thirty-one days of release from training or release from hospitalization for injuries suffered during training; or

(2) one year after the member's scheduled release from training.

(h) Military leave shall be counted as part of the employee's length of service as prescribed in K.A.R. 1-2-46. Sick leave, vacation leave, and holidays shall not be earned or accrued during a period of military training when leave without pay has been granted.

(i) For purposes of this regulation, any reference to the military reserve of the United States shall be considered to include members of the national guard. (Authorized by K.S.A. 75-3747; implementing K.S.A. 75-3746; effective May 1, 1985; amended Dec. 17, 1995; amended, T-1-10-1-97, Oct. 1, 1997; amended, T-1-11-5-99, Nov. 5, 1999.)

Daniel R. Stanley
Secretary of Administration

Doc. No. 024509

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 1999 Supplement to the *Kansas Administrative Regulations*.

AGENCY 1: DEPARTMENT OF ADMINISTRATION

Reg. No.	Action	Register
1-1-5	New	V. 18, p. 1337
1-2-30	Amended	V. 18, p. 1337
1-2-74	New	V. 18, p. 1337
1-2-84	Amended	V. 18, p. 1337
1-2-84a	New	V. 18, p. 1337
1-2-84b	New	V. 18, p. 1338
1-4-8	Amended	V. 18, p. 1338
1-5-22	Amended	V. 18, p. 1338
1-6-25	Amended	V. 18, p. 1338
1-6-32	Amended	V. 18, p. 1339
1-8-6	Amended	V. 18, p. 1339
1-9-2	Amended	V. 18, p. 1340
1-9-14	Amended (T)	V. 18, p. 1390
1-9-19a	Amended	V. 18, p. 1341
1-9-25	Amended	V. 18, p. 1342
1-10-10	New	V. 18, p. 1344
1-10-11	New	V. 18, p. 1345

1-16-18	Amended	V. 18, p. 869
1-16-18a	Amended	V. 18, p. 869
1-18-1a	Amended	V. 18, p. 871

AGENCY 4: DEPARTMENT OF AGRICULTURE

Reg. No.	Action	Register
4-20-11	Amended	V. 18, p. 418
4-20-15	New	V. 18, p. 418
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
7-35-1	Amended (T)	V. 18, p. 1389
7-35-2	Amended (T)	V. 18, p. 1390
7-40-1	New	V. 18, p. 1148

AGENCY 9: ANIMAL HEALTH DEPARTMENT

Reg. No.	Action	Register
9-20-4	New	V. 18, p. 161
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 17: STATE BANK COMMISSIONER

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

AGENCY 22: STATE FIRE MARSHAL

Reg. No.	Action	Register
22-19-1	Amended	V. 18, p. 1170
22-19-2	Amended	V. 18, p. 1170
22-19-3	Amended	V. 18, p. 1171

22-19-4a	New	V. 18, p. 1171
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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
28-1-6	Amended	V. 18, p. 953
28-1-25	Revoked	V. 18, p. 105
28-4-330 through 28-4-343	New (T)	V. 18, p. 1058-1070
28-4-330 through 28-4-343	New	V. 18, p. 1600-1612
26-16-28b through 28-16-28f	Amended	V. 18, p. 1021-1033
28-19-50	Revoked	V. 18, p. 50
28-19-52	Revoked	V. 18, p. 50
28-19-201	Amended	V. 18, p. 106
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
28-19-751	Revoked	V. 18, p. 1099
28-19-752	Revoked	V. 18, p. 1099

(continued)

28-19-752a	New	V. 18, p. 1099	28-65-2	Amended	V. 18, p. 683	65-10-2	Amended	V. 18, p. 357
28-23-81			28-65-3	Amended	V. 18, p. 683	65-11-3	Amended	V. 18, p. 357
through			28-72-1	New (T)	V. 18, p. 1459			
28-23-89	Revoked	V. 18, p. 1099	28-72-3	New (T)	V. 18, p. 1462	AGENCY 68: BOARD OF PHARMACY		
28-19-751	Revoked	V. 18, p. 1099	28-72-4	New (T)	V. 18, p. 1463	Reg. No.	Action	Register
28-19-752	Revoked	V. 18, p. 1099	28-72-4a	New (T)	V. 18, p. 1466	68-2-22	New	V. 18, p. 81
28-19-752a	New	V. 18, p. 1099	28-72-4b	New (T)	V. 18, p. 1468	68-3-5	New	V. 18, p. 1309
28-23-81			28-72-4c	New (T)	V. 18, p. 1470	68-3-6	New	V. 18, p. 1309
through			28-72-5	New (T)	V. 18, p. 1471	68-5-15	New	V. 18, p. 993
28-23-89	Revoked	V. 18, p. 1099	28-72-6	New (T)	V. 18, p. 1473	68-7-18	Amended	V. 18, p. 994
28-29-3	Amended	V. 18, p. 1345	28-72-7	New (T)	V. 18, p. 1475	68-7-19	Amended	V. 18, p. 994
28-29-25a	New	V. 18, p. 1346	28-72-8	New (T)	V. 18, p. 1476	68-11-1	Amended	V. 18, p. 81
28-29-25b	New	V. 18, p. 1347	28-72-9	New (T)	V. 18, p. 1478	68-14-1	Amended	V. 18, p. 1019
28-29-25c	New	V. 18, p. 1348	28-72-10	New (T)	V. 18, p. 1480	68-14-2		
28-29-25e	New	V. 18, p. 1350	28-72-11	New (T)	V. 18, p. 1481	through		
28-29-25f	New	V. 18, p. 1351	28-72-12	New (T)	V. 18, p. 1482	68-14-5	Amended	V. 18, p. 996, 997
28-29-26	Revoked	V. 18, p. 673	28-72-13	New (T)	V. 18, p. 1483	68-14-7	Amended	V. 18, p. 997
28-31-1	Amended	V. 18, p. 673	28-72-14	New (T)	V. 18, p. 1483	68-14-8	New	V. 18, p. 998
28-31-2	Amended	V. 18, p. 673	28-72-15	New (T)	V. 18, p. 1484	68-15-1	New	V. 18, p. 998
28-31-3	Amended	V. 18, p. 674	28-72-16	New (T)	V. 18, p. 1484	68-15-2	New	V. 18, p. 1309
28-31-4	Amended	V. 18, p. 674	28-72-17	New (T)	V. 18, p. 1485	68-15-4	New	V. 18, p. 1309
28-31-6	Amended	V. 18, p. 678	28-72-18	New (T)	V. 18, p. 1486	68-20-10a	New	V. 18, p. 81
28-31-8	Amended	V. 18, p. 679	28-72-18a	New (T)	V. 18, p. 1487	68-20-15a	Amended	V. 18, p. 82
28-31-8b	Amended	V. 18, p. 680	28-72-18b	New (T)	V. 18, p. 1487	68-20-17	Amended	V. 18, p. 83
28-31-9	Amended	V. 18, p. 680	28-72-18c	New (T)	V. 18, p. 1488	68-20-19	Amended	V. 18, p. 83
28-31-10	Amended	V. 18, p. 681	28-72-18d	New (T)	V. 18, p. 1489			
28-31-12	Amended	V. 18, p. 681	28-72-18e	New (T)	V. 18, p. 1490	AGENCY 71: KANSAS DENTAL BOARD		
28-31-13	Amended	V. 18, p. 682	28-72-19	New (T)	V. 18, p. 1491	Reg. No.	Action	Register
28-31-14	Amended	V. 18, p. 682	28-72-20	New (T)	V. 18, p. 1491	71-3-7	New	V. 18, p. 104
28-31-15	New	V. 18, p. 682	28-72-21	New (T)	V. 18, p. 1491	71-6-1		
28-31-16	New	V. 18, p. 682	28-72-22	New (T)	V. 18, p. 1491	through		
28-36-10						71-6-6	New	V. 18, p. 104, 105
through			AGENCY 30: SOCIAL AND REHABILITATION SERVICES			AGENCY 74: BOARD OF ACCOUNTANCY		
28-36-18	Revoked	V. 18, p. 1099	Reg. No.	Action	Register	Reg. No.	Action	Register
28-36-20			30-2-12	Amended	V. 18, p. 271	74-4-10	Amended	V. 18, p. 1238
through			30-2-16	Amended	V. 18, p. 895	74-5-103	Amended	V. 18, p. 1238
28-36-29	Revoked	V. 18, p. 1099, 1100	30-4-64	Amended	V. 18, p. 1722	74-5-104	Amended	V. 18, p. 1238
28-36-101			30-6-59	Revoked	V. 18, p. 895	74-5-202	Amended	V. 18, p. 1239
through			30-6-86	Amended	V. 18, p. 895	74-5-203	Amended	V. 18, p. 1239
28-36-108	New	V. 18, p. 1100-1102	30-6-103	Amended	V. 18, p. 896	74-5-406	Amended	V. 18, p. 1240
28-36-10			30-14-30	Amended	V. 18, p. 896	74-11-6	Amended	V. 18, p. 1240
through			AGENCY 40: KANSAS INSURANCE DEPARTMENT			74-12-1	Amended	V. 18, p. 1721
28-36-18	Revoked	V. 18, p. 1099	Reg. No.	Action	Register	AGENCY 80: KANSAS PUBLIC EMPLOYEES RETIREMENT SYSTEM		
28-36-20			40-2-26	Amended	V. 18, p. 1058	Reg. No.	Action	Register
through			40-3-33	Amended	V. 18, p. 1016	80-1-1	Amended	V. 18, p. 1230
28-36-29	Revoked	V. 18, p. 1099, 1100	40-4-34	Amended	V. 18, p. 124	80-1-2	Amended	V. 18, p. 1230
28-36-101			40-4-34	Amended	V. 18, p. 124	80-1-3	Amended	V. 18, p. 1230
through			40-4-35	Amended (T)	V. 18, p. 358	80-1-4	Revoked	V. 18, p. 1230
28-36-108	New	V. 18, p. 1100-1102	40-4-35	Amended	V. 18, p. 1148	80-1-5	Amended	V. 18, p. 1230
28-36-10			AGENCY 44: DEPARTMENT OF CORRECTIONS			80-1-6	Amended	V. 18, p. 1231
through			Reg. No.	Action	Register	80-1-9	Amended	V. 18, p. 1231
28-36-18	Revoked	V. 18, p. 1099	44-1-103	Amended	V. 18, p. 390	80-1-10	Amended	V. 18, p. 1231
28-36-20			AGENCY 45: KANSAS PAROLE BOARD			80-1-11	Amended	V. 18, p. 1231
through			Reg. No.	Action	Register	80-1-12	Revoked	V. 18, p. 1231
28-36-29	Revoked	V. 18, p. 1099, 1100	45-9-1	Amended	V. 18, p. 1597	80-2-1	Amended	V. 18, p. 1231
28-36-101			45-9-2	Amended	V. 18, p. 1597	80-3-1	Revoked	V. 18, p. 1232
through			45-9-3	Amended	V. 18, p. 1598	80-3-2	Revoked	V. 18, p. 1232
28-36-108	New	V. 18, p. 1100-1102	45-9-4	New (T)	V. 18, p. 1034	80-3-4	Amended	V. 18, p. 1232
28-39-133	Revoked	V. 18, p. 1393	45-9-4	New	V. 18, p. 1599	80-3-5	Revoked	V. 18, p. 1232
28-39-134			AGENCY 51: DEPARTMENT OF HUMAN RESOURCES—DIVISION OF WORKERS COMPENSATION			80-3-6	Revoked	V. 18, p. 1232
through			Reg. No.	Action	Register	80-3-8	Revoked	V. 18, p. 1232
28-39-137	Revoked	V. 18, p. 1393	51-9-7	Amended	V. 18, p. 1170	80-3-9	Amended	V. 18, p. 1232
28-39-144	Amended	V. 18, p. 1393	AGENCY 60: BOARD OF NURSING			80-3-13	Revoked	V. 18, p. 1232
28-39-145	Revoked	V. 18, p. 1395	Reg. No.	Action	Register	80-3-15	Amended	V. 18, p. 1232
28-39-145a	New	V. 18, p. 1395	60-3-101	Amended	V. 18, p. 51	80-3-16	Amended	V. 18, p. 1232
28-39-152	Amended	V. 18, p. 1397	60-3-106	Amended	V. 18, p. 51	80-4-1	Amended	V. 18, p. 1233
28-39-160	Amended	V. 18, p. 1399	60-7-101	Amended	V. 18, p. 52	80-4-2	Revoked	V. 18, p. 1233
28-39-161	Amended	V. 18, p. 1400	60-16-101	Amended	V. 18, p. 1558	80-4-3	Revoked	V. 18, p. 1233
28-39-162a	Amended	V. 18, p. 1401	60-16-102	Amended	V. 18, p. 1558	80-4-4	Amended	V. 18, p. 1233
28-39-162c	Amended	V. 18, p. 1405	60-16-104	Amended	V. 18, p. 1559	80-4-5	Revoked	V. 18, p. 1233
28-39-163	Amended	V. 18, p. 1410	AGENCY 63: BOARD OF MORTUARY ARTS			80-4-6	Revoked	V. 18, p. 1233
28-39-240	Amended	V. 18, p. 1412	63-4-1	Amended	V. 18, p. 1650	80-5-1	Amended	V. 18, p. 1233
28-39-245	Amended	V. 18, p. 1413	AGENCY 65: BOARD OF EXAMINERS IN OPTOMETRY			80-5-2	Revoked	V. 18, p. 1233
28-39-247	Amended	V. 18, p. 1414	Reg. No.	Action	Register	80-5-3	Revoked	V. 18, p. 1233
28-39-275			65-6-10	Amended	V. 18, p. 1727	80-5-6	Amended	V. 18, p. 1233
through			65-9-1	Amended	V. 18, p. 357	80-5-7	Revoked	V. 18, p. 1234
28-39-291	New	V. 18, p. 1416-1423	AGENCY 68: BOARD OF PHARMACY			80-5-9	Amended	V. 18, p. 1234
28-39-300			Reg. No.	Action	Register	80-5-10	Amended	V. 18, p. 1234
through			68-2-22	New	V. 18, p. 81	80-5-11	Amended	V. 18, p. 1234
28-39-312	Revoked	V. 18, p. 1423	68-3-5	New	V. 18, p. 1309	80-5-12	Revoked	V. 18, p. 1234
28-39-425			68-3-6	New	V. 18, p. 1309	80-5-13	Amended	V. 18, p. 1234
through			68-5-15	New	V. 18, p. 993	80-5-14	Revoked	V. 18, p. 1234
28-39-437	New	V. 18, p. 1423-1429	68-7-18	Amended	V. 18, p. 994			
28-50-1	Amended	V. 18, p. 1353	68-7-19	Amended	V. 18, p. 994			
28-50-2	Amended	V. 18, p. 1355	68-11-1	Amended	V. 18, p. 81			
28-50-4	Amended	V. 18, p. 1356	68-14-1	Amended	V. 18, p. 1019			
28-50-5	Amended	V. 18, p. 1356	through					
28-50-6	Amended	V. 18, p. 1356	68-14-5	Amended	V. 18, p. 996, 997			
28-50-7	Revoked	V. 18, p. 1358	68-14-7	Amended	V. 18, p. 997			
28-50-8	Amended	V. 18, p. 1358	68-14-8	New	V. 18, p. 998			
28-50-9	Amended	V. 18, p. 1359	68-15-1	New	V. 18, p. 998			
28-50-10	Amended	V. 18, p. 1363	68-15-2	New	V. 18, p. 1309			
28-50-14	Amended	V. 18, p. 1363	68-15-4	New	V. 18, p. 1309			
28-65-1	Amended	V. 18, p. 682	68-20-10a	New	V. 18, p. 81			

AGENCY 112: KANSAS RACING AND GAMING COMMISSION

Reg. No.	Action	Register
112-6-4a	New	V. 18, p. 1458
112-10-6	Amended	V. 18, p. 954

AGENCY 115: DEPARTMENT OF WILDLIFE AND PARKS

Reg. No.	Action	Register
115-2-1	Amended	V. 18, p. 1019
115-4-13	Amended	V. 18, p. 1020
115-5-2	Amended	V. 18, p. 1723
115-7-1	Amended	V. 18, p. 1334
115-7-5	Amended	V. 18, p. 1334
115-8-6	Amended	V. 18, p. 1724

115-11-2	Amended	V. 18, p. 484
115-15-1	Amended	V. 18, p. 1724
115-15-2	Amended	V. 18, p. 1725
115-16-4	Amended	V. 18, p. 780
115-17-21	New	V. 18, p. 781
115-18-4	Amended	V. 18, p. 1334
115-18-7	Amended	V. 18, p. 1335
115-18-13	Amended	V. 18, p. 1336
115-18-14	Amended	V. 18, p. 1336
115-30-10	Amended	V. 18, p. 781

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

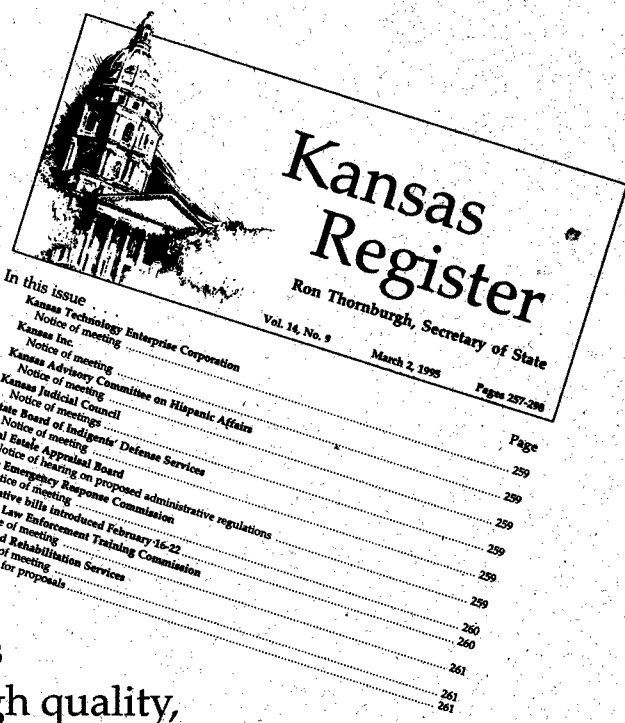
117-3-1	Amended	V. 18, p. 296
117-3-2	Amended	V. 18, p. 296
117-4-1	Amended	V. 18, p. 297
117-4-2	Amended	V. 18, p. 298
117-6-1	Amended	V. 18, p. 955
117-8-1	Amended	V. 18, p. 995

AGENCY 118: KANSAS STATE HISTORICAL SOCIETY

Reg. No.	Action	Register
118-4-1 through 118-4-4	New	V. 18, p. 672, 673

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