

# Kansas Register

Ron Thornburgh, Secretary of State

Vol. 19, No. 8 February 24, 2000 Pages 233-256

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## State of Kansas

## Department of Revenue

## Notice of Available Publications

Listed below are all the Private Letter Rulings, Opinion Letters, Revenue Rulings, Memorandums, Property Valuation Division Directives, Q & A's, Information Guides and Notices published by the Department of Revenue for January 2000. Copies can be obtained by accessing the Policy Information Library located on the Internet at [www.ink.org/public/kdor](http://www.ink.org/public/kdor) or by calling the Office of Policy and Research at (785) 296-3081.

## Private Letter Rulings

- P-1999-271 Application of sales tax on motor vehicle sales at satellite locations.  
 P-2000-001 Purchase, rental or lease of forklift trucks utilized in the direct production and distribution of items intended for resale by a manufacturing plant or facility.

**Opinion Letters** No New Publications

**Revenue Rulings** No New Publications

**Notices** No New Publications

**Memorandums** No New Publications

## Property Valuation

**Division Directives** No New Publications

## Q &amp; A's

**Retailers' Sales Tax** Q & A addressing when purchases made by a federal employee who uses a federally-issued credit card are taxable and when they are exempt.

**Corp. Income, Individual Income Tax** Question and answer relating to community service contribution credits.

Information Guides No New Publications

Karla Pierce  
Secretary of Revenue

Doc. No. 024844

## State of Kansas

Department of Commerce  
and Housing

## Notice of Hearing

In accordance with Department of Energy regulations, the Kansas Weatherization Assistance Program will conduct a public hearing at 10:30 a.m. Monday, March 6, at the Department of Commerce and Housing, 700 S.W. Harrison, 13th floor, Topeka, to receive comments on applications to provide weatherization services in Sedgwick County. For information about applicants, call (785) 296-2065.

All comments are to be in writing and submitted for incorporation into the minutes of the hearing. Persons not attending the hearing may mail written comments to Norma Phillips, Director, Weatherization Assistance Program, Housing Development Division, Department of Commerce and Housing, 700 S.W. Harrison, Suite 1300, Topeka, 66603-3712.

If special accommodations are needed, contact the Kansas Department of Commerce and Housing at least five business days in advance of the hearing at (785) 296-2994, fax (785) 296-3665, TTY (Hearing Impaired) (785) 296-3487.

Gary Sherrer  
Secretary of Commerce  
and Housing

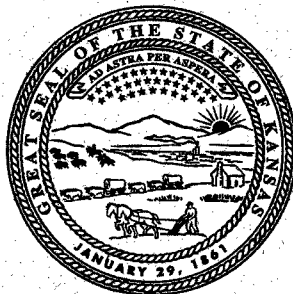
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## State of Kansas

## Office of the Governor

## Executive Order 00-3

WHEREAS, the citizens of the State of Kansas deserve a state government that operates efficiently and effectively; and

WHEREAS, outdated, redundant, over-broad, ineffective, unnecessary, cumbersome, irrelevant, and otherwise undesirable rules and regulations impede the efficient and effective operation of government; and

WHEREAS, it is the policy of this administration to provide government services to citizens efficiently and effectively and to ensure that state revenues are utilized efficiently and effectively; and

WHEREAS, a comprehensive review by each state agency of rules and regulations under the agency's jurisdiction would serve to identify and eliminate outdated, redundant, over-broad, ineffective, unnecessary, cumbersome, irrelevant, and otherwise undesirable rules and regulations; and

WHEREAS, in 1995 I directed such a review of rules and regulations, which resulted in the modification or elimination of hundreds of out-dated, irrelevant and cumbersome rules and regulations; and

WHEREAS, regulatory reviews are necessary from time to time, and another review in the current year would benefit the citizens of Kansas and improve the operation of state government;

NOW, THEREFORE, pursuant to the authority vested in me as Governor and chief executive of the State of Kansas by Article 1, Sections 3 and 4, of the Constitution of the State of Kansas, I hereby order that each executive branch agency conduct a comprehensive review of rules and regulations within the jurisdiction of such agency and report the results in accordance with the following:

**I. Requirement for Regulatory Review**

- A. Each agency shall conduct a comprehensive review of all agency rules and regulations for the purpose of identifying and eliminating or modifying, as appropriate, all rules and regulations of such agency that are outdated, redundant, over-broad, ineffective, unnecessary, cumbersome, irrelevant, or otherwise undesirable or inconsistent with the criteria set forth in this order.
- B. Prior to commencing its regulatory review, each agency shall prepare a written Plan for Regulatory Review in accordance with the requirements of this order.
- C. Based upon its review, each agency shall prepare written recommendations for presentation to the Governor, or to his designee, of such agency's rules and regulations that should be modified or eliminated.
- D. Not later than September 1, 2000, each agency shall be prepared to present its recommendations to the Governor, or his designee. The Governor, or his designee, shall review and may approve or disapprove each agency's recommendations or any portion thereof.

- E. After review by the Governor, or his designee, each agency shall prepare a final report that summarizes the results of this effort and documents the rule and regulation changes that have been made pursuant to the agency's regulatory review.

**II. Agency Plan for Regulatory Review**

Each agency's Plan for Regulatory Review shall include the following:

- A. The designation of an individual as the agency's Agency Rules Administrator (ARA). The ARA shall be the agency official responsible for the administration of the agency rule and regulation process and for ensuring that the agency meets the requirements of this order.
- B. A schedule that lists when the review of each rule, or group of rules, will occur.
- C. A statement of the method by which the agency will conduct the review and will determine whether any rule under review meets the criteria listed in this executive order.
- D. A means for public participation in the review process and a description of the process by which interested persons may participate in the review.
- E. A process for ongoing review of rules by the agency after the specific review required by this order is completed to ensure that the agency acts continually to apply the criteria and meet the purpose of this order.

**III. Criteria for Regulatory Review**

Each agency shall seek to meet the stated purpose of this order and shall apply the following criteria in reviewing its rules and regulations:

- A. **Need:** Is the rule necessary to comply with the statutes that authorize it? Is the rule obsolete, duplicative, or ambiguous to a degree that warrants repeal or revision? Is the rule broader than necessary to accomplish its purpose or objective?
- B. **Clarity:** Is the rule written and organized in a clear and concise manner so it can be readily understood by those to whom it applies?
- C. **Cost:** Have the benefits of the rule been considered in relation to its costs? Do the benefits of the rule exceed the costs of the rule?
- D. **Fairness:** Does the rule result in equitable treatment of those required to comply with it and those affected by the rule in other ways?
- E. **Effectiveness:** Has the rule been effective in achieving the purpose for which it was established?

This document shall be filed with the Secretary of State as Executive Order No. 00-03 and shall become effective immediately.

Dated February 11, 2000.

Bill Graves  
Governor

Attest: Ron Thornburgh  
Secretary of State

Doc. No. 024842

## State of Kansas

## Legislature

## Legislative Bills and Resolutions Introduced

The following numbers and titles of bills and resolutions were introduced February 10-16 by the 2000 Legislature. Copies of bills and resolutions are available free of charge from the Legislative Document Room, 145-N, State Capitol, 300 S.W. 10th Ave., Topeka, 66612, (785) 296-4096.

## House Bills

**HB 2973**, An act concerning grain storage; relating to public warehouses; amending K.S.A. 34-237 and 34-2,111 and K.S.A. 1999 Supp. 34-228, 34-229, 34-230, 34-236, 34-273 and 34-2,104 and repealing the existing sections, by Committee on Agriculture.

**HB 2974**, An act concerning wildlife; relating to big game permits; purchase, sale and transfer thereof; report of property damage; amending K.S.A. 1999 Supp. 32-937 and repealing the existing section, by Committee on Agriculture.

**HB 2975**, An act concerning wildlife; relating to hunting on land by permission only; amending K.S.A. 32-1013 and repealing the existing section, by Committee on Agriculture.

**HB 2976**, An act concerning wildlife; relating to penalty for taking trophy big game; amending K.S.A. 32-1032 and repealing the existing section, by Committee on Agriculture.

**HB 2977**, An act concerning wildlife; relating to big game permits; amending K.S.A. 1999 Supp. 32-937 and repealing the existing section, by Committee on Agriculture.

**HB 2978**, An act concerning the crime of stalking; amending K.S.A. 21-3438 and repealing the existing section, by Select Committee on Information Management.

**HB 2979**, An act prohibiting seduction of a minor by certain means; providing penalties for violations, by Select Committee on Information Management.

**HB 2980**, An act concerning criminal procedures; relating to confessions admissible as evidence; amending K.S.A. 22-3215 and repealing the existing section, by Committee on Judiciary.

**HB 2981**, An act concerning medical care facility professional staff; amending K.S.A. 65-431 and repealing the existing section, by Committee on Health and Human Services.

**HB 2982**, An act concerning the theft of computer information; authorizing a civil cause of action therefor, by Select Committee on Information Management.

**HB 2983**, An act amending the Kansas underground utility damage prevention act; amending K.S.A. 1999 Supp. 66-1802, 66-1805, 66-1811 and 66-1812 and repealing the existing section, by Committee on Governmental Organization and Elections.

**HB 2984**, An act concerning fiber-optic cable; requiring owners to submit certain information to the state; providing penalties for violations, by Select Committee on Information Management.

**HB 2985**, An act relating to appropriation of water for use in another state; amending K.S.A. 82a-726 and repealing the existing section, by Committee on Environment.

**HB 2986**, An act relating to crimes and punishments; concerning the theft of motor fuel; penalties; amending K.S.A. 1999 Supp. 8-255 and repealing the existing section, by Committee on Federal and State Affairs.

**HB 2987**, An act concerning the equus beds region; prohibiting issuance of certain permits for confined feeding facilities for swine, water supply systems, waste water treatment facilities and public water supply systems, by Committee on Taxation.

**HB 2988**, An act amending and supplementing the pharmacy act of the state of Kansas; concerning records of prescription orders; prohibiting certain acts and providing penalties for violations, by Committee on Appropriations.

**HB 2989**, An act concerning the teacher service scholarship program; amending K.S.A. 74-32,100, 74-32,101, 74-32,102, 74-32,103, 74-32,105 and 74-32,106 and K.S.A. 1999 Supp. 74-32,104 and 74-32,107 and repealing the existing sections, by Committee on Appropriations.

**HB 2990**, An act relating to the dental practices act; amending K.S.A. 1999 Supp. 65-1466 and repealing the existing section, by Committee on Appropriations.

**HB 2991**, An act concerning certain counties; relating to law enforcement; amending K.S.A. 19-4470 and 19-4471 and repealing the existing sections, by Committee on Federal and State Affairs.

**HB 2992**, An act concerning adult care homes; concerning the abuse, neglect or exploitation of residents thereof; amending K.S.A. 1999 Supp. 39-1402 and repealing the existing section, by Committee on Federal and State Affairs.

## House Concurrent Resolutions

**HCR 5068**, A concurrent resolution recognizing the Korean War Memorial in Wichita as the Kansas Korean War Memorial.

## Senate Bills

**SB 619**, An act concerning insurance; relating to health maintenance organizations; amending K.S.A. 1999 Supp. 40-3202, 40-3209, 40-3220, 40-3227, 40-3606 and 45-221 and repealing the existing sections, by Committee on Financial Institutions and Insurance.

**SB 620**, An act concerning juvenile offenders; relating to conditional release, violations; amending K.S.A. 1999 Supp. 38-1674 and repealing the existing section, by Committee on Judiciary.

**SB 621**, An act concerning certain railroad employees; relating to certain accidents; train crew members, by Committee on Judiciary.

**SB 622**, An act concerning juveniles; relating to placement of child in need of care; juvenile offenders, placement, credit for time spent, notice of release, offender registration; juvenile correctional staff; amending K.S.A. 38-1568 and K.S.A. 1999 Supp. 22-4904, 38-1673, 38-1674, 38-1675, 38-1676, 38-1691, 38-16,129 and 75-7023 and repealing the existing sections, by Committee of Judiciary.

**SB 623**, An act concerning the chief executive officers of the state educational institutions; relating to the compensation of such officers; amending K.S.A. 76-714 and repealing the existing section, by Committee on Ways and Means.

**SB 624**, An act relating to property taxation; exempting certain personal property used for manufacturing of motor vehicles, by Committee on Federal and State Affairs.

**SB 625**, An act concerning the equus beds aquifer; providing for collection and compilation of certain information regarding sources of existing and potential pollution, by Committee on Energy and Natural Resources.

**SB 626**, An act establishing the board of social work; providing for the powers, duties and functions thereof; amending K.S.A. 65-6302, as amended by section 11 of chapter 117 of the 1999 Session Laws of Kansas, and K.S.A. 1999 Supp. 74-7501 and 74-7507 and repealing the existing sections, by Committee on Public Health and Welfare.

**SB 627**, An act concerning alcohol; relating to possession by minors; evidence; amending K.S.A. 1999 Supp. 41-727 and repealing the existing section, by Committee on Judiciary.

**SB 628**, An act concerning crimes, criminal procedure and punishment; relating to possession of a firearm by a felon; amending K.S.A. 1999 Supp. 21-4204 and repealing the existing section, by Committee on Judiciary.

**SB 629**, An act concerning business entities; relating to annual reports; annual franchise tax; amending K.S.A. 1999 Supp. 17-7503, 17-7505, 17-76,139, 45-221, 56a-1201 and 56a-1202 and repealing the existing sections, by Committee on Judiciary.

**SB 630**, An act concerning infectious diseases communicable from one person to another through body fluids; amending K.S.A. 1999 Supp. 65-6015, 65-6016 and 65-6017 and repealing the existing sections, by Committee on Federal and State Affairs.

**SB 631**, An act concerning sexual abuse of certain persons; relating to reporting requirements; amending K.S.A. 1999 Supp. 39-1402 and repealing the existing section, by Committee on Judiciary.

**SB 632**, An act concerning courts; relating to authority of supreme court; municipal courts; amending K.S.A. 12-4104 and 20-101 and repealing the existing sections, by Committee on Judiciary.

**SB 633**, An act concerning children in need of care; amending K.S.A. 38-1503, 38-1523a, 38-1524, 38-1529, 38-1531, 38-1566, 38-1568 and 75-3329 and K.S.A. 1999 Supp. 38-1502, 38-1507, 38-1513, 38-1532, 38-1542, 38-1543, 38-1544, 38-1562, 38-1563, 38-1565, 38-1581, 38-1583, 38-1584, 38-1585, 38-1587, 38-1591, 38-1608 and 60-1610 and repealing the existing sections, by Committee on Ways and Means.

**SB 634**, An act authorizing the Kansas water office to obtain loans under certain prescribed conditions; relating to the pooled money investment board, by Committee on Ways and Means.

**SB 635**, An act concerning municipal accounting; amending K.S.A. 12-896, 19-508a, 19-3622, 75-1119, 75-1120, 75-1120a, 75-1122, 79-2925, 79-2927, 79-2929, 79-2929a, 79-2930, 79-2960 and 79-5111 and K.S.A. 1999 Supp. 12-1927, 71-211, 75-2556 and 79-2005 and repealing the existing sections; also repealing K.S.A. 75-1121, 75-1123, 75-1124, 75-3736, 79-2808, 79-2917 and 79-2926, by Committee on Ways and Means.

**SB 636**, An act concerning the equus beds region; prohibiting issuance of certain permits for confined feeding facilities for swine, water supply systems, waste water treatment facilities and public water supply systems, by Committee on Ways and Means.

**SB 637**, An act concerning the Riley county law enforcement agency; amending K.S.A. 19-4429 and 19-4432 and repealing the existing sections, by Committee on Federal and State Affairs.

### Senate Concurrent Resolutions

**SCR 1642**, A proposition to amend section 6 of article 3 of the constitution of the state of Kansas, relating to nonpartisan selection of district judges.

### Senate Resolutions

**SR 1810**, A resolution congratulating and commending Carl Koster.  
Doc. No. 024841

### 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, 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, March 6, 2000

01176

Emporia State University—Swing Door Operators

01207

Kansas Bureau of Investigation—Clothes Dryer

#### Tuesday, March 7, 2000

01186

Department of Transportation—Bituminous Plant Mix (Hot Mix-Cold Lay), District 4

01188

Department of Transportation—Aggregate (District 4)

#### Wednesday, March 8, 2000

A-8792-Revised

University of Kansas—Reroof New Continuing Education Building

A-8896

Department of Wildlife and Parks—Overland Campground Building, Cedar Bluff State Park, Trego County

A-8898

Department of Wildlife and Parks—Apache Campground Building, Cedar Bluff State Park, Trego County

A-8903

University of Kansas—Reroof, Oldfather Studios

A-8934

Department of Transportation—Butterfield Campground Building, Cedar Bluff State Park

01194

Department of Wildlife and Parks—Rental of Front Deck Mowers and Agricultural Tractors

Thursday, March 9, 2000

A-8769

Larned State Hospital—Replacement of Engine Generators, Main Power Plant

A-8799

Kansas State University—McCain Auditorium Renovation

A-8801

Kansas State University—Hazardous Waste Building

A-8955

Pittsburg State University—Sewer Replacement, Gibson Dining Hall

A-8962

Fort Hays State University—Campus Sidewalk Replacement, Phase II

01063

Department of Corrections—Burial Services

01067

Fort Hays State University—Electrician's On-Call Services

01196

Department of Transportation—Bituminous Plant Mixture (Commercial Grade) District 4

#### Monday, March 13, 2000

01213

Department of Wildlife and Parks—Campground Utility Improvements, Toronto

01222

Kansas Department on Aging—Medicare/Medicaid Rate Differential Calculations

#### Tuesday, March 14, 2000

01215

University of Kansas Medical Center—Furnish and Install Multimedia A/V Equipment

01219

Adjutant General's Department—Remodel Steel Building, Salina

#### Thursday, March 16, 2000

A-8935

Department of Wildlife and Parks—Campground Building, Wheatgrass Campground, Russell County

A-8954

University of Kansas—Remodel Classrooms, Wescoe Hall

John T. Houlihan  
Director of Purchases

Doc. No. 024860

## State of Kansas

## Department of Transportation

## Notice to Consulting Engineers

Consulting engineering firms not currently qualified that would like to become qualified to perform engineering services for the Kansas Department of Transportation are requested to submit information to KDOT.

Firms may become qualified by requesting a DOT Form No. 1050, Consulting Engineering Qualification Questionnaire. The form may be obtained by writing to:

Neil R. Rusch, P.E., Assistant to the Director  
Division of Engineering and Design  
Kansas Department of Transportation  
Room 1084-West, Docking State Office Building  
915 S.W. Harrison  
Topeka, 66612-1568

The DOT Form 1050 also is available on KDOT's webpage at <http://www.ink.org/public/kdot/prequal>. Also available on the same webpage is KDOT's "Listing of Professional Services for Consultant Qualifications" category booklet.

Questions concerning qualification may be directed to Neil Rusch at (785) 296-2270.

E. Dean Carlson  
Secretary of Transportation

Doc. No. 024843

## 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. March 15 and then publicly opened:

## District One—Northeast

**Atchison**—9-3 K-6411-01 - K-9, bridge 29 over Grasshopper Creek, 1.8 miles (2.9 kilometers) east of the Jackson-Atchison county line, bridge replacement. (Federal Funds)

**Brown**—36-7 K-7646-01 - U.S. 36 culvert 501, 0.8 mile (1.3 kilometers) east of the east city limits of Fairview, culvert construction. (State Funds)

**Doniphan**—7-22 K-7640-01 - K-7 culvert 501, 3.4 miles (5.5 kilometers) north of the west junction of U.S. 36, culvert construction. (State Funds)

**Doniphan**—36-22 K-7647-01 - U.S. 36 culvert at the south city limits of Wathena, culvert construction. (State Funds)

**Jackson-Jefferson**—16-106 K-7913-01 - K-16 from the Pottawatomie-Jackson county line east to the west city limits of Holton; K-16 from the east city limits of Holton east to the Jackson-Jefferson county line; K-16 from the Jefferson-Jackson county line east to the west city limits of Valley Falls, 34.3 miles (55.3 kilometers); crack repair. (State Funds)

**Jefferson**—4-44 K-6444-01 - K-4 at Wyandotte Street and Miller Street east of Meriden, 0.3 mile (0.5 kilometer), intersection improvement. (Federal Funds)

**Jefferson**—245-44 K-7484-01 - K-245 from the junction of K-4 northwest to the south city limits of Meriden, 0.3 mile (0.5 kilometer), overlay. (State Funds)

**Johnson**—35-46 K-2663-03 - Bridge 298, 151st Street over U.S. 169/K-7, bridge repair. (State Funds)

**Leavenworth**—52 C-3604-01 - Intersection of county route 1940 and county route 385, 0.2 mile (0.3 kilometer), intersection improvement. (Federal Funds)

**Leavenworth**—52 U-1606-01 - Hughes Road from Eisenhower Road to Muncie Road in Leavenworth, 0.3 mile (0.5 kilometer), grading and surfacing. (Federal Funds)

**Riley**—81 U-1694-01 - North Manhattan Avenue and Claflin Avenue in Manhattan, 0.2 mile (0.3 kilometer), intersection improvement. (Federal Funds)

**Wabaunsee**—4-99 K-7919-01 - K-4 from the north junction of K-177 east to the west city limits of Eskridge, 24.6 miles (39.6 kilometers), crack repair. (State Funds)

## District Two—Northcentral

**Clay**—82-14 K-6365-01 - K-82 Milford Lake bridge 026, 6.9 miles (11.1 kilometers) east of K-15, bridge widening. (Federal Funds)

**Geary**—40B-31 K-7313-01 - U.S. 40B Smoky Hill River bridge 37, 1.3 miles (2.1 kilometers) east of U.S. 77, bridge deck. (State Funds)

## District Three—Northwest

**Norton**—69 K-2833-03 - Prairie Dog State Park, interior roads, road improvements. (State Funds)

**Norton-Phillips-Smith**—106 K-7909-01 - K-9 from the east junction of U.S. 283 east to the Norton-Phillips county line; K-173 from Densmore north to the junction of K-9; K-9 from the Norton-Phillips county line east to the Phillips-Smith county line; K-9 from the Phillips-Smith county line east to the junction of U.S. 281, 59.4 miles (95.6 kilometers), sealing.

**Thomas**—70-97 K-6029-01 - Various locations on I-70 in Thomas County, guard fence. (State Funds)

## District Four - Southeast

**Allen**—54-1 K-6031-01 - Various locations on U.S. 54 in Allen County, guard fence. (State Funds)

**Cherokee**—69-11 K-7921-01 - U.S. 69 from the Oklahoma-Kansas state line north to the junction of U.S. 166, 2.4 miles (3.8 kilometers), crack repair. (State Funds)

**Cherokee**—11 K-7686-01 - Culvert 110, Mined Land Wildlife Area, culvert construction. (State Funds)

**Crawford**—69-19 K-5746-02 - U.S. 69 from U.S. 69B north to McKay Street in Frontenac, 0.7 mile (1.1 kilometers), surfacing. (State Funds)

**District Four**—106 K-6254-00 - Various locations in District 4, 270.4 miles (435.2 kilometers), signing. (State Funds)

**Elk**—160-25 K-6315-01 - U.S. 160 culverts 503 & 504, 2.1 miles (3.4 kilometers) west and 0.7 mile (1.1 kilometers) east of K-99, bridge repair. (State Funds)



**Greenwood**—57-37 K-7681-01 - K-57 culvert 737, 10.3 miles (16.6 kilometers) southeast of the Lyon-Greenwood county line, culvert construction. (State Funds)

**Labette**—59-50 K-7682-01 - U.S. 59 Neosho River drainage bridge 2 miles (3.3 kilometers) north of the Oklahoma-Kansas state line, bridge overlay. (State Funds)

**Miami**—69-61 K-7922-01 - U.S. 69, 5.9 miles (9.5 kilometers) north of the junction of K-68 north to the Miami-Johnson county line, 2.3 miles (3.8 kilometers), crack repair. (State Funds)

#### District Five - Southcentral

**Barton**—96-5 K-7916-01 - K-96 from the Rush-Barton county line east to the north city limits of Great Bend, 13.6 miles (21.9 kilometers), sealing. (State Funds)

**Cowley**—77-18 K-7728-01 - U.S. 77 (Main Street) and 14th Street in the city of Winfield, traffic signals. (State Funds)

**Harper**—160-39 K-7169-01 - U.S. 160 bridge at the Atchison & Santa Fe Railroad 7.6 miles (12.3 kilometers) east of the north junction of K-2, bridge deck repair. (State Funds)

**Kingman**—48 C-3476-01 - County road 2 miles (3.2 kilometers) north of Cunningham then north 4 miles (6.5 kilometers), grading and surfacing. (Federal Funds)

**Kingman**—42-48 K-7689-01 - K-42 Chikaskia River bridge, 7.3 miles (11.8 kilometers) west of the junction of K-14, bridge overlay. (State Funds)

**Reno**—50-78 K-7691-01 - U.S. 50 Salt Creek drainage bridge, 11.9 miles (19.1 kilometers) east of old U.S. 50, culvert construction. (State Funds)

**Reno**—96-78 K-7692-01 - K-96 bridge 60, Avenue B, 0.7 mile (1.2 kilometers) south of 5th Avenue in Hutchinson, bridge repair. (State Funds)

**Rush**—83 C-3554-01 - County road 2 miles (3.2 kilometers) west and 0.2 mile (0.3 kilometer) south of Rush Center, 0.2 mile (0.4 kilometer), grading, bridge and surfacing. (Federal Funds)

**Rush**—96-83 K-5898-01 - K-96 Safety Rest Area west of Alexander, rest area improvements. (State Funds)

**Sedgwick**—254-87 K-7696-01 - K-254 bridges over 45th Street North and Hillside Avenue, bridge overlay. (State Funds)

**Sedgwick**—87 K-7838-01 - Various locations in the city of Wichita, lighting. (State Funds)

**Reno-Sedgwick**—96-106 K-7840-01 - K-96 at K-17 and at Haven in Reno County and K-96 at Mount Hope and at Andale Road in Sedgwick County, lighting. (State Funds)

**Rice**—80 K-7918-01 - K-46 from the junction of U.S. 56 north to the south city limits of Little River; U.S. 56 from the east city limits of Lyons to the Rice-McPherson county line; K-4 beginning at the junction of K-14 east to the Rice-Ellsworth county line, 26 miles (41.7 kilometers), crack repair. (State Funds)

**Sedgwick**—87 N-0099-01 - Maple Street and Seneca Street in Wichita, intersection improvement. (Federal Funds)

**Sedgwick**—87 K-7920-01 - Various bridges in Sedgwick County, 0.8 mile (1.3 kilometers), pavement marking. (State Funds)

**Sedgwick**—87 N-0136-01 - Seneca and Maple intersection, 1 mile (1.6 kilometers), grading and surfacing. (State Funds)

**Sedgwick**—87 N-0102-01 - 61st Street from Broadway Street to Hydraulic Avenue in Park City, 1 mile (1.6 kilometers), grading and surfacing. (Federal Funds)

#### District Six - Southwest

**Ford**—29 K-7904-01 - County road from the junction of U.S. 50B/U.S. 400 northeast to the east junction of U.S. 283, 4.8 miles (7.7 kilometers), sealing. (State Funds)

**Hodgeman**—283-42 - U.S. 283 from the junction of K-156 north to the Hodgeman-Ness county line, 12 miles (19.4 kilometers), sealing. (State Funds)

**Seward**—54-88 K-7900-01 - U.S. 54 from the east city limits of Liberal northeast to the west end of the Cimarron River bridge 10.7 miles (17.3 kilometers), sealing. (State Funds)

**Seward**—54-88 K-7903-01 - U.S. 54 from the east end of the Cimarron River bridge northeast to the south city limits of Kismet, 4.5 miles (7.2 kilometers), sealing. (State Funds)

**Wichita**—96-102 K-7901-01 - K-96 from the Greeley-Wichita county line east to the west city limits of Leoti, 10.6 miles (17.4 kilometers), sealing. (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 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. 024858

## State of Kansas

## State Corporation Commission

Notice of Hearing on Proposed  
Administrative Regulations

A public hearing will be conducted at 10 a.m. Thursday, April 27, in the first floor hearing room in the offices of the State Corporation Commission, 1500 S.W. Arrowhead Road, Topeka, to consider the adoption of proposed revisions of the Kansas Motor Carrier Regulations, K.A.R. 82-4-1 *et seq.*

The proposed revisions to the Kansas Motor Carrier Regulations make several changes. They revise the procedure and requirements for waiver of physical requirements of drivers and adopt recent changes in the federal regulations pertaining to the motor carrier industry. The regulations contain updated definition sections, including revised and new definitions, to aid in the more effective administration of the regulations on the whole. Other revisions make technical corrections, clarify the obligation of certain drivers entering the State of Kansas on occasional trips and provide for the substitution of insurance policies. Also, a new regulation is proposed that would require intrastate commercial motor vehicles to bear markings identical to those required by federal regulation.

Standards for fire extinguishers that had included a vague reference to the National Fire Protection Association in the past now officially adopt the 1998 National Fire Protection Association's Standard No. 10. K.A.R. 82-4-27f, the regulation that provided the method of applying for temporary authority, has been revoked due to only occasional use and the fact that the processing of temporary applications is generally just as extensive as the processing of permanent authority.

Requirements for forms of payment of application fees have been updated to allow payments by personal check amounts greater than \$100. To avoid confusion, it has been clarified which trucks entering the state on occasional trips are subject to fees. The commission's authority to dismiss an incomplete application after 30 days also has been clarified. The regulations also authorize the inspection of additional documents available to the motor carriers in establishing hours of service requirements.

The affected regulations are: K.A.R. 82-4-1, 82-4-6d, 82-4-8a, 82-4-8h, 82-4-20, 82-4-23, 82-4-24a, 82-4-27c, 82-4-27e, 82-4-27f, 82-4-27g, 82-4-30a, 82-4-31, 82-4-32, 82-4-33, 82-4-35a, 82-4-37, 82-4-42 and 82-4-57.

The 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed rules and regulations. All interested parties may submit written comments prior to the hearing to Paula Lentz, Assistant General Counsel, State Corporation Commission, 1500 S.W. Arrowhead Road, Topeka, 66604. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulations during the hearing.

Copies of the regulations and the economic impact statement may be obtained by contacting Vicki Berg at (785) 271-3225.

Any person requiring accommodations under the Americans With Disabilities Act should give notice to the commission at least 10 days prior to the hearing date.

Jeffrey S. Wagaman  
Executive Director

Doc. No. 024845

## 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. March 15 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. 135-87 K-6780-01  
Sedgwick County

The scope of improvement is to provide for the reconstruction of I-135 from 0.5 km north of 85th Street, north 7.7 km to the Sedgwick-Harvey county line. The surveys have been completed by KDOT. All bridge designs will be completed by KDOT. The project is scheduled for plan completion in April 2003, and the construction estimate is \$15,912,000.

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

1. Size and professional qualifications;
2. experience of staff;
3. location of firm with respect to proposed project;
4. work load of firm; and
5. firm's performance record.

E. Dean Carlson  
Secretary of Transportation

Doc. No. 024813



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. 1999 Supp. 12-1675(b)(c)(d), and K.S.A. 75-4201(l) and 75-4209(a)(1)(B).

**Effective 2-21-00 through 2-27-00**

Term	Rate
1-89 days	5.72%
3 months	5.64%
6 months	6.01%
9 months	6.22%
12 months	6.32%
18 months	6.54%
24 months	6.61%

Derl S. Treff  
 Director of Investments

Doc. No. 024840

State of Kansas  
**Board of Healing Arts**  
 Permanent 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; amended March 10, 2000.)

**Article 10a.—EXEMPT LICENSE**

**100-10a-1. Applications.** (a) Each application for an exempt license shall be submitted upon a form furnished by the board. This form shall contain the following in plain, legible writing:

- (1) The applicant's name in full;
- (2) the applicant's post office box address if applicable;
- (3) the applicant's residence address;
- (4) the applicant's Kansas license number;
- (5) a statement that the applicant does not hold oneself out to the public as being professionally engaged in the practice of the healing arts for which the applicant holds a license;

(6) a statement that the applicant is no longer regularly engaged in the state of Kansas in the branch of the healing arts for which the applicant holds a license;

(7) a statement describing the professional activities relating to the healing arts in which the applicant intends to engage if issued an exempt license;

(8) a statement acknowledging that if the applicant is issued an exempt license, the applicant shall be subject to all provisions of the healing arts act except for complying with the requirements of continuing education; and

(9) a statement acknowledging that if the applicant is issued an exempt license, the following shall apply:

(A) The applicant will not be a health care provider, as defined by K.S.A. 40-3401 and amendments thereto.

(B) The applicant will not be required to maintain professional liability insurance in accordance with K.S.A. 40-3401 *et seq.*

(C) Any services rendered by the applicant, while the holder of an exempt license, will not be insured or covered by the health care stabilization fund.

(b) Each application for an exempt license shall be signed by the applicant. (Authorized by K.S.A. 65-2865; implementing K.S.A. 1998 Supp. 65-2809; effective, T-88-52, Dec. 16, 1987; effective May 1, 1988; amended June 20, 1994; amended March 10, 2000.)

**100-10a-3. Renewal applications.** Each application for renewal of an exempt license shall be submitted upon a form furnished by the board and shall be accompanied by the fee required by K.A.R. 100-11-1. (Authorized by K.S.A. 65-2865; implementing K.S.A. 1998 Supp. 65-2809; effective, T-88-52, Dec. 16, 1987; effective May 1, 1988; amended March 10, 2000.)

Lawrence T. Buening, Jr.  
 Executive Director

Doc. No. 024850

State of Kansas

Department of Wildlife and Parks

Temporary Administrative Regulations

Article 18.—SPECIAL PERMITS

115-18-16. Light goose conservation order; general provisions and restrictions. (a) Light geese shall include lesser snow geese and Ross' geese.

(b) An individual may harvest light geese outside of regularly established waterfowl hunting season dates only if that individual possesses any licenses and stamps required during regularly established waterfowl hunting seasons in Kansas.

(c) This regulation shall have no effect on and after April 30, 2000. (Authorized by K.S.A. 32-807; implementing K.S.A. 32-807, K.S.A. 32-1002, and K.S.A. 32-1008; effective, T-115-2-17-00, Feb. 17, 2000.)

Steven A. Williams
Secretary of Wildlife and Parks

Doc. No. 024862

(Published in the Kansas Register February 24, 2000.)

Notice of Redemption
Geary County, Kansas

Single Family Mortgage Revenue Bonds
1980 Series A, Dated April 1, 1980

Notice is hereby given that, pursuant to Section 3.01 of the Trust Indenture dated April 1, 1980, \$25,000 principal amount of the bonds are being called for redemption on April 1, 2000, at the redemption price of 100 percent of the principal amount being redeemed plus accrued interest thereon to the redemption date.

The serial numbers of the bonds to be partially or fully redeemed in the amounts described below are as follows:

Due: April 1, 2012 (\*CUSIP No. 368342 AQ4)
Registered bond called in amount indicated below with the prefix "R":

159 ..... \$25,000

Coupons due April 1, 2000, should be presented in the normal manner. Coupons due October 1, 2000, and all subsequent coupons must be attached to the bonds called for redemption.

Payment of the redemption price of the registered bonds to be redeemed will be made at Security Bank of Kansas City, 5800 Foxridge Drive, Suite 400, Mission, KS 66202. To avoid a 31 percent backup withholding required by the Interest and Dividend Tax Compliance Act of 1983, bondholders should submit certified taxpayer identification numbers on IRS Form W-9 when presenting their securities for redemption.

Notice is hereby given that on and after April 1, 2000, interest on the bonds hereby called for redemption shall cease to accrue.

\*The CUSIP number is included solely for the convenience of the bondholders. Neither the issuer nor the trustee shall be responsible for the selection or the use of the CUSIP number, nor is any representation made as to its correctness on the securities or as indicated on any redemption notice.

Dated February 24, 2000.

Security Bank of Kansas City
Mission, Kansas, Trustee

Doc. No. 024853

(Published in the Kansas Register February 24, 2000.)

Notice of Redemption
Riley County, Kansas

Single Family Mortgage Revenue Bonds
1980 Series A, Dated April 1, 1980

Notice is hereby given that pursuant to Section 3.01 of the Trust Indenture dated April 1, 1980, \$40,000 principal amount of the bonds are being called for redemption on April 1, 2000, at the redemption price of 100 percent of the principal amount being redeemed plus accrued interest thereon to the redemption date.

The serial numbers of the bonds to be partially or fully redeemed in the amounts described below are as follows:

Due: April 1, 2012 (\*CUSIP No. 766642 AQ5)
Bearer bonds called in denominations of \$5,000 each:

3260 3275 3290

Coupons due April 1, 2000, should be presented in the normal manner. Coupons due October 1, 2000, and all subsequent coupons must be attached to the bonds called for redemption.

Registered bonds called in amount indicated below all with the prefix "R":

126.....\$5,000 274.....\$15,000 275.....\$5,000

Payment of the redemption price of the registered bonds to be redeemed will be made at Security Bank of Kansas City, 5800 Foxridge Drive, Suite 400, Mission, KS 66202. To avoid a 31 percent backup withholding required by the Interest and Dividend Tax Compliance Act of 1983, bondholders should submit certified taxpayer identification numbers on IRS Form W-9 when presenting their securities for redemption.

Notice is hereby given that on and after April 1, 2000, interest on the bonds hereby called for redemption shall cease to accrue.

\*The CUSIP number is included solely for the convenience of the bondholders. Neither the issuer nor the trustee shall be responsible for the selection or the use of the CUSIP number, nor is any representation made as to its correctness on the securities or as indicated on any redemption notice.

Dated February 24, 2000.

Security Bank of Kansas City
Mission, Kansas, Trustee

Doc. No. 024854

State of Kansas

## Department of Administration

Temporary Administrative  
RegulationsArticle 9.—HOURS; LEAVES; EMPLOYEE-  
MANAGEMENT RELATIONS

**1-9-23. Shared leave.** (a)(1) Each employee in a regular position may be eligible to receive or donate shared leave as provided in this regulation.

(2) Shared leave may be granted to an employee if the employee or a family member as defined in K.A.R. 1-9-5(e)(2) meets these criteria and those of paragraph (b)(1):

(A) The employee or family member is experiencing a serious, extreme, or life-threatening illness, injury, impairment, or physical or mental condition that has caused, or is likely to cause, the employee to take leave without pay or terminate employment.

(B) The illness, injury, impairment, or condition keeps the employee from performing regular work duties.

(b)(1) An employee shall be eligible to receive shared leave if both of these conditions are met:

(A) The employee has exhausted all paid leave available for use, including vacation leave, sick leave, and compensatory time credits.

(B) The employee has at least six months of continuous service.

(2) An employee shall be eligible to donate vacation leave or sick leave to another employee if these conditions are met:

(A) The donation of vacation leave does not cause the accumulated vacation leave balance of the donating employee to be less than 80 hours, unless the employee donates vacation leave at the time of separation from state service.

(B) The donation of sick leave does not cause the accumulated sick leave balance of the donating employee to be less than 480 hours, unless the employee donates sick leave at the time of separation from state service.

(c)(1) When requesting shared leave, or at any time during the use of shared leave, any employee may be required by the appointing authority to provide a physician's statement or other medical evidence necessary to establish that the illness, injury, impairment, or physical or mental condition of the employee or family member is serious, extreme, or life-threatening and keeps the employee from performing regular work duties. If the employee fails to provide the required evidence, the use of shared leave may be denied or terminated by the appointing authority.

(2)(A) The appointing authority shall determine whether or not the employee meets the initial eligibility requirements in paragraph (b)(1) and, if applicable, whether or not the employee would be caring for an individual who meets the definition of a family member. The appointing authority shall then determine if the illness or injury meets the conditions set forth in paragraph (a)(2) of this regulation.

(B) Shared leave may be denied if it is determined that the requesting employee has a history of leave abuse.

(C) Any employee who is receiving workers compensation shall not be eligible to receive shared leave.

(D) The appointing authority may grant all or a portion of the time requested. The decision by the appointing authority to approve or deny the request shall be final and not subject to appeal to the civil service board.

(d) Employees shall not be notified of the need for shared leave until the request for shared leave has been approved by the appointing authority. No employee shall be coerced, threatened, intimidated, or financially induced into donating leave for purposes of the shared leave program.

(e)(1) Shared leave may be used only for the duration of the serious, extreme, or life-threatening illness, injury, impairment, or physical or mental condition for which it was collected. If an employee is granted shared leave due to the employee's illness or injury, the maximum duration of the shared leave shall be six months from the date the employee began using the shared leave. After six months, if the employee does not meet the conditions for long-term disability payments, shared leave may be extended for up to an additional six months. If the shared leave is granted due to the illness or injury of a family member, the maximum duration of the shared leave shall be 12 months from the date the employee began using the shared leave. Shared leave shall not be transferable to any employee other than the employee for which it was requested and donated.

(2) Shared leave may be applied retroactively for a time not to exceed two pay periods. Written notification of each instance in which shared leave is applied retroactively shall be given to the director.

(3) The employee shall no longer be eligible to receive shared leave for a particular occurrence if any of these conditions is met:

(A) The illness, injury, impairment, or condition improves so that it is no longer serious, extreme, or life-threatening, and the employee is no longer prevented from performing regular work duties.

(B) The recipient terminates or retires.

(C) The family member's illness, injury, impairment, or physical or mental condition is no longer serious, extreme, or life-threatening, and the employee is no longer prevented from performing regular work duties.

The employee shall be determined to no longer be prevented from performing regular work duties when the physician states that the employee is able to return to work or when the employee has returned to work for 20 continuous working days.

(4) Any unused portion of the shared leave shall be prorated among all donating employees based on the original amount and type of donated leave. Shared leave shall not be returned to donating employees in increments of less than one full hour or to any person who has left state service.

(f)(1) Shared leave shall be paid according to the receiving employee's regular rate of pay by the receiving employee's agency. The rate of pay of the donating employee shall not be used in figuring the amount of shared leave the requesting employee receives.

(continued)

(2) Shared leave shall be donated in full-hour increments. (Authorized by K.S.A. 75-3706, 75-3747, and 75-5549; implementing K.S.A. 75-2925, 75-3707, 75-3746, and 75-5549; effective, T-1-7-23-92, July 23, 1992; effective Sept. 14, 1992; amended July 26, 1993; amended, T-1-9-19-94, Sept. 19, 1994; amended Nov. 21, 1994; amended Dec. 17, 1995; amended May 31, 1996; amended Sept. 18, 1998; amended, T-1-2-17-00, Feb. 17, 2000.)

Daniel R. Stanley  
Secretary of Administration

Doc. No. 024861

(Published in the Kansas Register February 24, 2000.)

**Summary Notice of Bond Sale**  
**Unified School District No. 457**  
**Finney County, Kansas (Garden City)**  
**\$6,500,000**

**General Obligation School Improvement Bonds**  
**(General obligation bonds payable from**  
**unlimited ad valorem taxes)**

**Details of the Sale**

Subject to the terms and conditions of the complete official notice of bond sale dated as of February 21, 2000, of Unified School District No. 457, Finney County, Kansas (Garden City), sealed, written bids shall be received at the school district's offices at 1205 Fleming St., Garden City, Kansas, until 7:30 p.m. Monday, March 6, 2000, for the purchase of the school district's General Obligation School Building Bonds, Series 2000, which are hereinafter described. All bids shall be publicly opened and read aloud on said date and at said time and shall thereafter be immediately considered and acted upon by the school district. No oral or auction bids for the bonds shall be considered, and no bids for less than the entire amount of the bonds shall be considered.

Bids shall be accepted only on the official bid form that has been prepared for these bonds, which may be obtained from the clerk of the school district or from the school district's financial advisor. Bids may be submitted by mail or delivered in person, and must be received at the place and not later than the date and time hereinbefore specified. Provisions for telephoning or telefaxing a bid are set forth in the official notice of bond sale. 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 school district, or in the form of a financial surety bond payable to the order of the school district 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 bonds.

**Details of the Bonds**

The bonds to be sold are in the aggregate principal amount of \$6,500,000. The bonds shall be issued as fully registered bonds in the denomination of \$5,000, or any integral multiple thereof not exceeding the principal amount of the bonds maturing in any year. The bonds shall bear a dated date of March 1, 2000. The bonds shall bear interest, payable as hereinafter set forth, at the rates

specified by the successful bidder for the bonds. The bonds shall be subject to redemption prior to their respective maturities as set forth in the official notice of bond sale.

Interest on the bonds shall be payable semiannually on April 1 and October 1 of each year, commencing April 1, 2001, and the bonds shall mature serially on October 1 in each of the years and principal amounts as follows:

Principal Amount	Maturity Date
\$230,000	10/1/01
475,000	10/1/02
605,000	10/1/03
635,000	10/1/04
670,000	10/1/05
700,000	10/1/06
740,000	10/1/07
775,000	10/1/08
815,000	10/1/09
855,000	10/1/10

**Payment of Principal and Interest**

The Kansas State Treasurer shall serve as the bond registrar and paying agent for the bonds, and the principal of the bonds shall be paid upon surrender at the paying agent's principal offices in the City of Topeka, Kansas. Interest shall be paid by the mailing of a check or draft of the paying agent to the registered owners of the bonds.

**Security for the Bonds**

The bonds and the interest thereon constitute general obligations of the school district, and the full faith, credit and resources of the school district will be pledged to the payment thereof. The school district will be obligated to levy ad valorem taxes without limitation as to rate or amount upon all of the taxable tangible property within the territorial limits of the school district for the purpose of paying the bonds and the interest thereon.

**Delivery of the Bonds**

The bonds, duly printed, executed and registered, shall be furnished and delivered at the expense of the school district to the successful bidder, or at its direction, on or before Wednesday, March 29, 2000, at such location in the State of Kansas or Kansas City, Missouri, as may be specified by the successful bidder. Delivery elsewhere shall be made at the expense of the successful bidder.

**Legal Opinion**

The bonds will be sold subject to the legal opinion of Hinkle Elkouri Law Firm L.L.C., Wichita, Kansas, bond counsel, whose fees will be paid by the school district. Bond counsel's approving legal opinion as to the validity of the bonds will be printed on the bonds and will be delivered to the successful bidder upon delivery of the bonds. (Reference is made to the official notice of bond sale for a discussion of tax exemption and other legal matters.)

**Ratings**

The school district has applied at its expense for an independent rating on the bonds herein offered for sale. If the successful bidder elects to purchase the bonds with municipal bond insurance, the rating agencies will assign their ratings to this issue with the understanding that

upon delivery of the bonds, a policy insuring the payment when due of the principal of and interest on the bonds will be issued by the below-named insurers. Such application and ratings are further described in the preliminary official statement, hereinafter described.

**Optional Municipal Bond Insurance**

Applications have been submitted to AMBAC Assurance Corporation, MBIA Insurance Corporation, Financial Securities Assurance Inc. and Financial Guaranty Insurance Company for municipal bond insurance relating to the bonds. The bonds may be purchased with or without this insurance at the option of the successful bidder. All expenses associated with the purchase of said insurance (including any additional rating agency fees related thereto) will be the responsibility of the successful bidder. The amount of such premium and fees may be obtained from the above-named insurers. The insurance policy, if purchased, will insure the timely payment of the principal of and interest on the bonds. Bidders desiring to purchase the optional municipal bond insurance must indicate so on the official bid form.

**Financial Matters**

The school district's equalized assessed tangible valuation for computation of bonded debt limitations is \$250,240,498. Including the bonds described herein, on March 1, 2000, the school district's outstanding bonded indebtedness will be \$18,735,000.

**Official Statement**

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

**Additional Information**

For additional information regarding the school district, the bonds and the sale, interested parties are invited to request copies of the complete official notice of bond sale and the school district's preliminary official statement and official bid form for the bonds, all of which may be obtained from the undersigned or from the school district's financial advisor by contacting Steve Shogren, Ran-son & Associates, Inc., 250 N. Rock, Suite 150, Wichita, KS 67206, (316) 681-3123.

Unified School District No. 457  
 Finney County, Kansas (Garden City)  
 By Betty S. Alefs, Clerk  
 1205 Fleming St.  
 Garden City, KS 67846-4751  
 (316) 276-5100

Doc. No. 024856

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-00-057**

**Pending Permits for Confined Feeding Facilities**

Name and Address of Applicant	Legal Description	Receiving Water
Zimm's Feedlot Pat Zimmerman 1650 Avenue R Sterling, KS 67579	NE4 of Section 34, T20S, R8W, Rice County	Lower Arkansas River Basin

Kansas Permit No. A-ARRC-C003 Federal Permit No. KS-0086321  
 This is a permit renewal for an existing facility for 3,000 head (3,000 animal units) of beef.

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: A written schedule for maintenance of sediment channels shall be developed and the approved schedule will become part of the permit. A livestock waste management plan shall be developed and submitted to the department by June 1, 2000. The approved plan will become part of the permit. Additional dewatering equipment shall be obtained within two months after the approval of the livestock waste management plan and will become part of the permit. A groundwater quality monitoring and analysis plan shall be prepared within 90 days of the effective date of the permit and the approved plan will become part of the permit.

**Public Notice No. KS-00-039/047**

Name and Address of Applicant	Waterway	Type of Discharge
Caldwell, City of 14 W. Central Caldwell, KS 67022	Chikaskia River via Fall Creek	Treated Domestic Wastewater

Kansas Permit No. M-AR17-0001 Federal Permit No. KS0116793  
 Legal: NW¼, S12, T35S, R3W, Sumner Co.

Facility Description: The proposed action is to reissue an existing permit for 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, total residual chlorine, effluent flow, tem-

(continued)

perature, fecal coliform, and instream monitoring also will be required. Included in this permit is a schedule of compliance requiring the permittee to make necessary improvements to achieve compliance with its NPDES permit. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water quality based.

Name and Address of Applicant	Waterway	Type of Discharge
Hiawatha, City of 723 Oregon Hiawatha, KS 66434	Missouri River via Wolf River via Unnamed Tributary	Treated Domestic Wastewater

Facility Name: North Hiawatha Wastewater Treatment Facility  
Kansas Permit No. M-MO08-OO01 Federal Permit No. KS0023698  
Legal: SW $\frac{1}{4}$ , S21, T2S, R17E, Brown Co.

Facility Description: The proposed action is to reissue an existing permit for 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, total residual chlorine, effluent flow, dissolved oxygen, and fecal coliform also will be required. Included in this permit is a schedule of compliance requiring the permittee to make necessary improvements to achieve compliance with its NPDES permit. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water quality based.

Name and Address of Applicant	Waterway	Type of Discharge
Hiawatha, City of 723 Oregon Hiawatha, KS 66434	Missouri River via North Fork Wolf River	Treated Domestic Wastewater

Facility Name: South Hiawatha Wastewater Treatment Facility  
Kansas Permit No. M-MO08-OO02 Federal Permit No. KS0080667  
Legal: SE $\frac{1}{4}$ , S32, T2S, R17E, Brown Co.

Facility Description: The proposed action is to reissue an existing permit for 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, total residual chlorine, effluent flow, dissolved oxygen, and fecal coliform also will be required. Included in this permit is a schedule of compliance requiring the permittee to make necessary improvements to achieve compliance with its NPDES permit. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water quality based.

Name and Address of Applicant	Waterway	Type of Discharge
Herington, City of 17 N. Broadway Herington, KS 67449	Lyon Creek via Lime Creek	Treated Domestic Wastewater

Kansas Permit No. M-SH17-OO01 Federal Permit No. KS0022811  
Legal: NE $\frac{1}{4}$ , S12, T16S, R4E, Dickinson Co.

Facility Description: The proposed action is to reissue an existing permit for operation of an existing wastewater treatment facility treating primarily domestic wastewater. The proposed permit includes limits for biochemical oxygen demand, total suspended solids, ammonia, and pH. Monitoring for total residual chlorine, effluent flow, dissolved oxygen, fecal coliform, and instream monitoring also will be required. Included in this permit is a schedule of compliance requiring the permittee to make necessary improvements to achieve compliance with its NPDES permit. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water quality based.

Name and Address of Applicant	Waterway	Type of Discharge
Larned, City of P.O. Box 70 Larned, KS 67550	Arkansas River	Treated Domestic Wastewater

Kansas Permit No. M-UA25-OO01 Federal Permit No. KS0055239  
Legal: NE $\frac{1}{4}$ , S4, T22S, R16W, Pawnee Co.

Facility Description: The proposed action is to reissue an existing permit for 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, total residual chlorine, effluent flow, and fecal coliform also will be required. Included in this permit is a schedule of compliance requiring the permittee to make necessary improvements to achieve compliance with its NPDES permit. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water quality based.

Name and Address of Applicant	Waterway	Type of Discharge
Mankato, City of 202 E. Jefferson P.O. Box 2 Mankato, KS 66956	Republican River via Buffalo Creek	Treated Domestic Wastewater

Kansas Permit No. M-LR16-OO02 Federal Permit No. KS0095231  
Legal: NW $\frac{1}{4}$ , S22, T3S, R8W, Jewell Co.

Facility Description: The proposed action is to issue a new permit for the operation of a new lagoon wastewater treatment facility treating primarily domestic wastewater. The lagoon replaces the current mechanical plant. 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, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are technology based.

Name and Address of Applicant	Waterway	Type of Discharge
Unified School District No. 48 P.O. Box 67 Baldwin City, KS 66006	Kansas River via Wakarusa River via Coal Creek via Unnamed Tributary	Treated Domestic Wastewater

Facility Name: U.S.D. #348 Vinland Elementary Wastewater Treatment Facility  
Kansas Permit No. M-KS82-OO01 Federal Permit No. KS0095630  
Legal: SE $\frac{1}{4}$ , S10, T14S, R20E, Douglas 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, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are technology based.

Name and Address of Applicant	Waterway	Type of Discharge
Vermillion, City of P.O. Box 127 Vermillion, KS 66544	Black Vermillion River via Unnamed Tributary	Treated Domestic Wastewater

Kansas Permit No. M-BB20-OO01 Federal Permit No. KS0085529  
Legal: SW $\frac{1}{4}$ , S12, T4S, R10E, Marshall 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, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are technology based.

Name and Address of Applicant	Waterway	Type of Discharge
Hill's Pet Nutrition, Inc. P.O. Box 3508 Topeka, KS 66601-3508	Kansas River via City Storm Sewer	Noncontact Cooling Water

Kansas Permit No. I-KS72-CO05 Federal Permit No. KS0003077  
Facility Location: 320 E. Crane, Topeka, KS 66603  
Facility Description: The proposed action is to reissue an existing permit for the operation of an existing wastewater treatment facility treating



noncontact cooling water which occasionally contacts portions of the pet food. This facility manufactures canned pet foods. Process wastewater and city water dripped from the cooling cans in the final cooling stage is treated in a pre-treatment system prior to discharge to sanitary sewer. The proposed permit includes limits for total residual oxidant, biochemical oxygen demand, temperature, and pH. Monitoring for effluent flow, and oil and grease also will be required. 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 water quality based.

Persons wishing to comment on or object to the draft permits and/or permit applications must submit their comments in writing to the Kansas Department of Health and Environment if they wish to have the comments or objections considered in the decision making process. Comments or objections should be submitted to the attention of Dena Endsley for agricultural permits or applications, or to the permit clerk for all other permits, at the Kansas Department of Health and Environment, Division of Environment, Bureau of Water, J Street and 2 North, Forbes Field, Building 283, Topeka, 66620.

All comments regarding the draft permit or application notice postmarked or received on or before March 25 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate Kansas permit number (KS-AG-00-057, KS-00-039/047) 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, if appropriate, is available for 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 facilities and for expansions of existing swine facilities also may be reviewed on the Internet at [www.kdhe.state.ks.us](http://www.kdhe.state.ks.us).

For all other proposed permits, the draft permit(s), 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 offices of the Kansas Department of Health and Environment, Bureau of Water.

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 of Health  
and Environment

Doc. No. 024851

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. Omni Engineering, Inc. has applied for an air quality construction permit in accordance with the provisions of K.A.R. 28-19-300 to install a portable asphalt plant. Emissions of sulfur oxides (SO<sub>x</sub>), nitrogen oxides (NO<sub>x</sub>), carbon monoxide (CO), volatile organic compounds (VOCs), particulate matter (PM), and particulate matter equal to or less than 10 microns in diameter (PM<sub>10</sub>) were evaluated during the permit review process.

Omni Engineering, Inc., Omaha, Nebraska, owns and operates a portable asphalt plant.

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 for a period of 30 days from the date of publication during normal business hours at the KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka. To obtain or review the proposed permit and supporting documentation, contact Herbert Buckland, (785) 296-6438, at the KDHE central office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Herbert Buckland, KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, 66620. In order to be considered in formulating the final permit decision, written comments must be received not later than the close of business March 27.

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 March 27 in order for the Secretary of Health and Environment to consider the request.

Clyde D. Graeber  
Secretary of Health  
and Environment

Doc. No. 024848

## 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. Goodland Municipal Power Plant 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.

Goodland Municipal Power Plant, Goodland, owns and operates a municipal power plant located at 1701 Cherry Street, Goodland.

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 Northwest District Office, 2301 E.13th, Hays, for a period of 45 days from the date of publication of this notice. To obtain or review the proposed permit and supporting documentation, contact Alan Brooks, (785) 296-6281, at the KDHE central office, or Richard A. 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 Alan Brooks, 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 April 10.

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 April 10 in order for the Secretary of Health and Environment to consider the request.

The United States Environmental Protection Agency has a 45-day review period, until April 10, 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, U.S. 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. 024847

## 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. Reno Construction Company - Div. of APAC-Kansas has applied for an air quality construction permit in accordance with the provisions of K.A.R. 28-19-300 to install a portable asphalt plant. Emissions of sulfur oxides (SOx), nitrogen oxides (NOx), carbon monoxide (CO), volatile organic compounds (VOCs), particulate matter (PM) and particulate matter equal to or less than 10 microns in diameter (PM<sub>10</sub>) were evaluated during the permit review process.

Reno Construction Company - Div. of APAC-Kansas, Overland Park, owns and operates a portable asphalt plant.

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 for a period of 30 days from the date of publication 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 Herbert Buckland, (785) 296-6438, 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 Herbert Buckland, 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 March 27.

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 March 27 in order for the Secretary of Health and Environment to consider the request.

Clyde D. Graeber  
Secretary of Health  
and Environment

Doc. No. 024857

## State of Kansas

Department of Health  
and Environment

## Request for Comments

The Kansas Department of Health and Environment has received and reviewed an application for a municipal solid waste landfill from Sherman County. The proposed landfill would be located in the SE $\frac{1}{4}$  of Section 22, Township 10 South, Range 40 West in Sherman County, approximately 12 miles south of Goodland. The area used for disposal activities would be approximately 75 acres. The landfill design would consist of a soil liner, a leachate extraction system, and an approved groundwater monitoring system to ensure compliance with KDHE's small landfill regulations. KDHE is providing public notice of its intent to issue a municipal solid waste landfill permit to Sherman County.

A copy of the administrative record, which includes the draft amended permit and all information regarding this permit action, is available for public review until March 28 during normal business hours, Monday through Friday, at the following locations:

Kansas Department of Health and Environment  
Bureau of Waste Management  
Permits Section  
Forbes Field, Building 740  
Topeka, 66620  
Contact: Stacey Baalman  
(785) 296-3970

Sherman County Courthouse  
813 Broadway  
Goodland, 67735  
Contact: Janet Rumpel, County Clerk  
(785) 899-4800

Anyone wishing to comment on the draft permit information should submit written statements postmarked not later than March 28 to Stacey Baalman (KDHE).

A public hearing will be held in conjunction with the public comment period at 1 p.m. Monday, March 27, in the Commissioners' Room at the Sherman County Courthouse. The hearing will provide a format for individuals to make formal comments, which will be recorded by KDHE. KDHE will subsequently respond in writing to all formal comments made at the hearing and to all written comments received during the public comment period. All comments received during the public comment period shall become a part of the permit record and shall be considered in making a final decision on the proposed permit action.

After consideration of all comments received, the director of the Division of Environment will make a final decision on whether to issue the proposed permit. Notice of the decision will be given to anyone who submitted written comments during the comment period, to anyone who made formal comments at the public hearing, and to those who requested notice of the final permit decision.

Clyde D. Graeber  
Secretary of Health  
and Environment

Doc. No. 024852

## State of Kansas

Department of Health  
and Environment

## Notice of Available Funding

The Kansas Department of Health and Environment announces the availability of federal funds to be used by local governmental agencies and/or community-based organizations for the purpose of providing case management services the Kansans who are living with HIV/AIDS and those affected by the diseases. Interested applicants should call (785) 296-6173 to obtain more information. The closing date for receipt of applications by the Kansas Department of Health and Environment is March 20.

Clyde Graeber  
Secretary of Health  
and Environment

Doc. No. 024846

## State of Kansas

Department of Health  
and Environment

## Notice of Hearing

A public hearing will be conducted at 10 a.m. Thursday, April 6, in the conference room, Kansas Department of Health and Environment, Bureau of Water, Building 283, Forbes Field, Topeka, to discuss an amendment to the Kansas Public Water Supply Loan Fund (KPWSLF) federal fiscal year 1999 Intended Use Plan (IUP). The Kansas Department of Health and Environment is proposing to use the project list developed for the 1999 IUP to draw against the FY 2000 capitalization grant from EPA, in addition to the FY 1999 capitalization grant. The original IUP only addressed the FY 1999 capitalization grant. Drawing the FY 2000 capitalization grant with the FY 1999 IUP will increase interest earnings to the KPWSLF, and expedite future sales of revenue bonds, which are used to provide low interest rate loans to Kansas municipalities for public water supply infrastructure improvements.

No other changes to the IUP are proposed. Copies of the proposed amendment may be obtained by calling Linda White at (785) 296-5514, fax (785) 296-5509.

Any individual with a disability may request accommodation in order to participate in the public hearing. Requests for accommodation should be made at least five working days before the hearing by contacting Linda White.

Comments can be presented at the hearing or in writing prior to the hearing. Written comments should be addressed to Linda White, Kansas Department of Health and Environment, Bureau of Water, Forbes Field, Building 283, Topeka, 66620.

Clyde D. Graeber  
Secretary of Health  
and Environment

Doc. No. 024849

## State of Kansas

## Secretary of State

## Certification of New State Laws

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

Ron Thornburgh  
Secretary of State

(Published in the Kansas Register February 24, 2000.)

## House Substitute for SENATE BILL No. 244

AN ACT relating to elections; concerning the presidential preference primary election; amending K.S.A. 1999 Supp. 25-4501 and repealing the existing section; also repealing sections 2 and 3 of chapter 3 of the 1996 Session Laws of Kansas.

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

Section 1. K.S.A. 1999 Supp. 25-4501 is hereby amended to read as follows: 25-4501. ~~On the first Tuesday in April of the year 2000~~ (a) Subject to the provisions of this section, there shall be held a presidential preference primary election in the year 2004, and every fourth year thereafter; there shall be held a presidential preference primary election.

(b) On or before November 3, 2003, and on or before November 1 every fourth year thereafter, the secretary of state shall certify to the governor, to the chief clerk of the house of representatives and to the secretary of the senate a common date in the next succeeding year on which at least five other states will hold a presidential preference primary election, a delegate or mass convention or a caucus of qualified voters at which delegates to a national convention are selected. On or before each such date, if the secretary of state determines that there is no common date on which at least five states are conducting such a selection process in the next succeeding year, the secretary of state shall certify to the governor, the chief clerk of the house of representatives and the secretary of the senate on a date, which shall be on or before the first Tuesday in April of the next following year, on which the presidential preference primary election shall be held.

(c) The date certified by the secretary of state pursuant to subsection (b) shall be the date on which the presidential preference primary election authorized by subsection (a) shall be held in the state of Kansas.

Sec. 2. K.S.A. 1999 Supp. 25-4501 and sections 2 and 3 of chapter 3 of the 1996 Session Laws of Kansas are hereby repealed.

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

(Published in the Kansas Register February 24, 2000.)

## SENATE BILL No. 375

AN ACT concerning the advisory committee on African-American affairs; appointments of members; amending K.S.A. 1999 Supp. 74-9902 and repealing the existing section.

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

Section 1. K.S.A. 1999 Supp. 74-9902 is hereby amended to read as follows: 74-9902. (a) The advisory commission shall consist of seven members. The membership of the advisory commission shall include: (a) (1) One member appointed by the president of the senate; (b) (2) one member appointed by the minority leader of the senate; (c) (3) one member appointed by the speaker of the house of representatives; (d) (4) one member appointed by the minority leader of the house of representatives; and (e) (5) three members appointed by the governor. The terms of members appointed prior to July 1, 2000, shall expire June 30, 2000.

(b) At the expiration of terms in the year 2000: (1) Members appointed by the president of the senate and the minority leader of the senate shall be appointed for terms of three years; (2) members appointed by the speaker of the house of representatives and the minority leader of the house of representatives shall be appointed for terms of two years; and (3) members appointed by the governor shall be appointed for terms of

one year. Thereafter, members shall be appointed for terms of three years and until a successor is appointed and qualified.

(c) No more than four members shall be members of the same political party. Each congressional district in the state of Kansas shall be represented on the advisory commission by at least one member who is a resident of the district at the time of appointment. Appointing authorities shall consult each other to assure effectuation of the foregoing requirement. A person appointed to fill a vacancy which occurs prior to the expiration of a term shall be appointed for the unexpired term. Except as provided by this section, each member of the commission shall be appointed for a three-year term and until a successor is appointed and qualified.

Sec. 2. K.S.A. 1999 Supp. 74-9902 is hereby repealed.

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

(Published in the Kansas Register February 24, 2000.)

## Substitute for SENATE BILL No. 243

AN ACT concerning electric generation facility siting; amending K.S.A. 66-1,159, 66-1,160, 66-1,161, 66-1,162, 66-1,169a and 66-1,169c and K.S.A. 1999 Supp. 66-1,158 and 66-1,169b and repealing the existing sections.

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

Section 1. K.S.A. 1999 Supp. 66-1,158 is hereby amended to read as follows: 66-1,158. As used in this act, the following words and phrases shall have the meanings ascribed to them herein:

(a) "Commission" means the state corporation commission;

(b) "Electric generation facility" means any physical plant used for the production or generation of electricity or electric power except that the remodeling, reconditioning or retrofitting of any existing physical plant shall not be deemed an addition to an electric generation facility. Such term shall not include a facility or addition to a facility proposed to be located outside this state if: (1) The need for the facility or addition and the reasonableness of its proposed siting is subject to review by the utility regulatory authority of that state; (2) less than 10% of the retail customers on the electric system intended to be served by such facility or addition are located in this state; and (3) such retail customers located in this state number no more than 15,000;

(c) "Electric utility" means every public utility, as defined by K.S.A. 66-104, and amendments thereto, which owns, controls, operates or manages any equipment, plant or generating machinery for the production, transmission, delivery or furnishing, of electricity or electric power;

(d) "Landowner" means any person having an estate or interest in any land, which land is proposed to be acquired by an electric utility in connection with the construction, operation and maintenance of an electric a nuclear generation facility or an addition to an electric a nuclear generation facility;

(e) (1) "Nuclear generation facility or addition to a nuclear generation facility" means: (A) Any physical plant utilizing nuclear energy as the primary fuel for the production or generation of electricity or electric power; or (B) any addition of nuclear generation capacity to an existing generation facility.

(2) "Nuclear generation facility or addition to a nuclear generation facility" does not include: (A) Remodeling, reconditioning or retrofitting of an existing nuclear plant; (B) construction of nonnuclear generation capacity at the site of an existing nuclear plant; or (C) any facility or addition to a facility proposed to be located outside this state if: (i) The need for the facility or addition and the reasonableness of its proposed siting is subject to review by the utility regulatory authority of that state; (ii) less than 10% of the retail customers on the electric system intended to be served by such facility or addition are located in this state; and (iii) such retail customers located in this state number no more than 15,000.

(f) "Party" means any landowner, electric utility, governmental board or agency, or any other person allowed to intervene in any proceeding under this act;

(g) "Person" means any individual, partnership, corporation or other association of persons.

Sec. 2. K.S.A. 66-1,159 is hereby amended to read as follows: 66-1,159. No electric utility may begin site preparation for or construction

of an electric ~~a nuclear~~ generation facility or an addition to an electric ~~a nuclear~~ generation facility or exercise the right of eminent domain to acquire any land in connection with site preparation for or construction of any such facility or addition thereto, without first acquiring a permit from the commission. Whenever any such electric utility desires to obtain such a permit, ~~it the utility~~ shall file an application with the commission, setting forth therein that ~~it the utility~~ proposes to construct an electric ~~a nuclear~~ generation facility or an addition to an electric ~~a nuclear~~ generation facility and specifying the description and the total number of acres of land that such utility contemplates is needed in connection with the construction, operation and maintenance of such facility or addition thereto. Also, the electric utility shall file with the application documents and plans which indicate the total planned utilization of a proposed location for electric generation purposes and documents and plans for utilization of an alternative location or locations. Such documents and plans with respect to alternative locations shall not be required for additions to existing electric ~~nuclear~~ generation facilities. In addition, the electric utility shall file with the application such documents pertaining to the construction, operation and maintenance of the proposed electric ~~generation~~ facility or addition to the electric ~~generation~~ facility and such other matters deemed relevant thereto as may be required by rules and regulations of the commission. Thereupon, the commission shall fix a time for a public hearing on such application, which shall be not less than 30 nor more than 180 days from the date the application was filed and shall be conducted in accordance with the provisions of the Kansas administrative procedure act, to determine the necessity for the proposed electric ~~generation~~ facility or addition to an electric ~~generation~~ facility and the most reasonable location and size of the proposed electric ~~generation~~ facility or addition to an electric ~~generation~~ facility. The commission shall fix the place for hearing, which may be in the county in which is located the major portion of the land which has been or is proposed to be acquired in connection with the construction, operation and maintenance of the proposed electric ~~generation~~ facility or the addition to the electric ~~generation~~ facility or addition. Such hearing may be held in Topeka.

Sec. 3. K.S.A. 66-1,160 is hereby amended to read as follows: 66-1,160. The commission shall publish notice of the time, place and subject matter of such hearing in newspapers having general circulation in the counties in which is located any portion of the land which has been or is proposed to be acquired in connection with the construction, operation and maintenance of the proposed electric ~~nuclear~~ generation facility or addition to an electric ~~a nuclear~~ generation facility once each week for three consecutive weeks, the last publication to be not less than five days before such hearing date. Written notice of such hearing and a copy of the application also shall be served not less than ~~twenty (20)~~ 20 days prior to the hearing date upon all landowners, as shown by the files, records and indexes of the register of deeds of the county in which such land is located, and the chief administrative officer, or any person designated by such officer to receive such service, of the department of ~~economic development, state board commerce, department of agriculture, state water resources board Kansas water office, department of health and environment, department of transportation, state geological survey, Kansas energy office and the~~ and division of the budget of the department of administration. In addition to the information contained in the published notice, such written notice shall state that the electric utility has filed the application and supporting documents as required by K.S.A. 66-1,159 and amendments thereto, and that such application and supporting documents are available in the office of the commission for examination and copying by the person or board or agency desiring copies thereof.

Sec. 4. K.S.A. 66-1,161 is hereby amended to read as follows: 66-1,161. The commission shall appoint an attorney to represent the interests of the landowners at the hearing and shall allow a reasonable attorney's fee, which shall be taxed as part of the costs thereof. Landowners, at their own expense, may retain counsel to represent their individual interests at such hearing. The chief administrative officer, or any other person or persons designated by such officer, of any governmental board or agency affected by the siting of the proposed electric ~~nuclear~~ generation facility or addition to an electric ~~a nuclear~~ generation facility shall be deemed to meet the requirement for intervention contained in subsection (a)(2) of K.S.A. 77-521 and amendments thereto. Any owner or lessee of land whose estate or interest in such land would not be acquired by the electric utility but would be affected in some other manner by the construction, operation or maintenance of the electric ~~generation~~ facility or addition to

an electric ~~generation~~ facility may petition for intervention in accordance with the provisions of K.S.A. 77-521 and amendments thereto.

Sec. 5. K.S.A. 66-1,162 is hereby amended to read as follows: 66-1,162. Except as otherwise provided in this act, the rules and regulations adopted by the commission pursuant to K.S.A. 66-106 and amendments thereto to govern the commission's proceedings shall be applicable to any proceeding before the commission under this act. The electric utility shall proceed with the introduction of evidence of the necessity for the proposed electric ~~nuclear~~ generation facility or addition to an electric ~~a nuclear~~ generation facility and of the reasonableness of the proposed location and size of the electric ~~generation~~ facility or addition to an electric ~~generation~~ facility. The burden of proof on any such matter shall be upon the electric utility and shall be established by a preponderance of the evidence. All parties present or represented by counsel at the hearing shall have an opportunity to be heard and the right to cross-examine any witness appearing before the commission at the hearing. The commission shall cause a transcript to be made of the hearing. All costs of any hearing shall be taxed against the electric utility. The hearing and all parties' arguments shall be completed within 90 days after the commencement thereof. At any time after the commencement of the hearing, the electric utility may withdraw its application for the permit required by K.S.A. 66-1,159 and amendments thereto.

The commission shall make findings of fact and file such findings with its decision to grant, grant conditioned by such findings or withhold the permit applied for, except that whenever approval of applications are pending with or must be obtained from any state regulatory authority which relate to the operation of any such facility or addition to a facility, the commission shall postpone its decision until proof of the approval or disapproval of any such application is received. In any case where a state regulatory authority cannot render final approval of any such application until the facility or addition to a facility is in actual operation, the commission shall accept as proof of approval or disapproval the state regulatory authority's certification of probable acceptability or unacceptability of an application. Prior to making its determination with respect to the most reasonable location and size of a proposed electric ~~nuclear~~ generation facility or addition to an electric ~~a nuclear~~ generation facility, the commission shall make its determination of whether or not a necessity exists for the electric generation capacity of a proposed electric ~~generation~~ facility or addition to an electric ~~generation~~ a facility. In addition to any other consideration deemed necessary in making such determination, the commission shall consider and make determinations on the following factors: (1) Whether or not the electric generating capacity of the proposed facility or addition to a facility meets or contributes to the meeting of the electrical energy needs of the people of this state considering the probable future statewide electrical energy needs thereof; and (2) whether or not available electrical generating capacity exists within the state that is capable of being distributed economically, reliably, technically and environmentally. Whenever the commission determines that a necessity exists for electric generation capacity to be provided by a proposed electric ~~nuclear~~ generation facility or addition to an electric ~~a nuclear~~ generation facility, ~~it the commission~~ shall make its determinations with respect to the most reasonable size and location of any such facility or addition to a facility. In addition to any other consideration deemed necessary in making a determination with respect to the size of a proposed facility or addition to a facility, the commission shall consider the electric utility's total planned utilization of a proposed location for electric generation purposes as it relates to the necessity found by the commission for additional electric generating capacity in the state. In addition to any other consideration deemed necessary in making a determination with respect to the most reasonable location of a proposed facility or addition to a facility, the commission shall consider the availability of natural resources necessary in the operation of a proposed facility or addition to a facility as the same relates to each alternative location submitted by the electric utility as required by the provisions of K.S.A. 66-1,159 and amendments thereto. The location of the existing ~~nuclear~~ generation facility shall be the most reasonable location for any addition to such facility. Upon a determination that a necessity exists for the proposed electric ~~nuclear~~ generation facility or the addition to an electric ~~a nuclear~~ generation facility and that the proposed location and size of such facility or addition thereto are the most reasonable, the commission shall issue to the electric utility a permit to construct such facility or addition thereto, except that the commission

(continued)



may condition such permit with respect to the location and size of the proposed electric nuclear generation facility or addition to an electric nuclear generation facility to provide for an alternate location or size, or both, thereof, but in no case shall the commission provide for a size larger than that applied for. Upon the issuance of such permit, no local ordinance, resolution or regulation shall prohibit the construction of the electric nuclear generation facility or addition to an electric nuclear generation facility, and the electric utility may proceed with such facility or addition thereto notwithstanding any requirement to obtain any building permit under any local zoning ordinance, resolution or regulation.

Sec. 6. K.S.A. 66-1,169a is hereby amended to read as follows: 66-1,169a. In order to more effectively administer the provisions of the Kansas electric nuclear generation facility siting act with respect to determining whether or not a necessity exists for a proposed electric nuclear generation facility or addition to an electric nuclear generation facility, the commission shall compile and maintain a comprehensive statewide electric generation capacity forecast. In compiling and maintaining said forecast, the commission may hold such hearings deemed necessary. The proceedings of any such hearing shall be governed by the rules and regulations adopted by the commission pursuant to K.S.A. 66-106 and amendments thereto. For the purposes of this section, every municipally owned or operated electric utility and every electric utility operating wholly and solely within the legal boundaries of any municipality and within three (3) miles thereof shall furnish to the commission such information as to electric generation capacity as the commission may require.

Sec. 7. K.S.A. 1999 Supp. 66-1,169b is hereby amended to read as follows: 66-1,169b. (a) The provisions of the Kansas electric generation facility siting act shall not apply to: (1) Unit number 3 of the Jeffrey Energy Center, or (2) electric generation facilities that have a capacity of 100 megawatts or less and convert wind, solar, biomass, landfill gas or any other renewable source of energy.

—(b) With regard to a facility proposed to be located outside this state, K.S.A. 66-1,160 and 66-1,161, and amendments thereto, shall not apply and, for purposes of determining the most reasonable location of a proposed facility or addition to a facility pursuant to K.S.A. 66-1,162, and amendments thereto, the commission shall consider only the effects on system reliability and economic efficiency.

Sec. 8. K.S.A. 66-1,169c is hereby amended to read as follows: 66-1,169c. This act and the act of which it is amendatory shall be known and cited as the "Kansas electric nuclear generation facility siting act."

New Sec. 9. Any electric generation facility, or addition thereto, for which a permit application was pending under the electric generation facility siting act as it existed immediately before the effective date of this act shall be required to have such permit only if the facility is required to have a permit pursuant to this act.

Sec. 10. K.S.A. 66-1,159, 66-1,160, 66-1,161, 66-1,162, 66-1,169a and 66-1,169c and K.S.A. 1999 Supp. 66-1,158 and 66-1,169b are hereby repealed.

Sec. 11. This act shall take effect and be in force from and after its publication in the Kansas register.

**INDEX TO ADMINISTRATIVE REGULATIONS**

This index lists in numerical order the new, amended and revoked administrative regulations and the volume and page number of the *Kansas Register* issue in which more information can be found. Temporary regulations are designated with a (T) in the Action column. This cumulative index supplements the index to the 1997 Volumes of the *Kansas Administrative Regulations* and the 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
1-9-7b	Amended (T)	V. 18, p. 1748
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
4-7-213	Amended	V. 19, p. 117
4-7-214	Amended	V. 19, p. 117
4-7-215	Revoked	V. 19, p. 118

4-7-216	New	V. 19, p. 118
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
7-35-1	Amended	V. 18, p. 1879
7-35-2	Amended (T)	V. 18, p. 1390
7-35-2	Amended	V. 18, p. 1879
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
11-7-1		
through		
11-7-8	Amended	V. 18, p. 1808-1810
11-7-10	Amended	V. 18, p. 1811
11-7-11		
through		
11-7-15	New	V. 18, p. 1811, 1812
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

**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
26-2-4	Amended	V. 18, p. 1880
26-2-7	Amended	V. 18, p. 1880
26-2-9	Amended	V. 18, p. 1880
26-3-1	Amended	V. 18, p. 1881
26-3-3	Revoked	V. 18, p. 1882
26-3-5	Amended	V. 18, p. 1882
26-8-4	Revoked	V. 18, p. 1882

**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
28-1-2	Amended	V. 19, p. 141
28-1-6	Amended	V. 18, p. 953
28-1-18	Amended	V. 19, p. 141
28-1-25	Revoked	V. 18, p. 105
28-1-26	New	V. 19, p. 142
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
28-19-752a	New	V. 18, p. 1099
28-23-81		
through		
28-23-89	Revoked	V. 18, p. 1099
28-19-751	Revoked	V. 18, p. 1099
28-19-752	Revoked	V. 18, p. 1099
28-19-752a	New	V. 18, p. 1099
28-23-81		
through		
28-23-89	Revoked	V. 18, p. 1099



28-29-3	Amended	V. 18, p. 1345
28-29-17a	Revoked	V. 18, p. 1948
28-29-17b	Revoked	V. 18, p. 1949
28-29-25a	New	V. 18, p. 1346
28-29-25b	New	V. 18, p. 1347
28-29-25c	New	V. 18, p. 1348
28-29-25e	New	V. 18, p. 1350
28-29-25f	New	V. 18, p. 1351
28-29-26	Revoked	V. 18, p. 673
28-29-98	Revoked	V. 18, p. 1949
28-29-2101 through 28-29-2113	New	V. 18, p. 1949-1963
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
28-36-10 through 28-36-18	Revoked	V. 18, p. 1099
28-36-20 through 28-36-29	Revoked	V. 18, p. 1099, 1100
28-36-101 through 28-36-108	New	V. 18, p. 1100-1102
28-36-10 through 28-36-18	Revoked	V. 18, p. 1099
28-36-20 through 28-36-29	Revoked	V. 18, p. 1099, 1100
28-36-101 through 28-36-108	New	V. 18, p. 1100-1102
28-39-133	Revoked	V. 18, p. 1393
28-39-134 through 28-39-137	Revoked	V. 18, p. 1393
28-39-144	Amended	V. 18, p. 1393
28-39-145	Revoked	V. 18, p. 1395
28-39-145a	New	V. 18, p. 1395
28-39-152	Amended	V. 18, p. 1397
28-39-160	Amended	V. 18, p. 1399
28-39-161	Amended	V. 18, p. 1400
28-39-162a	Amended	V. 18, p. 1401
28-39-162c	Amended	V. 18, p. 1405
28-39-163	Amended	V. 18, p. 1410
28-39-240	Amended	V. 18, p. 1412
28-39-245	Amended	V. 18, p. 1413
28-39-247	Amended	V. 18, p. 1414
28-39-275 through 28-39-291	New	V. 18, p. 1416-1423
28-39-300 through 28-39-312	Revoked	V. 18, p. 1423
28-39-425 through 28-39-437	New	V. 18, p. 1423-1429
28-50-1	Amended	V. 18, p. 1353
28-50-2	Amended	V. 18, p. 1355
28-50-4	Amended	V. 18, p. 1356
28-50-5	Amended	V. 18, p. 1356
28-50-6	Amended	V. 18, p. 1356
28-50-7	Revoked	V. 18, p. 1358
28-50-8	Amended	V. 18, p. 1358
28-50-9	Amended	V. 18, p. 1359
28-50-10	Amended	V. 18, p. 1363
28-50-14	Amended	V. 18, p. 1363
28-65-1	Amended	V. 18, p. 682
28-65-2	Amended	V. 18, p. 683
28-65-3	Amended	V. 18, p. 683
28-72-1	New (T)	V. 18, p. 1459
28-72-1	New	V. 18, p. 1888
28-72-2	New (T)	V. 18, p. 1462
28-72-2	New	V. 18, p. 1891
28-72-3	New (T)	V. 18, p. 1462
28-72-3	New	V. 18, p. 1891

28-72-4	New (T)	V. 18, p. 1463
28-72-4	New	V. 18, p. 1892
28-72-4a	New (T)	V. 18, p. 1466
28-72-4a	New	V. 18, p. 1895
28-72-4b	New (T)	V. 18, p. 1468
28-72-4b	New	V. 18, p. 1897
28-72-4c	New (T)	V. 18, p. 1470
28-72-4c	New	V. 18, p. 1898
28-72-5	New (T)	V. 18, p. 1471
28-72-5	New	V. 18, p. 1900
28-72-6	New (T)	V. 18, p. 1473
28-72-6	New	V. 18, p. 1902
28-72-7	New (T)	V. 18, p. 1475
28-72-7	New	V. 18, p. 1904
28-72-8	New (T)	V. 18, p. 1476
28-72-8	New	V. 18, p. 1905
28-72-9	New (T)	V. 18, p. 1478
28-72-9	New	V. 18, p. 1907
28-72-10	New (T)	V. 18, p. 1480
28-72-10	New	V. 18, p. 1909
28-72-11	New (T)	V. 18, p. 1481
28-72-11	New	V. 18, p. 1910
28-72-12	New (T)	V. 18, p. 1482
28-72-12	New	V. 18, p. 1911
28-72-13	New (T)	V. 18, p. 1483
28-72-13	New	V. 18, p. 1912
28-72-14	New (T)	V. 18, p. 1483
28-72-14	New	V. 18, p. 1912
28-72-15	New (T)	V. 18, p. 1484
28-72-15	New	V. 18, p. 1913
28-72-16	New (T)	V. 18, p. 1484
28-72-16	New	V. 18, p. 1913
28-72-17	New (T)	V. 18, p. 1485
28-72-17	New	V. 18, p. 1914
28-72-18	New (T)	V. 18, p. 1486
28-72-18	New	V. 18, p. 1915
28-72-18a	New (T)	V. 18, p. 1487
28-72-18a	New	V. 18, p. 1916
28-72-18b	New (T)	V. 18, p. 1487
28-72-18b	New	V. 18, p. 1916
28-72-18c	New (T)	V. 18, p. 1488
28-72-18c	New	V. 18, p. 1917
28-72-18d	New (T)	V. 18, p. 1489
28-72-18d	New	V. 18, p. 1918
28-72-18e	New (T)	V. 18, p. 1490
28-72-18e	New	V. 18, p. 1919
28-72-19	New (T)	V. 18, p. 1491
28-72-19	New	V. 18, p. 1920
28-72-20	New (T)	V. 18, p. 1491
28-72-20	New	V. 18, p. 1920
28-72-21	New (T)	V. 18, p. 1491
28-72-21	New	V. 18, p. 1920
28-72-22	New (T)	V. 18, p. 1491
28-72-22	New	V. 18, p. 1920

**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
30-4-64	Amended	V. 18, p. 1722
30-6-59	Revoked	V. 18, p. 895
30-6-86	Amended	V. 18, p. 895
30-6-103	Amended	V. 18, p. 896
30-14-30	Amended	V. 18, p. 896
30-44-2	Amended	V. 18, p. 1843

**AGENCY 36: DEPARTMENT OF TRANSPORTATION (BY DEPARTMENT OF EDUCATION)**

Reg. No.	Action	Register
36-13-20	Revoked	V. 18, p. 1823
36-13-30 through 36-13-35	Revoked	V. 18, p. 1823
36-13-37	Revoked	V. 18, p. 1823
36-13-38	Revoked	V. 18, p. 1823
36-13-39	Revoked	V. 18, p. 1823

**AGENCY 40: KANSAS INSURANCE DEPARTMENT**

Reg. No.	Action	Register
40-2-26	Amended	V. 18, p. 1058
40-3-33	Amended	V. 18, p. 1016
40-4-34	Amended	V. 18, p. 124
40-4-35	Amended (T)	V. 18, p. 358
40-4-35	Amended	V. 18, p. 1148
40-4-42	New	V. 18, p. 1883
40-4-42a	New	V. 18, p. 1883

40-4-42b	New	V. 18, p. 1884
40-4-42c	New	V. 18, p. 1884
40-4-42d	New	V. 18, p. 1885
40-4-42e	New	V. 18, p. 1886
40-4-42f	New	V. 18, p. 1887
40-4-42g	New	V. 18, p. 1887

**AGENCY 44: DEPARTMENT OF CORRECTIONS**

Reg. No.	Action	Register
44-1-103	Amended	V. 18, p. 390

**AGENCY 45: KANSAS PAROLE BOARD**

Reg. No.	Action	Register
45-9-1	Amended	V. 18, p. 1597
45-9-2	Amended	V. 18, p. 1597
45-9-3	Amended	V. 18, p. 1598
45-9-4	New (T)	V. 18, p. 1034
45-9-4	New	V. 18, p. 1599

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

Reg. No.	Action	Register
51-9-7	Amended	V. 18, p. 1170

**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
60-7-101	Amended	V. 18, p. 52
60-16-101	Amended	V. 18, p. 1558
60-16-102	Amended	V. 18, p. 1558
60-16-104	Amended	V. 18, p. 1559

**AGENCY 63: BOARD OF MORTUARY ARTS**

63-4-1	Amended	V. 18, p. 1650
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**AGENCY 65: BOARD OF EXAMINERS IN OPTOMETRY**

Reg. No.	Action	Register
65-5-10	Amended	V. 18, p. 1727
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
66-6-4	Amended	V. 19, p. 69
66-6-6	Amended	V. 19, p. 70
66-7-2	Amended	V. 19, p. 70
66-8-7	New	V. 19, p. 70
66-9-4	Amended	V. 19, p. 71
66-9-6	New	V. 19, p. 71
66-10-12	Amended	V. 19, p. 71
66-10-13	New	V. 19, p. 71
66-11-4	New	V. 19, p. 72
66-12-1	Amended	V. 19, p. 72
66-14-1	Amended	V. 19, p. 72
66-14-6	Amended	V. 19, p. 72

**AGENCY 68: BOARD OF PHARMACY**

Reg. No.	Action	Register
68-2-12a	Amended	V. 18, p. 1813
68-2-20	Amended	V. 18, p. 1813
68-2-22	Amended	V. 18, p. 1814
68-3-5	New	V. 18, p. 1309
68-3-6	New	V. 18, p. 1309
68-5-15	New	V. 18, p. 993
68-7-11	Amended	V. 18, p. 1814
68-7-12	Amended	V. 18, p. 1815
68-7-18	Amended	V. 18, p. 994
68-7-19	Amended	V. 18, p. 994
68-11-1	Amended	V. 18, p. 81
68-14-1	Amended	V. 18, p. 1019
68-14-2 through 68-14-5	Amended	V. 18, p. 996, 997
68-14-7	Amended	V. 18, p. 997
68-14-8	New	V. 18, p. 998
68-15-1	New	V. 18, p. 998
68-15-2	New	V. 18, p. 1309
68-15-4	New	V. 18, p. 1309
68-20-10	Amended	V. 18, p. 1816
68-20-10a	Amended	V. 18, p. 1819
68-20-15a	Amended	V. 18, p. 1819
68-20-16	Amended	V. 18, p. 1820

(continued)

68-20-17 Amended V. 18, p. 1820  
 68-20-18 Amended V. 18, p. 1820  
 68-20-19 Amended V. 18, p. 1821  
 68-20-21 Amended V. 18, p. 1822

**AGENCY 71: KANSAS DENTAL BOARD**

Reg. No.	Action	Register
71-1-18	Amended	V. 18, p. 1844
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
74-4-10	Amended	V. 18, p. 1238
74-5-103	Amended	V. 18, p. 1238
74-5-104	Amended	V. 18, p. 1238
74-5-202	Amended	V. 18, p. 1239
74-5-203	Amended	V. 18, p. 1239
74-5-406	Amended	V. 18, p. 1240
74-11-6	Amended	V. 18, p. 1240
74-12-1	Amended	V. 18, p. 1721

**AGENCY 80: KANSAS PUBLIC EMPLOYEES RETIREMENT SYSTEM**

Reg. No.	Action	Register
80-1-1	Amended	V. 18, p. 1230
80-1-2	Amended	V. 18, p. 1230
80-1-3	Amended	V. 18, p. 1230
80-1-4	Revoked	V. 18, p. 1230
80-1-5	Amended	V. 18, p. 1230
80-1-6	Amended	V. 18, p. 1231
80-1-9	Amended	V. 18, p. 1231
80-1-10	Amended	V. 18, p. 1231
80-1-11	Amended	V. 18, p. 1231
80-1-12	Revoked	V. 18, p. 1231
80-2-1	Amended	V. 18, p. 1231
80-3-1	Revoked	V. 18, p. 1232
80-3-2	Revoked	V. 18, p. 1232
80-3-4	Amended	V. 18, p. 1232
80-3-5	Revoked	V. 18, p. 1232
80-3-6	Revoked	V. 18, p. 1232
80-3-8	Revoked	V. 18, p. 1232
80-3-9	Amended	V. 18, p. 1232
80-3-13	Revoked	V. 18, p. 1232
80-3-15	Amended	V. 18, p. 1232
80-3-16	Amended	V. 18, p. 1232
80-4-1	Amended	V. 18, p. 1233
80-4-2	Revoked	V. 18, p. 1233
80-4-3	Revoked	V. 18, p. 1233
80-4-4	Amended	V. 18, p. 1233
80-4-5	Revoked	V. 18, p. 1233
80-4-6	Revoked	V. 18, p. 1233
80-5-1	Amended	V. 18, p. 1233
80-5-2	Revoked	V. 18, p. 1233
80-5-3	Revoked	V. 18, p. 1233
80-5-6	Amended	V. 18, p. 1233
80-5-7	Revoked	V. 18, p. 1234
80-5-9	Amended	V. 18, p. 1234
80-5-10	Amended	V. 18, p. 1234
80-5-11	Amended	V. 18, p. 1234
80-5-12	Revoked	V. 18, p. 1234
80-5-13	Amended	V. 18, p. 1234
80-5-14	Revoked	V. 18, p. 1234
80-5-15	Amended	V. 18, p. 1234
80-5-16	Amended	V. 18, p. 1235
80-5-18	Amended	V. 18, p. 1235
80-7-1	Amended	V. 18, p. 1235
80-8-2	Amended	V. 18, p. 1236
80-8-7	Amended	V. 18, p. 1236
80-50-1	Revoked	V. 18, p. 1236
80-50-2	Amended	V. 18, p. 1236
80-50-3	Amended	V. 18, p. 1236
80-50-4	Revoked	V. 18, p. 1236
80-50-5	Revoked	V. 18, p. 1236
80-50-6	Amended	V. 18, p. 1236
80-50-8	Revoked	V. 18, p. 1237
80-51-1	Revoked	V. 18, p. 1237
80-51-2	Revoked	V. 18, p. 1237
80-51-3	Revoked	V. 18, p. 1237
80-51-4	Amended	V. 18, p. 1237
80-51-5	Revoked	V. 18, p. 1237
80-51-7	Revoked	V. 18, p. 1237
80-52-1	Revoked	V. 18, p. 1237
80-52-2	Revoked	V. 18, p. 1237
80-52-3	Revoked	V. 18, p. 1237

80-53-2 through V. 18, p. 1237  
 80-53-6 Revoked V. 18, p. 1237  
 80-54-1 through V. 18, p. 1237  
 80-54-4 Revoked V. 18, p. 1237  
 80-55-1 through V. 18, p. 1237  
 80-55-4 Revoked V. 18, p. 1237  
 80-55-8 Amended V. 18, p. 1237

**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
82-3-900		
through		
82-3-908	New	V. 18, p. 276, 277
82-4-3	Amended (T)	V. 18, p. 1391
82-4-3	Amended	V. 19, p. 208
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: REAL ESTATE COMMISSION**

Reg. No.	Action	Register
86-1-11	Amended	V. 18, p. 1291

**AGENCY 88: BOARD OF REGENTS**

Reg. No.	Action	Register
88-23-1		
through		
88-23-6	New	V. 19, p. 41-43

**AGENCY 91: DEPARTMENT OF EDUCATION**

Reg. No.	Action	Register
91-31-16	Amended	V. 18, p. 1171
91-31-18	Amended	V. 18, p. 1172
91-31-19	Amended	V. 18, p. 1309
91-31-24	Amended	V. 18, p. 1173
91-38-1		
through		
91-38-10	New	V. 18, p. 1823-1828

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

Reg. No.	Action	Register
99-25-1	Amended	V. 18, p. 189

**AGENCY 100: BOARD OF HEALING ARTS**

Reg. No.	Action	Register
100-6-2	Amended (T)	V. 18, p. 1747
100-11-5	Revoked	V. 18, p. 1230
100-24-3	New	V. 18, p. 483

**AGENCY 102: BEHAVIORAL SCIENCES REGULATORY BOARD**

Reg. No.	Action	Register
102-4-10a	Amended (T)	V. 18, p. 1035
102-4-10a	Amended	V. 18, p. 1556
102-5-7a	Amended	V. 18, p. 1520

**AGENCY 105: BOARD OF INDIGENTS' DEFENSE SERVICES**

Reg. No.	Action	Register
105-1-1	Amended	V. 18, p. 1141
105-2-1	Amended	V. 18, p. 1142
105-3-1	Amended	V. 18, p. 1142
105-3-2	Amended	V. 18, p. 1142
105-3-4	Revoked	V. 18, p. 1143
105-3-5	Amended	V. 18, p. 1143
105-3-8	Revoked	V. 18, p. 1143
105-3-9	Amended	V. 18, p. 1143
105-3-11	Amended	V. 18, p. 1144
105-3-12	Amended	V. 18, p. 1144
105-5-2	Amended	V. 18, p. 1144
105-5-3	Amended	V. 18, p. 1144
105-5-6	Amended	V. 18, p. 1144
105-5-7	Amended	V. 18, p. 1145

105-5-8 Amended V. 18, p. 1145  
 105-6-2 Amended V. 18, p. 1145  
 105-7-2 Amended V. 18, p. 1146  
 105-7-4 through  
 105-7-9 Amended V. 18, p. 1146  
 105-8-1 Amended V. 18, p. 1146  
 105-8-2 Amended V. 18, p. 1146  
 105-8-3 Amended V. 18, p. 1146  
 105-10-1a Amended V. 18, p. 1146  
 105-10-3 Amended V. 18, p. 1147  
 105-10-5 Amended V. 18, p. 1147  
 105-21-3 Amended V. 18, p. 1147  
 105-21-6 Amended V. 18, p. 1147  
 105-31-4 Revoked V. 18, p. 1147

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

Reg. No.	Action	Register
108-1-3	New (T)	V. 18, p. 1392
108-1-3	New	V. 19, p. 68

**AGENCY 109: BOARD OF EMERGENCY MEDICAL SERVICES**

Reg. No.	Action	Register
109-1-1	Amended	V. 18, p. 1650
109-5-1	Amended	V. 18, p. 1653
109-5-2	Amended	V. 18, p. 1654
109-5-3	Amended	V. 18, p. 1654
109-5-4	Amended	V. 18, p. 1655
109-6-2	Amended	V. 18, p. 1655
109-9-1	Amended	V. 18, p. 1656
109-9-2	Revoked	V. 18, p. 1656
109-4-4	Amended	V. 18, p. 1656
109-9-5	Revoked	V. 18, p. 1657
109-10-1	Amended	V. 18, p. 1657
109-10-2	Amended	V. 18, p. 1658
109-10-6	New	V. 18, p. 1660
109-11-1	Amended	V. 18, p. 1662
109-11-2	Revoked	V. 18, p. 1662
109-11-3	Amended	V. 18, p. 1662
109-11-4	Amended	V. 18, p. 1663
109-11-5	Amended	V. 18, p. 1664
109-11-6	Amended	V. 18, p. 1664
109-12-1	Revoked	V. 18, p. 1665
109-12-2	Revoked	V. 18, p. 1665
109-13-1	Amended	V. 18, p. 1666
109-13-3	Revoked	V. 18, p. 1666

**AGENCY 111: KANSAS LOTTERY**

A complete index listing all regulations filed by the Kansas Lottery from 1988 through 1999 can be found in the Vol. 18, No. 52, December 30, 1999 Kansas Register. The regulations listed below were published after December 31, 1999.

Reg. No.	Action	Register
111-2-66	Revoked	V. 19, p. 14
111-2-84	Revoked	V. 19, p. 14
111-2-95	Amended	V. 19, p. 174
111-2-100	New	V. 19, p. 14
111-2-101	New	V. 19, p. 15
111-2-102	New	V. 19, p. 174
111-2-104	New	V. 19, p. 15
111-2-105	New	V. 19, p. 16
111-2-106	New	V. 19, p. 16
111-2-107	New	V. 19, p. 174
111-2-108	New	V. 19, p. 175
111-2-109	New	V. 19, p. 175
111-3-1	Amended	V. 19, p. 176
111-3-12	Amended	V. 19, p. 16
111-3-20	Amended	V. 19, p. 17
111-3-35	Amended	V. 19, p. 177
111-4-1594	Amended	V. 19, p. 17
111-4-1595	Amended	V. 19, p. 17
111-4-1597	Amended	V. 19, p. 18
111-4-1598	Amended	V. 19, p. 18
111-4-1621		
through		
111-4-1636	New	V. 19, p. 177-181
111-4-1617	Amended	V. 19, p. 19
111-4-1637		
through		
111-4-1649	New	V. 19, p. 19-22

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

Reg. No.	Action	Register
112-6-4a	New	V. 18, p. 1458
112-7-21	Amended	V. 19, p. 118

112-10-6 Amended V. 18, p. 954  
 112-10-38 Amended V. 19, p. 119  
 112-18-22 Amended V. 19, p. 119

**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
117-7-1	Amended	V. 19, p. 41
117-8-1	Amended	V. 18, p. 995
117-9-1	Amended	V. 19, p. 41

**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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