

# Kansas Register

Ron Thornburgh, Secretary of State

Vol. 19, No. 28 July 13, 2000 Pages 1149-1178

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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&As, Information Guides and Notices published by the Department of Revenue for June 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-2000-021 Water delivery surcharges subject to Kansas sales tax.  
 P-2000-028 Out-of-state lessors with a sales office in Kansas.  
 P-2000-029 Nonprofit organization sales tax exemptions.  
 P-2000-030 Web center customization for Kansas firms by out-of-state companies.  
 P-2000-031 Service and installation providers for the electronics industry.

## Opinion Letters

- O-2000-009 Services performed on the rolling stock of trucking companies that operate as common carriers.

## Revenue Rulings

No new publications

## Notices

- 00-01 Bingo law changes effective July 1, 2000, as a result of House Bill 2013.

## Memorandums

- Vehicles Explanation to interested parties of provisions of House Bill 2561 from the 2000 Legislative Session.  
 Property Tax Brief summary of all legislation enacted during the 2000 Legislative Session affecting property tax issues.  
 Property Tax Adjustments for Frequent Flooding

## Property Valuation Division Directives

No new publications

## Q&amp;As

No new publications

## Information Guides

- Vehicles Drivers License Office Locations/Times of Operation

Karla Pierce  
Secretary of Revenue

Doc. No. 025433

The Kansas Register (ISSN No. 0662-190) is an official publication of the State of Kansas, published by authority of K.S.A. 75-430. The Kansas Register is published weekly by the Kansas Secretary of State, 1st Floor, Memorial Hall, 120 S.W. 10th Ave., Topeka, KS 66612-1594. One-year subscriptions are \$80 (Kansas residents must include \$5.44 state and local sales tax). Single copies may be purchased, if available, for \$2 each. Periodicals postage paid at Topeka, KS.

Postmaster: Send change of address form to Kansas Register, Secretary of State, 1st Floor, Memorial Hall, 120 S.W. 10th Ave., Topeka, KS 66612-1594.

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**PUBLISHED BY**  
**Ron Thornburgh**  
 Secretary of State  
 1st Floor, Memorial Hall  
 120 S.W. 10th Ave.  
 Topeka, KS 66612-1594  
 (785) 296-4564  
[www.kssos.org](http://www.kssos.org)



**Register Office:**  
 Garden Level, Memorial Hall  
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 Fax (785) 368-8024

## State of Kansas

**Agricultural Advisory Board****Notice of Meeting**

The Governor's Agricultural Advisory Board will meet at 10 a.m. Tuesday, July 25, in Room 107 of the Student Union at the Colby Community College, 1255 S. Range Ave., Colby. A meeting agenda will be available prior to July 25 by contacting Lisa Taylor at (785) 296-3902. This meeting is open to the public and will include time for public comment. If special accommodations are needed, individuals should contact the Department of Agriculture at least three business days prior to the meeting at (785) 296-3902.

Jamie Clover Adams  
Secretary of Agriculture

Doc. No. 025431

## State of Kansas

**Secretary of State****Executive Appointments**

Executive appointments made by the Governor, and in some cases by other state officials, are filed with the Secretary of State's office. A complete listing of Kansas state agencies, boards and commissions, and Kansas county officials are included in the Kansas Directory, published by the Secretary of State. The directory also is available on the Secretary of State's web site at [www.kssos.org](http://www.kssos.org).

The following appointments, which are effective upon their filing with the Secretary of State unless otherwise specified, were recently filed with the Secretary of State:

**Kansas Animal Health Board**

**Terry E. Handke**, 16725 U.S. Highway 159, Muscotah, 66058. Term expires July 1, 2003. Succeeds Charles Imthurn.

**Vincent Traffas**, 118 E. New York, Smith Center, 66967. Term expires July 1, 2003. Succeeds Mark Schwarm.

**Enhanced 911 Task Force**

(Established by 2000 Session Laws of Kansas, Chapter 128. Task force expires July 1, 2001.)

**Roger Bales**, Director/Regulatory and Legislative Affairs, Kansas Consolidated Professional Resources, 5709 S.W. 21st St., Topeka, 66614.

**Frank Balestrere**, Area Manager, Product Sales-911, Southwestern Bell Telephone, 823 Quincy, Room 801, Topeka, 66612.

**Col. Donald W. Brownlee**, Superintendent, Kansas Highway Patrol, 122 S.W. 7th, Topeka, 66603.

**William R. Butler**, Miami County Commissioner, 1720 Parker, Osawatomie, 66064.

**Lisa Durand Dockery**, Chief, Emergency Communications Center, 6000 Lamar, Mission, 66202.

**Major Keith Faddis**, Deputy Chief of Police, 12400 Foster, Shawnee Mission, 66213.

**Alvan Johnson**, 5300 Thompson Road, Manhattan, 66503.

**Nelson Krueger**, Chair, 4308 Wimbledon Drive, Lawrence, 66047.

**David Lake**, Administrator, Board of Emergency Medical Services, 109 S.W. 6th, Topeka, 66603.

**Dan Myers**, Telecommunications Analyst, State Corporation Commission, 1500 S.W. Arrowhead Road, Topeka, 66604.

**Patrick Lawless**, Mayor, 1114 N. 14th St., Osage City, 66523.

**David S. Rosenthal**, Southwestern Bell Telephone Relay Services, 734 Vermont, 2nd Floor, Lawrence, 66049.

**Susan Sherwood**, Sprint PCS 911 Product Manager, 4900 Main, Kansas City, MO 64112.

**Tom Sullivan**, Barton County Administrator, 1400 Main, Room 107, Great Bend, 67530.

**Kansas Law Enforcement Training Commission**

**Major Samuel F. Breshears**, 12610 Donahoo Road, Kansas City, KS 66109. Term expires July 1, 2004. Reappointed.

**State Board of Mortuary Arts**

**Barry W. Bedene**, 501 N. 4th, Arma, 66712. Term expires July 31, 2003. Reappointed.

**Charles R. Smith**, 6931 Santa Fe Drive, Overland Park, 66204. Term expires July 31, 2003. Succeeds Terrance Glasscock.

**Melissa A. Wangemann**, Secretary of State's Office, 1st Floor, Memorial Hall, 120 S.W. 10th Ave., Topeka, 66612. Term expires July 31, 2003. Reappointed.

**Task Force on a State Education Technology-Based Network**

(Established by Senate Resolution 1848. Task force expires December 1, 2000.)

**Jay H. Allbaugh**, 3023 Bramblewood Court, Wichita, 67226.

**Catherine Barbieri**, 700 Bramerton Court, Andover, 67002.

**Mary Barker**, 32905 S. Hoch, Lebo, 66856.

**Mona D. Carmack**, Vice-Chair, 13005 W. 102nd Terrace, Shawnee Mission, 66215.

**Dr. Milton L. Pippenger**, 2909 Squire, Garden City, 67846.

**Dan C. Simons**, 1821 Carmel Drive, Lawrence, 66047.

**Mark L. Uhart**, 5454 W. 110th St., Overland Park, 66211.

**Richard Veach**, 909 W. Wheat, Ulysses, 67880.

**Dr. Steven L. Wyckoff**, Chair, 5029 N. Sandkey Court, Wichita, 67204.

**State Board of Veterinary Medical Examiners**

**Eileen Beltz**, 15151 Dempsey Road, Leavenworth, 66048. Term expires June 30, 2004. Reappointed.

**Dr. Laura Morland**, 350 S. 160th St., Girard, 66743. Term expires June 30, 2004. Reappointed.

Ron Thornburgh  
Secretary of State

Doc. No. 025428

## State of Kansas

## State Conservation Commission

## Notice to Contractors

Sealed bids for the construction of a 46,000 cubic yard detention dam, Site 35 in Brown County, will be received by the Pony Creek Watershed Joint District No 78 at King Engineering, Inc., 307 Montana Ave., Holton, 66436-1127, until noon July 31, or may be hand carried to Morrill Community Building, Morrill (no telephone available), and submitted immediately prior to bid opening at 1:30 p.m. July 31. A copy of the invitation for bids and the plans and specifications can be obtained at the King Engineering, Inc. office, (785) 364-4312. A \$25 nonrefundable deposit is required for each set of plans requested.

Tracy D. Streeter  
Executive Director

Doc. No. 025430

## State of Kansas

## Secretary of State

## Notice of Corporations Forfeited

In accordance with K.S.A. 17-7510, the articles of incorporation of the following corporations organized under the laws of Kansas and the authority of the following foreign corporations authorized to do business in Kansas were forfeited during the month of June 2000 for failure to timely file an annual report and pay the annual franchise tax as required by the Kansas general corporation code:

## Domestic Corporations

Alexander Reporting Co., Wichita, KS.  
Alumni Association of Epsilon Chapter of Sigma Tau Gamma, Inc., Shawnee, KS.  
American Cargo Logistics, Inc., Overland Park, KS.  
American Cold Saws, Inc., Hutchinson, KS.  
Associated Ultrasound Service, Inc., Kechi, KS.  
Auto Adjusting, Inc., Overland Park, KS.  
Azteca Plumbing, Inc., Kansas City, KS.  
Bo's Parts and Equipment, Inc., Baldwin City, KS.  
Breakfast Optimist Club of Topeka, Inc., Topeka, KS.  
Caney Valley Iron & Supply, Inc., Caney, KS.  
Capital Wholesale, Inc., Kansas City, MO.  
Centre Court Community Tennis Association, Inc., Wichita, KS.  
CMC Marketing & Management, Inc., Olathe, KS.  
CZC, Inc., Shawnee Mission, KS.  
Direct Network, Incorporated, Overland Park, KS.  
Equinvest, Inc., Kansas City, MO.  
First Choice Support Services, Inc., Salina, KS.  
Flint Hills Catholic School Association, Maple Hill, KS.  
Friends University Retirement Corporation, Wichita, KS.  
Global Computer Registry, Inc., Overland Park, KS.  
Granier Enterprises, Inc., Topeka, KS.  
Greater Riley County Optimist Club, Riley, KS.  
Gunko Highway Products, Inc., Olathe, KS.  
Heimerman Masonry, Inc., Garden Plain, KS.  
Hi-Plains Implement, Inc., Colby, KS.  
Hinks Petroleum Co., Inc., Wichita, KS.  
Holeman Machine Company, Inc., Malvern, AR.  
Hopenet, Inc., Wichita, KS.  
Jayhawk Primary Care, Inc., Lenexa, KS.  
Jeff Dix, Inc., Stockton, KS.  
Kansas Greenhouse Growers Association, Manhattan, KS.  
Kilpatrick Auto Supply, Inc., Hutchinson, KS.

Kiwanis Club of Baxter Springs, Kansas Inc., Baxter Springs, KS.  
Kiwanis Club of Lawrence, Jayhawk, Kansas, Lawrence, KS.  
Kiwanis Club of Sunset, Salina, Inc., Salina, KS.  
Life Ministries, Inc., Wichita, KS.  
Marks Bridal & Formal, Inc., Lawrence, KS.  
Middleton, Inc., Garden City, KS.  
Mobile Concepts, L.L.C., Lawrence, KS.  
Myers Harvesting, Inc., Johnson, KS.  
Our Lady of Compassion, Inc., Maple Hill, KS.  
Peerless Conveyor and Manufacturing Corporation, Kansas City, KS.  
Pride Investments, Inc., Valley Center, KS.  
R. & R., Ltd., Wichita, KS.  
Roberson Construction Company, Inc., Silver Lake, KS.  
Sarber Enterprises, Inc., Garden City, KS.  
Shawnee Mission Community & Youth Coalition, Overland Park, KS.  
Spectrum Sales, Inc., Shawnee Mission, KS.  
Spring Hill Fall Festival Committee, Inc., Spring Hill, KS.  
St. John A.M.E. Church of Topeka, Kansas, Topeka, KS.  
Stone Technologies, Inc., Overland Park, KS.  
Sunset Foods, Inc., Wichita, KS.  
T, Inc., Hutchinson, KS.  
The White Lakes Optimist Club of Topeka, Inc., Topeka, KS.  
Twig Room, Inc., Great Bend, KS.  
United Cerebral Palsy Associations, Inc., Washington, DC.  
Urban Farms and Cattle, Inc., Atwood, KS.  
Welcome Inn Leisure Center, Inc., Larned, KS.  
Westside Manhattan Homeowners Association, Inc., Manhattan, KS.

## Foreign Corporations

Air Evac EMS, Inc., West Plains, MO.  
Ascend Healthcare, Inc., Calhoun, GA.  
Association of Independent Hospitals, Kansas City, MO.  
Atlanta Lending Services, Inc., Marietta, GA.  
Benson Pump Co., Reno, NV.  
Brown's Autumn Gold Homes, Leavenworth, KS.  
Carlson Construction Co., Lee's Summit, MO.  
Checkcare Enterprises, Inc., Columbus, GA.  
Consolidated Container Corporation, Minneapolis, MN.  
Daktronics, Inc., Brookings, SD.  
Harrow Products, Inc., Grand Rapids, MI.  
HCFS, Inc., Addison, TX.  
Holt Land Company, Lawrence, KS.  
Kaw Valley Materials, LLC, Kansas City, KS.  
Kaw Valley Trucking, LLC, Kansas City, KS.  
Louis Dreyfus Energy Corp., Wilton, CT.  
Modern Distributing Company, Springfield, MO.  
Moneytree Renovation, Inc., Independence, MO.  
Oracle Corporation, Redwood Shores, CA.  
Pillar Contracting, Inc., Oklahoma City, OK.  
Points of Light Foundation, Washington, DC.  
Professional Solutions, Inc., Lawson, MO.  
Ramsey Corporation "A Missouri Corporation,"  
Prairie Village, KS.  
Salina Voa Elderly Housing, Inc., Metairie, LA.  
TSG Health Care Resources, Inc., Stoneham, MA.  
Vivra Asthma and Allergy, Inc., Plantation, FL.  
Westco International, Inc., Tulsa, OK.  
Winger, Inc., Denver, CO.  
4 Life Weight Loss Centers, Inc., Plantation, FL.

Ron Thornburgh  
Secretary of State

Doc. No. 025424

State of Kansas

Department of Transportation

Request for Comments

The Kansas Department of Transportation requests comments on the amendment of the Statewide Transportation Improvement Program (STIP) FY 00-02 by adding the following projects:

Project TE-0165-01, Preservation of Former 1912 Santa Fe Railroad Depot, 300 S. Third Street in the City of Marion, Marion County:

Project TE-0166-01, Restoration and Preservation of a Native Stone 4-Arch Bridge, Fort Fletcher Bridge over Bid Creek on RS-449 4.8 miles south of the City of Walker, Ellis County.

Project TE-0167-01, Replank Bridge with Pentatreated Plans, Elk Falls Pratt Truss Bridge over the Elk River at the East End of Montgomery Street in the City of Elk Falls, Elk County.

Project TE-0168-01, Upgrade Track for Passenger Operations, Midland Railway between Baldwin City and the Santa Fe Depot in Downtown Ottawa, Franklin County.

Project TE-0169-01, Restoration of Brick Pavement, 600 and 1300 Blocks of Broadway and 12th Street from Center to Carolina in the City of Marysville, Marshall County.

Project TE-0170-01, Land Acquisition, Mine Creek Battlefield State Historic Site 3.2 km south of the Community of Pleasanton, Linn County.

Project TE-0172-01, Construct a Pedestrian/Bicycle Path along the Main Road (Emerson Loop) through Carey Park in the City of Hutchinson, Reno County.

Project TE-0175-01, Construct a Pedestrian/Bicycle Path, Pittsburg State University to the Mt. Carmel Regional Medical Center in the City of Pittsburg, Crawford County.

Project TE-0177-01, Construct a Pedestrian/Bicycle Path, from Butler County Community College through East Park, Central Park to North Main Park in the City of El Dorado, Butler County.

Project TE-0180-01, Visitors Information Center, 2011 E. Logan, approximately .5 mile west of the I-35 Exit 187 in Ottawa, Franklin County.

Project TE-0181-01, Street and Safety Improvements, along US-83 from US-54 to 6th Street in Liberal, Seward County.

Project TE-0183-01, Street Improvement, Broadway Street: Pearl Street to Main Street, and K-177: Pearl Street to Main Street (Flint Hills Scenic Byway) in Cottonwood Falls, Chase County.

Project TE-0184-01, Site Improvement, Old Water Treatment Plant on US-36 approximately 2 blocks west of the US-36/US-183 Interchange in the City of Phillipsburg, Phillips County.

The amendment of the STIP requires a 30-day public comment period. To receive more information on any of

these projects or to make comments on the STIP amendment, contact the Kansas Department of Transportation, Office of Engineering Support, 7th Floor, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612-1568, (785) 296-7916, fax (785) 296-0723.

This information is available in alternative accessible formats. To obtain an alternative format, contact the KDOT Office of Transportation Information, (785) 296-3585 (Voice/TTY).

The comment period regarding the STIP amendment will conclude August 14.

E. Dean Carlson Secretary of Transportation

Doc. No. 025425

State of Kansas

Department of Administration Division of Purchases

Notice to Bidders

Sealed bids for the following items will be received by the Director of Purchases, Room 102, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612, until 2 p.m. on the date indicated and then will be publicly opened. Interested bidders may call (785) 296-2377 for additional information.

Monday, July 24, 2000

01943

Statewide—Ice and Snow Removal Chemicals

Thursday, July 27, 2000

01949

Emporia State University—Natural Gas

\*\*\*\*\*

Request for Proposals

Monday, July 24, 2000

01947

Liquid Magnesium Chloride (De-Icer/Anti-Icer) for the Department of Transportation, Statewide

Tuesday, July 25, 2000

01944

Statewide—Nortel Networks Telecommunications Equipment and Services

Friday, July 28, 2000

01940

Attorney General—Criminal Justice Information System Project Plan, Budget and Management Services

John T. Houlihan Director of Purchases

Doc. No. 025439

## State of Kansas

## Department of Transportation

Notice of Hearing on Proposed  
Administrative Regulations

A public hearing will be conducted at 1 p.m. Thursday, September 14, in Conference Room No. 1, seventh floor, Docking State Office Building, 915 S.W. Harrison, Topeka, to consider the revocation of existing rules and regulations of the Kansas Department of Transportation.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed rules and regulations. All interested parties may submit written comments prior to the hearing to Secretary E. Dean Carlson, Kansas Department of Transportation, 7th Floor, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612-1568. All interested parties will be given a reasonable opportunity to present their views orally on the revocation of the proposed regulations during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request that each participant limit any oral presentation to five minutes.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulations and economic impact statements in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Edmond Leboeuf at (785) 296-3831 or (785) 296-3585 (TTY). Handicapped parking is located on the east side of the Docking State Office Building, with the north and east entrances to the building accessible to individuals with disabilities.

These regulations are proposed for revocation on a permanent basis. The regulations proposed to be revoked and their economic impact follows.

**K.A.R. 36-15-23—Motorcyclists' Eye Protection**

K.A.R. 36-15-23 is a regulation regarding eye protection for motorcyclists. The wording in the regulation duplicates K.S.A. 8-1598; therefore, the regulation is unnecessary.

Other governmental units, private citizens and consumers will not be affected by these changes. There is no significant economic impact to state agencies, employees or the general public. The law regarding eye protection for motorcyclists will not change if this regulation is revoked.

**36-34-1—Child Passenger Safety Restraints**

K.A.R. 36-34-1 is a regulation adopting a standard and specification for child passenger restraining systems that is to be met or exceeded. The regulation duplicates the authorizing statute, K.S.A. 8-1344, in its purpose. The regulation and the statute rely on the same standard and specifications. The statute notes "federal motor vehicle safety standard no. 213." This regulation refers to the same 49 C.F.R. 571.213 as noted in the regulation. The regulation is therefore unnecessary.

Other governmental units, private citizens and consumers will not be affected by these changes. There is no significant economic impact to state agencies, employees or the general public.

These regulations are proposed to be revoked because they are redundant. KDOT is working to be compliant with Governor Graves' Executive Order 00-03, calling in part for the elimination of redundant regulations.

Copies of the regulations and their economic impact statement may be obtained by contacting Edmond Leboeuf.

E. Dean Carlson  
Secretary of Transportation

Doc. No. 025436

(Published in the Kansas Register July 13, 2000.)

## City of Olathe, Kansas

## Notice to Bidders

Sealed bids will be received at the office of the City Clerk, City Hall, 100 W. Santa Fe, Olathe, KS 66061, until 11 a.m. local time Tuesday, August 15, for the construction of 111th Street (K-10 to Lone Elm Road), KDOT Project No. 46 N-0164-01, Olathe Project No. 36797. At said time and place, and promptly thereafter, all bids that have been duly received will be publicly opened and read aloud.

The work consists of the following:

The construction of 111th Street consists of approximately 82,100 Cu. m. of compaction of earthwork; 44,430 Sq. m. of asphaltic concrete base material; 11,850 m. of concrete curb and gutter; 1,580 m. of storm sewer; 440 Cu. m. of reinforced concrete for box culverts; 350 m. of waterline relocation; street lighting; landscape and irrigation, together with all other incidental and related work.

Contract documents, specifications and plans are on file and may be obtained at the office of HNTB Corporation, 7450 W. 130th St., Suite 400, Overland Park, KS 66213. Contractors desiring documents, specifications and plans for use in preparing bids will require payment of \$150, which amount is not refundable.

The entire name of the project must appear on the outside of the bid envelope submitted to the city clerk's office. A satisfactory bid bond executed by the bidder and an acceptable surety, in an amount equal to 5 percent of the total bid for work, shall be submitted with each proposal. The successful bidder will be required to furnish and pay satisfactory performance and payment bond or bonds.

The City of Olathe reserves the right to reject any or all bids or to waive any informalities in the bidding.

Bids may be held by the City of Olathe for a period not to exceed 60 days from the date of the opening of bids for the purpose of reviewing the bids and investigating the qualifications of bidders, prior to awarding the contract.

City of Olathe, Kansas  
By: Debra S. Gragg  
City Clerk

Doc. No. 025434

(Published in the Kansas Register July 13, 2000.)

**Summary Notice of Bond Sale****Sedgwick County, Kansas****\$3,970,000****General Obligation Bonds, Series A, 2000****(General obligation bonds payable from unlimited ad valorem taxes)****Bids**

Subject to the notice of bond sale dated July 5, 2000, sealed, facsimile and electronic bids for the purchase of \$3,970,000 principal amount of General Obligation Bonds, Series A, 2000, of Sedgwick County, Kansas (the issuer), will be received by the chief financial officer of the issuer, in the case of sealed and facsimile bids, at the address set forth below, and in the case of electronic bids, through Thompson Financial Municipals Group BiDCOMP/PARTY electronic bid submission system, until 9:30 a.m. July 26, 2000. No bid of less than 99 percent of the principal amount of the bonds and accrued interest thereon to the date of delivery will be considered.

**Bond Details**

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated August 1, 2000, and will become due on August 1 in the years as follows:

Year	Principal Amount
2001	\$170,000
2002	180,000
2003	190,000
2004	200,000
2005	215,000
2006	230,000
2007	245,000
2008	255,000
2009	270,000
2010	290,000
2011	305,000
2012	325,000
2013	345,000
2014	365,000
2015	385,000

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

**Bank Qualified Obligations**

The bonds have been designated by the issuer as "qualified tax-exempt obligations" within the meaning of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended.

**Book-Entry-Only System**

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

**Paying Agent and Bond Registrar**

Kansas State Treasurer, Topeka, Kansas.

**Good Faith Deposit**

Each bid shall be accompanied by a good faith deposit in the form of a cashier's or certified check drawn on a bank located in the United States or a qualified financial surety bond in the amount of \$79,400 (2 percent of the principal amount of the bonds).

**Delivery**

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about August 24, 2000, at DTC for the account of the successful bidder.

**Assessed Valuation and Indebtedness**

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 1999 is \$3,025,263,892. The total general obligation indebtedness of the issuer as of the date of delivery of the bonds, including the bonds being sold and \$1,400,000 principal amount of temporary notes of the issuer to be sold on the same date as the bonds, is \$96,115,000. Temporary notes in the principal amount of \$3,500,000 will be retired out of proceeds of the bonds, the notes and other available funds.

**Approval of Bonds**

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

**Additional Information**

Additional information regarding the bonds may be obtained from Mary P. Byrne, Investment/Debt Manager, at (316) 383-7537, fax (316) 383-7729, or email: mbyrne@sedgwick.gov; or from the financial advisor, A.G. Edwards & Sons, Inc., 3399 Peachtree Road, N.E., Suite 1100, Atlanta, GA 30326, Attention: Dianne McNabb, (404) 237-3280, fax (404) 264-9408, or email: mcnabbd@agedwards.com.

Dated July 5, 2000.

**Bid Delivery Address:**

Chris Chronis  
Chief Financial Officer  
Sedgwick County Courthouse  
Suite 823  
525 N. Main  
Wichita, KS 67203  
(316) 383-7591  
Fax (316) 383-7729

Doc. No. 025432



(Published in the Kansas Register July 13, 2000.)

**Notice of Cancellation of Bond Sale  
Unified School District No. 473  
Dickinson County, Kansas (Chapman)  
\$1,000,000**

**General Obligation School Building Bonds  
Series 2000**

The bond sale for Unified School District No. 473, Dickinson County, Kansas (Chapman), scheduled for July 17, 2000, for the purchase of \$1,000,000 principal amount of General Obligation School Building Bonds, Series 2000, has been cancelled.

Dated July 6, 2000.

Unified School District 473  
Dickinson County, Kansas (Chapman)  
By Beverly Sutter, Clerk

Doc. No. 025440

(Published in the Kansas Register July 13, 2000.)

**Summary Notice of Bond Sale  
City of Frankfort, Kansas  
Marshall County, Kansas  
\$230,000**

**General Obligation Street and Sewer Bonds  
Series 2000**

Dated August 1, 2000

(General obligation bonds payable from  
unlimited ad valorem taxes)

**Sealed Bids**

Subject to the notice of bond sale dated July 1, 2000, sealed bids will be received by the city clerk of the City of Frankfort, Marshall County, Kansas (the issuer), on behalf of the governing body at City Hall, 109 N. Kansas, Frankfort, KS 66427, until 7 p.m. Monday, August 7, 2000, for the purchase of \$230,000 principal amount of General Obligation Street and Sewer Bonds, Series 2000.

**Bond Details**

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated August 1, 2000, and will become due on October 1 in the years as follows:

Year	Principal Amount
2001	\$20,000
2002	20,000
2003	20,000
2004	20,000
2005	25,000
2006	25,000
2007	25,000
2008	25,000
2009	25,000
2010	25,000

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

**Interest Rates**

The difference between the highest and lowest interest rate submitted shall not exceed 3 percent. Only one rate of interest shall apply to any single maturity date.

**Paying Agent and Bond Registrar**

Kansas State Treasurer, Topeka, Kansas.

**Good Faith Deposit**

Each bid shall be accompanied by a cashier's check or certified check payable to the city drawn on a bank located in the United States in the amount of \$4,600 (2 percent of the principal amount of the bonds).

**Delivery**

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about September 8, 2000, at such bank or trust company in the contiguous United States as may be specified by the successful bidder.

**Bid Price**

No bid of less than 100 percent of the principal amount of the bonds and accrued interest thereon to the date of delivery will be considered.

**Assessed Valuation and Indebtedness**

The equalized assessed taxable tangible valuation of the city for computation of bonded debt limitations is \$2,337,463, which includes motor vehicle valuation of \$33,170. The total general obligation bonded indebtedness of the issuer as of the date of delivery of the bonds, including the bonds being sold, is \$230,000. The city also has outstanding temporary notes in the total amount of \$210,000, which will be paid from special assessments and the proceeds of this issue and a lease-purchase debt of \$13,962.16 for a street sweeper.

**Approval of Bonds**

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

**Redemption**

Bonds maturing on or after October 1, 2006, shall be subject to call and redemption by the city at its option on October 1, 2005, and on any interest payment date thereafter at par and accrued interest to date of redemption without premium.

**Additional Information**

Additional information regarding the bonds may be obtained from the city clerk, Denise M. Sandman, City Hall, 150 N. Main, Frankfort, KS 66427, (785) 292-4240; or from bond counsel, Fred W. Rausch, Jr., 220 S.W. 33rd St., Suite 201, Topeka, KS 66611, (785) 267-3470. Preliminary official statements will be sent to prospective bidders who have previously submitted bids on Kansas municipal bonds.

City of Frankfort  
Marshall County, Kansas

Doc. No. 025423



State of Kansas

Department of Administration

Public Notice

Under requirements of K.S.A. 1999 Supp. 65-34,117(c), records of the Division of Accounts and Reports show the unobligated balances are \$6,324,728.51 in the underground petroleum storage tank release trust fund and \$1,871,029.76 in the aboveground petroleum storage tank release trust fund at June 30, 2000.

Dan Stanley  
Secretary of Administration

Doc. No. 025427

State of Kansas

Kansas State Treasurer

Temporary Administrative Regulations

Article 3.—LINKED DEPOSIT LOAN PROGRAMS

**3-3-1. Residency and site requirements.** For all agriculture production loans authorized by L. 2000, Ch. 101, and amendments thereto, the "eligible agricultural borrower" shall be a resident of the state of Kansas, and the farm for which the proceeds of the loan are expended shall be located within the state of Kansas. A limited liability agricultural company, limited agricultural partnership, or family farm corporation shall be considered a resident if it meets the requirements of K.S.A. 17-5903, and amendments thereto. (Authorized by L. 2000, Ch. 101, Sec. 3; implementing L. 2000, Ch. 101, Sec. 3, L. 2000, Ch. 101, Sec. 4, and L. 2000, Ch. 101, Sec. 5; effective, T-3-7-3-00, July 3, 2000.)

Tim Shallenburger  
Kansas State Treasurer

Doc. No. 025435

State of Kansas

Department of Administration  
Division of Accounts and Reports

Temporary Administrative Regulations

Article 18.—MAXIMUM ALLOWANCE FOR  
MILEAGE FOR USE OF A  
PRIVATELY OWNED CONVEYANCE  
FOR PUBLIC PURPOSES

**1-18-1a. Mileage rates.** (a) Subject to the provisions of subsection (d), each employee who has been authorized to use a privately owned conveyance to engage in official business for an agency shall be entitled to reimbursement for the use of that conveyance at the following rates:

- (1) 16¢ per mile for the use of a privately owned motorcycle;
- (2) 32½¢ per mile for the use of a privately owned automobile;
- (3) 44¢ per mile for the use of a privately owned airplane; or

(4) 44¢ per mile for the use of a specially equipped vehicle for the physically disabled.

(b) In addition to the mileage allowance authorized under subsection (a) of this regulation, the employee may be reimbursed for the following expenses:

- (1) Parking fees when on an official trip;
- (2) toll road and toll bridge costs; and
- (3) airplane landing and tie-down fees.

(c) When an employee travels by privately owned airplane, reimbursement may be made for one round trip in a privately owned automobile or for a taxi fare charged in travel under these conditions:

(1) Between the official station or domicile and the airport in the city in which the official station or domicile is located; and

(2) between the airport in the destination city and the place of official business.

(d) Exceptions to the mileage rates prescribed in subsection (a) shall be as follows.

(1) When a mode of transportation is available and is less costly than transportation by privately owned conveyance, mileage payments for use of a privately owned conveyance shall be limited to the cost of that other mode of transportation.

(2) An agency may pay a specified mileage rate that is lower than prescribed by subsection (a) when an employee's travel is not required by the agency and the employee is informed of the specified rate in advance of the travel.

(3) For employees of the state of Kansas only, any state employee choosing to use a privately owned automobile when a state-owned or leased vehicle, as defined by K.A.R. 1-17-1, is available for use shall be reimbursed at the central motor pool rate for compact cars, except under either of the following conditions:

(A) The employee's agency head or the agency head's designee determines that the use of a state-owned or leased vehicle would be more expensive than the use of the employee's privately owned automobile.

(B) The employee has a disability that requires the use of a privately owned vehicle that is specially equipped.

(e) This regulation shall be effective on and after July 15, 2000. (Authorized by and implementing K.S.A. 75-3203 and 75-3203a; effective May 1, 1979; amended, E-80-10, July 11, 1979; amended May 1, 1980; amended, E-81-14, June 12, 1980; amended May 1, 1981; amended, T-83-19, July 1, 1982; amended May 1, 1983; amended, T-84-20, July 26, 1983; amended May 1, 1984; amended, T-85-46, Dec. 19, 1984; amended, T-86-7, April 1, 1985; amended May 1, 1985; amended, T-86-7, May 1, 1985; amended, T-86-17, June 17, 1985; amended May 1, 1986; amended, T-89-1, Jan. 7, 1988; amended Oct. 1, 1988; amended, T-1-2-28-90, March 1, 1990; amended April 23, 1990; amended, T-1-11-14-90, Nov. 14, 1990; amended Jan. 7, 1991; amended July 12, 1993; amended, T-1-6-28-95, June 28, 1995; amended Aug. 4, 1995; amended, T-1-7-1-96, July 1, 1996; amended Oct. 18, 1996; amended, T-1-7-1-97, July 1, 1997; amended Aug. 8, 1997; amended July 1, 1998; amended, T-1-3-18-99, April 1, 1999; amended June 24, 1999; amended, T-1-7-7-00, July 15, 2000.)

Dan Stanley  
Secretary of Administration

Doc. No. 025438

## State of Kansas

## State Corporation Commission

## Permanent Administrative Regulations

Article 4.—MOTOR CARRIERS OF  
PERSONS AND PROPERTY

**82-4-1. Definitions.** The following terms used in connection with the regulations of the state corporation commission governing motor carriers shall be defined as follows:

(a) "Affiliate" means a person controlling, controlled by, or under common control or ownership with, another person or company.

(b) "Certificate" refers to a document evidencing a certificate of convenience and necessity or a certificate of public service issued to an intrastate common carrier to operate motor vehicles as a common carrier.

(c) "Commercial motor vehicle" means any of the following, except when used in 49 C.F.R. Part 382:

(1) A vehicle that has a gross vehicle weight rating or gross combination weight rating of 10,001 or more pounds;

(2) a vehicle designed to transport 16 or more passengers, including the driver;

(3) a vehicle designed to transport more than six passengers, including the driver operating in intrastate commerce for hours of service regulation under 49 C.F.R. Part 395 only; or

(4) a vehicle used in the transportation of hazardous materials in a quantity requiring placarding under 49 C.F.R. Part 172, Subpart F.

(d) "Commission" means the Kansas corporation commission.

(e) "Conviction" means any of the following, regardless of whether or not the penalty is rebated, suspended, or probated:

(1) An unvacated adjudication of guilt or a determination that a person has violated or failed to comply with the law in a court of original jurisdiction or by an authorized administrative tribunal;

(2) an unvacated forfeiture of bail or collateral deposited to secure the person's appearance in court;

(3) a plea of guilty or nolo contendere accepted by the court;

(4) the payment of a fine or court cost; or

(5) violation of a condition of release without bail.

(f) "Director" means the director of the transportation division of the commission.

(g) "Distance" means airline distances.

(1) Distances shall be computed from the corporate limits of incorporated communities and from the post office of unincorporated communities.

(2) If there is no post office in the unincorporated community, the distance shall be computed from the center of the business district.

(h) "Docketing" means entering the proposal in the organization files and then giving notice of the proposal to other carrier members of the organization and shipper subscribers.

(i) "Driveaway operation" or "towaway operation" means any operation in which a motor vehicle is the commodity being transported and one or more sets of wheels of the vehicle being transported are on the surface of the roadway during transportation.

(j) "Driver" means a commercial motor vehicle operator.

(k) "Entire direct case" shall include, for the purpose of this article, all testimony, exhibits, and other documentation offered in support of the proposed rates.

(l) "Express carrier" means a common or contract carrier who carries packages or parcels, the maximum weight of which does not exceed 350 pounds for each package or parcel.

(m) "FHWA" refers to the federal highway administration.

(n) "General increase" or "general decrease" means a common or contract motor carrier rate increase or decrease proposed as a general adjustment of substantially all the rates published in a tariff.

(o) "Industry average carrier cost information" means the average intrastate cost of the carriers who participate in an organization tariff and who have authority from the commission to transport the commodities indicated in the organization tariff.

(p) "Joint line rate" means a rate, charge, or allowance established by two or more common motor carriers of property or passengers that is applicable over the carriers' lines and for which the transportation can be provided by these carriers.

(q) "License" refers to the document or registration receipt evidencing the registration of an interstate common or contract motor carrier or interstate exempt motor carrier to operate motor vehicles in the state of Kansas in interstate commerce.

(r) "Licensed medical practitioner" means a person who meets one of the following conditions:

(1) Is licensed by the state board of healing arts to practice medicine and surgery, osteopathic medicine and surgery, or chiropractic;

(2) is licensed by the state board of healing arts as a physician assistant; or

(3) is licensed by the state board of nursing as a registered professional nurse qualified to practice as an advanced registered nurse practitioner.

(s) "Motor carrier" means any corporation, limited liability company, partnership, limited liability partnership, or individual subject to the provisions of the motor carrier law of Kansas and under the jurisdiction of the Kansas corporation commission.

(t) "Moving violation" means the commission or omission of an act by a person operating a motor vehicle that could result in injury or property damage and that is also a violation of a statute, ordinance, or regulation of this or any other state.

(u) "Notice" means advance notification to shipper subscribers through the organization's docket service.

(v) "Organization" means a legal entity that administers an agreement approved under K.A.R. 82-4-69.

(w) "Ownership" means an equity holding in a business entity of at least 5%.

(x) "Permit" refers to the document evidencing authority of a motor carrier to operate motor vehicles as a contract or private carrier.

(y) "Single line rate" means a rate, charge, or allowance established by a single common or contract motor carrier of property or passengers that is applicable only over its line and for which the transportation can be provided by that carrier.

(z) "Tariff publication" means the rates, charges, classification, ratings, or rules published by, for, or on behalf of common or contract motor carriers of property or passengers.

(aa) "USDOT" refers to the United States department of transportation. (Authorized by and implementing K.S.A. 1999 Supp. 66-1,112, 66-1,112a, K.S.A. 66-1,112g; effective Jan. 1, 1971; modified, L. 1981, Ch. 424, May 1, 1981; amended, T-83-45, Dec. 8, 1982; amended May 1, 1983; amended May 1, 1984; amended April 30, 1990; amended Sept. 16, 1991; amended July 6, 1992; amended May 10, 1993; amended Oct. 3, 1994; amended Jan. 30, 1995; amended Jan. 4, 1999; amended July 28, 2000.)

**82-4-3. Motor carrier safety regulations.** (a) The following parts of the federal rules and regulations promulgated by the U.S. department of transportation are hereby adopted by reference. The adoption by reference shall cover the parts as in effect on October 1, 1998:

(1) General: 49 C.F.R. Part 390, except for the following:

(A) 49 C.F.R. 390.3(b) and (f);

(B) the following terms as they appear in 49 C.F.R. 390.5: "motor vehicle," "person," and "private motor carrier of property"; "commercial motor vehicle," "motor carrier," and "driver"; and

(C) 49 C.F.R. 390.11;

(2) qualifications of drivers: 49 C.F.R. Part 391, except 49 C.F.R. 391.11(b)(1), 391.67, and 391.69;

(3) driving of motor vehicles: 49 C.F.R. Part 392;

(4) parts and accessories necessary for safe operation: 49 C.F.R. Part 393, except 49 C.F.R. 393.81, 393.87, and 393.95(a);

(5) hours of service of drivers: 49 C.F.R. Part 395, except 49 C.F.R. 395.1(h), (i), and (k);

(6) hours of service of drivers engaged in transportation for agricultural operations: 49 C.F.R. 395.1(k), with the following provisions:

(A) "Agriculture commodities" means the unprocessed products of agriculture, horticulture, and cultivation of the soil, including wheat, corn, hay, milo, sorghum, and soybeans. Agricultural commodities shall not include livestock and livestock products, milk, honey, poultry products, timber products, or nursery stock, nor shall the term include the transportation of hazardous materials of the type or quantity that requires the vehicle to be placarded;

(B) "farm supplies" means supplies or equipment for use in the planting or harvesting of agricultural commodities, but shall not include the transportation of hazardous materials of the type or quantity that requires the vehicle to be placarded;

(C) "hazardous materials," as used in K.A.R. 82-4-3(a)(6) only, shall not include fertilizer, animal waste used as fertilizer, anhydrous ammonia, or pesticides; and

(D) "planting and harvesting season" means the time periods for planting and harvesting that occur between January 1 and December 31;

(7) inspection, repair, and maintenance: 49 C.F.R. Part 396;

(8) transportation of hazardous materials; driving and parking rules: 49 C.F.R. Part 397;

(9) transportation of migrant workers: 49 C.F.R. Part 398;

(10) employee safety and health standards: 49 C.F.R. Part 399;

(11) minimum levels of financial responsibility for motor carriers: 49 C.F.R. Part 387, except strictly intrastate nonhazardous motor carriers covered under K.S.A. 66-1,128 and amendments thereto;

(12) procedures for transportation workplace drug testing programs: 49 C.F.R. Part 40 and 49 C.F.R. Part 382; and

(13) rules of practice for motor carrier safety and hazardous materials proceedings: 49 C.F.R. 386.72.

(b) Whenever the incorporated federal regulations refer to portions of the federal regulations that are not included under subsection (a) of this regulation, those references shall not be applicable to this regulation.

(c) The following terms as used in this regulation and the identified sections of the regulations adopted by reference shall be defined as follows:

(1) "Authorized personnel," as used in 49 C.F.R. 396.9(c), means members of the Kansas highway patrol, any other law enforcement officer in the state, or authorized representatives of the commission who have been certified in the inspection of motor carriers based on the motor carrier safety assistance program standards.

(2) "Regional director of motor carriers," as used in 49 C.F.R. 391.51(b)(2), means the director of the transportation division of the commission.

(3) "Regional director of motor carriers," as used in 49 C.F.R. 391.51(g), means the superintendent of the Kansas highway patrol and the director of the transportation division of the commission.

(4) "Special agent of FHWA or special agent of the federal highway administration and authorized representatives of the federal highway administration," as used in 49 C.F.R. 395.13(a), 398.8(a), and appendix B to subchapter B, means authorized representatives of the commission, and members of the Kansas highway patrol or any other law enforcement officers in the state who have been certified in the inspection of motor carriers based on the motor carrier safety assistance program standards.

(d) Copies of the motor carrier safety regulations promulgated by the U.S. department of transportation may be obtained from the superintendent of documents, United States government printing office, Washington, D.C. 20402. (Authorized by and implementing K.S.A. 1999 Supp. 66-1,112, 66-1,112a, K.S.A. 66-1,112g and 66-1,129; effective Jan. 1, 1971; modified, L. 1981, ch. 424, May 1, 1981; amended May 1, 1984; amended May 1, 1985; amended May 1, 1987; amended April 30, 1990; amended Sept. 16, 1991; amended July 6, 1992; amended May 10, 1993; amended Oct. 3, 1994; amended Jan. 30, 1995; amended Jan. 4, 1999; amended, T-82-9-13-99, Sept. 13, 1999; amended March 3, 2000; amended, T-82-4-7-00, April 17, 2000; amended July 28, 2000.)

Jeffrey S. Wagaman  
Executive Director

Doc. No. 025422

## State of Kansas

Department of Health  
and EnvironmentNotice of Hearing on Proposed  
Administrative Regulations

The Kansas Department of Health and Environment, Division of Environment, Bureau of Environmental Remediation, will conduct a public hearing at 1:30 p.m. Tuesday, September 19, in Conference Room A, Kansas Department of Health and Environment, Forbes Field, Building 740, Topeka, to consider proposed amendments to the following Kansas administrative regulations: K.A.R. 28-68-1, 28-68-2, 28-68-3 and 28-68-6. A summary of the proposed regulations and their economic and environmental benefit statements follows.

**K.A.R. 28-68-1** is the definition section of the dry cleaner environmental response act (DERA). The definition for "applicant" has been added. Reference updates and spelling and grammar modifications have been included throughout.

**K.A.R. 28-68-2** is the registration of facilities section of the DERA. Section (c) describes the annual registration fee and deadline for fee payment. Section (d) describes the posting of the owner's registration number. Reference updates and spelling and grammar modifications have been included throughout.

**K.A.R. 28-68-3** is the performance standards section of the DERA. "Owner or operator of" has been included as a modifier to dry-cleaning facilities. Sections (b)(3), (b)(4) and the last sentence of (f)(1)(B) have been stricken regarding compliance with reference to January 3, 1997. Reference updates and spelling and grammar modifications have been included throughout.

**K.A.R. 28-68-6** is the section of the DERA regarding the deductible payment. The deductible payment has been increased from \$2,500 to \$5,000. Reference updates and spelling and grammar modifications have been included throughout.

The economic impact to the regulated community and the state is expected to be minimal. The capital and annual costs of compliance with the proposed regulations are minimal because the agencies have been administering the provisions of the DERA since it became effective in 1995. Persons who will bear the costs associated with the regulation changes have already been impacted by the initial costs imposed by the DERA. The proposed regulations will affect costs in the following manner:

(1) Proposed amendment K.A.R. 28-68-2(c) will require any owner/operator of a dry-cleaning facility to submit a registration fee of \$100 with their annual registration.

(2) Dry cleaners who apply to the dry cleaning facility release trust fund (DFRTF) will pay a deductible of \$5,000 to the fund.

(3) Recent changes to the DERA increased the environmental surcharge on dry-cleaning items from 2 percent to 2.5 percent.

(4) The tax imposed on dry-cleaning solvents also was increased 0.5 percent this year per the predetermined schedule in the original act.

Initial and annual costs of implementing and enforcing the proposed regulations should be minimal because additional state regulatory staff will not be required.

There are several environmental benefits to be gained from the proposed amendments. Recent changes to the DERA will enhance revenues with moneys from a \$100 registration fee, an increase of the DFRTF deductible from \$2,500 to \$5,000, and an increase in the environmental surcharge from 2 percent to 2.5 percent. The monetary increase enables the DFRTF to be liable for the payment of corrective action costs up to \$5,000,000. The environmental benefit of any corrective action will be the reduction of current and possible future threats to human health and the environment.

The inclusion of a closed, direct-coupled delivery system for solvents adds further protection to the environment from releases of dry-cleaning solvents. This performance standard is intended to reduce the number and severity of any future releases of dry-cleaning solvent to the environment.

The time period between the publication of this notice and the scheduled hearing constitutes a 60-day public comment period for the purpose of receiving written public comments on the proposed regulatory action. All interested parties may submit written comments prior to the hearing to Robert Jurgens, Kansas Department of Health and Environment, Bureau of Environmental Remediation, Assessment and Restoration Section, Forbes Field, Building 740, Topeka, 66620-0001. All interested parties will be given a reasonable opportunity to present their views orally on the proposed regulatory action during the hearing, as well as to submit their written comments at that time. In order to give all parties an opportunity to present their views, it may be necessary to require each participant to limit any oral presentation to five minutes.

Copies of the proposed amendments and the environmental impact and benefit statements may be obtained by contacting Robert Weber, Kansas Department of Health and Environment, Bureau of Environmental Remediation, Assessment and Restoration Section, (785) 296-8801. Questions pertaining to these proposed amendments should be directed to Robert Jurgens, (785) 291-3250. The draft regulations are available on KDHE's home page at <http://www.kdhe.state.ks.us/dryclean/index.html>.

The draft regulations also are available via e-mail in a Corel WordPerfect format. E-mail requests should be sent to Robert Weber at [rweber@kdhe.state.ks.us](mailto:rweber@kdhe.state.ks.us).

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed amendments and the economic impact and environmental benefit statements in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Robert Weber.

Clyde D. Graeber  
Secretary of Health  
and Environment

Doc. No. 025421

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-00-186

Application(s) for New or Expansion of Existing Swine Facilities

Name and Address of Applicant	Owner of Property Where Facility Will Be Located	Receiving Water
Husky Hogs LLC P.O. Box 8 Long Island, KS 67647	Craig Renner 1010 West Ave. Norton, KS 67654	Solomon River Basin
<b>Legal Description</b>	<b>Receiving Water</b>	
SE/4 of Section 18 & NE/4 of Section 19, T4S, R23W, Norton County	Solomon River Basin	
Application Number A-SONT-H001	Federal Permit No. KS-0095893	
This is an application for a new swine facility with a proposed capacity of 7,680 head (3,072 animal units) of swine weighing greater than 55 pounds. A new or modified permit will not be issued without additional public notice.		

Public Notice No. KS-AG-00-187/191

Pending Permits for Confined Feeding Facilities

Name and Address of Applicant	Legal Description	Receiving Water
Haverkamp Brothers Inc. Route 1, Box 37A Bern, KS 66408	NW/4 of Section 1, T1S, R12E, Nemaha County	Missouri River Basin
Kansas Permit No. A-MONM-S010		
This is a permit renewal for an existing facility for 400 head (160 animal units) of swine weighing greater than 55 pounds.		
Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided which meets or exceeds KDHE minimum requirements.		

Compliance Schedule: None, existing controls adequate.

Name and Address of Applicant	Legal Description	Receiving Water
Haverkamp Brothers Inc. Route 1, Box 37A Bern, KS 66408	SW/4 of Section 6, T1S, R13E, Nemaha County	Missouri River Basin

Kansas Permit No. A-MONM-S041

This is a permit renewal for an existing facility for 1,920 head (768 animal units) of swine weighing greater than 55 pounds.

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

Compliance Schedule: None, existing controls adequate.

Name and Address of Applicant	Legal Description	Receiving Water
Dennis Siefkes 714 N.E. 160th St. Hudson, KS 67545	SW/4 of Section 26, T21S, R12W, Stafford County	Lower Arkansas River Basin

Kansas Permit No. A-ARSF-S008

This is a new permit for an existing facility for 12 head of crate sows, 200 head of nursery pigs, and 300 head of feeder pigs for a total of 512 head (145 animal units) of swine.

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

Compliance Schedule: The approved waste management plan for the facility shall be adhered to as a condition of the permit.

Name and Address of Applicant	Legal Description	Receiving Water
Kevin Jacobs 647 N. 135th St. West Wichita, KS 67235	SE/4 of Section 14, T27S, R2W, Sedgwick County	Lower Arkansas River Basin

Kansas Permit No. A-ARSG-M041

This is a new permit for an existing facility for 80 head (112 animal units) of mature dairy cattle. New wastewater controls will be constructed to retain runoff.

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

Compliance Schedule: The approved waste management plan shall be adhered to as a condition of the permit.

Name and Address of Applicant	Legal Description	Receiving Water
Sauvage Feedyard Route 1, Box 27 Danbury, NE 69026	N1/4 of Section 6, T1S, R28W, & NE/4 of Section 1, T1S, R29W, Decatur County	Upper Republican River Basin

Kansas Permit No. A-URDC-C003 Federal Permit No. KS-0092541

This is a revision of an existing permit to reflect an expansion of pen area for feeding cattle and the construction of additional earthen retention structures. The maximum capacity will not exceed the current permitted capacity of 15,000 head (15,000 animal units) of cattle weighing greater than 700 pounds each.

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

Compliance Schedule: The most current approved waste/manure management plan shall be adhered to as a condition of the permit. Once during the term of the permit (5 years) the soil in each field that is identified by KDHE as located in a sensitive groundwater area or that has received manure or wastewater in the previous five years shall be sampled and analyzed. Test results shall be sent to the

(continued)



KDHE Hays office within 30 days of receipt of the test results. Permeability tests shall be conducted on the earthen retention structures #1, 2, 3 and 4 and results submitted to the KDHE Hays office. Additional dewatering equipment and additional disposal land shall be obtained and written verification submitted to the department within 60 days of the effective date of the permit.

### Public Notice No. KS-00-146/154

Name and Address of Applicant	Waterway	Type of Discharge
Cedar Vale, City of 702 Cedar P.O. Box 119 Cedar Vale, KS 67024	Caney River via Cedar Creek	Treated Domestic Wastewater

Kansas Permit No. M-VE05-0001 Federal Permit No. KS0116947  
Legal: NE $\frac{1}{4}$ , S14, T34S, R8E, Chautauqua County

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 and fecal coliform also will be required. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are technology based.

Name and Address of Applicant	Waterway	Type of Discharge
Elbing, City of P. O. Box 42 Elbing, KS 67041	Whitewater River via Henry Creek	Treated Domestic Wastewater

Kansas Permit No. M-WA08-0001 Federal Permit No. KS0116645  
Legal: SW $\frac{1}{4}$ , S8, T23S, R3E, Butler County

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, fecal coliform and pH. Monitoring for ammonia also will be required. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water quality based.

Name and Address of Applicant	Waterway	Type of Discharge
Jack Bengé 1940 N.W. Wilcox Court Topeka, KS 66608	Soldier Creek via Indian Creek via Unnamed Tributary	Treated Domestic Wastewater

Facility Name: Northview Mobile Home Park  
Kansas Permit No. C-KS72-TO01 Federal Permit No. KS0118583  
Legal: SE $\frac{1}{4}$ , S30, T10S, R16E, Shawnee County

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, fecal coliform, total residual chlorine and pH. Monitoring for ammonia also will be required. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water quality based.

Name and Address of Applicant	Waterway	Type of Discharge
Riley County Commissioners Riley County Public Works 110 Courthouse Plaza Manhattan, KS 66502	Big Blue River via Unnamed Tributary	Treated Domestic Wastewater

Facility Name: Tatarax Hills Subdivision Wastewater Treatment Plant  
Kansas Permit No. M-KS38-0003 Federal Permit No. KS0080501  
Legal: SE $\frac{1}{4}$ , S35, T9S, R7E, Riley County

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, fecal coli-

form, total residual chlorine and pH. Monitoring for ammonia and effluent flow also will be required. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water quality based.

Name and Address of Applicant	Waterway	Type of Discharge
Shawnee County Public Works Dept. 1515 N.W. Saline St. Topeka, KS 66608	Shunganunga Creek	Treated Domestic Wastewater

Facility Name: Sherwood Regional Wastewater Treatment Facility  
Kansas Permit No. M-KS72-DG27 Federal Permit No. KS0117731  
Legal: SW $\frac{1}{4}$ , S17, T12S, R15E, Shawnee County

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, fecal coliform, total residual chlorine and pH. Monitoring for effluent flow also will be required. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water quality based.

Name and Address of Applicant	Waterway	Type of Discharge
Silver Lake, City of P.O. Box 92 Silver Lake, KS 66539	Kansas River via Ensign Creek	Treated Domestic Wastewater

Kansas Permit No. M-KS69-0001 Federal Permit No. KS0079260  
Legal: SW $\frac{1}{4}$ , S16, T11S, R14E, Shawnee County

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 and fecal coliform also will be required. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are technology based.

Name and Address of Applicant	Waterway	Type of Discharge
Washington, City of P.O. Box 296 Washington, KS 66968	Mill Creek via Plum Creek	Treated Domestic Wastewater

Kansas Permit No. M-BB21-0001 Federal Permit No. KS0089991  
Legal: SE $\frac{1}{4}$ , S1, T3S, R3E, Washington County

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, fecal coliform and pH. Monitoring for ammonia also will be required. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water quality based.

Name and Address of Applicant	Waterway	Type of Discharge
Walker Stone Company, Inc. P.O. Box 563 Chapman, KS 67431	Smoky Hill River via Old River Oxbow	Washwater and Stormwater Runoff

Facility Name: Kansas Falls Quarry  
Kansas Permit No. I-SH04-PO02 Federal Permit No. KS0001813  
Legal: S25, T12S, R4E, Geary County

Facility Description: The proposed action is to reissue an existing permit for the discharge of wash water and stormwater run-off from this facility. This facility is a limestone crushing operation with some washing. Washwater is directed to settling basin(s) and trenches for treatment, prior to discharging. The proposed permit includes limits for total suspended solids and pH. Monitoring for sulfates also will be required. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water quality based.

<p><b>Name and Address of Applicant</b> Walker Stone Company, Inc. P.O. Box 563 Chapman, KS 67431 Facility Name: P W Quarry Kansas Permit No. I-SH04-PO03 Legal: SE¼, S3, T12S, R4E, Dickinson County</p>	<p><b>Waterway</b> Smoky Hill River via Unnamed Tributary</p>	<p><b>Type of Discharge</b> Pit Dewatering</p>
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Federal Permit No. KS0081311

**Facility Description:** The proposed action is to reissue an existing permit for the discharge of pit dewatering from this facility. This facility is a limestone quarrying and crushing operation with no washing. This quarry site has no natural drainage course. Monitoring of the effluent will not be required unless there is a significant change in the quality or quantity of the subject discharged. 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.

**Public Notice No. KS-ND-00-028/030**

<p><b>Name and Address of Applicant</b> Countryside Business Owners Assoc. Scott Becker P.O. Box 288 Meriden, KS 66512</p>	<p><b>Legal Location</b> SW¼, S18, T10S, R17E, Jefferson County</p>	<p><b>Type of Discharge</b> Nonoverflowing</p>
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Facility Name: Countryside Subdivision - Meriden  
Kansas Permit No. C-KS43-NO03

**Facility Description:** The proposed action is to reissue an existing permit for the operation of an existing wastewater treatment facility treating primarily domestic wastewater. This facility has a one-cell wastewater stabilization lagoon. Included in this permit is a schedule of compliance requiring the permittee to obtain the services of a KDHE-certified wastewater treatment plant operator. Discharge of wastewater from this treatment facility to the surface waters of the State of Kansas is prohibited by this permit. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f).

<p><b>Name and Address of Applicant</b> Park, City of City Hall P.O. Box 157 Park, KS 67751</p>	<p><b>Legal Location</b> NE¼, S7, T11S, R27W, Gove County</p>	<p><b>Type of Discharge</b> Nonoverflowing</p>
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Kansas Permit No. M-SA13-NO01

**Facility Description:** The proposed action is to reissue an existing permit for the operation of an existing wastewater treatment facility treating primarily domestic wastewater. This facility has a four-cell wastewater stabilization lagoon. Included in this permit is a schedule of compliance requiring the permittee to obtain the services of a KDHE-certified wastewater treatment plant operator. Discharge of wastewater from this treatment facility to the surface waters of the State of Kansas is prohibited by this permit. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f).

<p><b>Name and Address of Applicant</b> Woodbine, City of City Hall P.O. Box 11 Woodbine, KS 67492</p>	<p><b>Legal Location</b> SE¼, S26, T14S, R4E, Dickinson County</p>	<p><b>Type of Discharge</b> Nonoverflowing</p>
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Kansas Permit No. M-SH42-NO01

**Facility Description:** The proposed action is to reissue an existing permit for the operation of an existing wastewater treatment facility treating primarily domestic wastewater. This facility has a two-cell wastewater stabilization lagoon. Included in this permit is a schedule of compliance requiring the permittee to obtain the services of a KDHE-certified wastewater treatment plant operator. Discharge of waste-

water from this treatment facility to the surface waters of the State of Kansas is prohibited by this permit. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f).

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

All comments regarding the draft permit or application notice postmarked or received on or before August 12 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate Kansas permit number (KS-AG-00-186, KS-AG-00-187/191, KS-00-146/154, KS-ND-00-028/030) 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 copy-

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ing 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. 025437

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

**Effective 7-10-00 through 7-16-00**

Term	Rate
1-89 days	6.62%
3 months	6.09%
6 months	6.29%
12 months	6.42%
18 months	6.40%
24 months	6.31%

Derl S. Treff  
Director of Investments

Doc. No. 025420

State of Kansas

**Kansas Children's Cabinet**

**Request for Proposals**

The Kansas Children's Cabinet is accepting applications for grant proposals to fund innovative, research-driven, outcomes-based early childhood-focused prevention initiatives. The purpose of these grant applications should be to initiate, enhance or expand services or programs that affect early childhood. Applications must be postmarked by September 11 or delivered by 10 a.m. September 11. Applications postmarked after that date will not be considered.

Technical assistance for clarification of any issues related to the Request for Grant Proposals will be offered July 19, 21 and 24 regionally across the state, with specific sites to be announced. Written questions concerning the Request for Grant Proposals also can be submitted by July 31.

A copy of the Request for Grant Proposals is available upon request from the Kansas Children's Cabinet, 415 S.W. 8th Ave., Topeka, 66612, (785) 368-7044.

Joyce Cussimano  
Executive Director

Doc. No. 025426

State of Kansas

**Governmental Ethics Commission**

**Opinion No. 2000-24**

Written June 21, 2000, to the Honorable Bill Graves, Governor of the State of Kansas, Topeka.

This opinion is in response to your letter of May 31, 2000, in which you request an opinion from the Kansas Governmental Ethics Commission concerning the Campaign Finance Act (K.S.A. 25-4142 *et seq.*). We note at the outset that the Commission's jurisdiction concerning your question is limited to the application of K.S.A. 25-4142 *et seq.* Thus, whether some other statutory system, common law theory or agency rule or regulation applies to your inquiry is not covered by this opinion.

**Factual Statement**

We understand that you request this opinion in your capacity as Governor of the State of Kansas. You have explained that you will be attending the 2000 Republican National convention. During the Convention you will be casting the delegates and will be honored by an organization in recognition of your work as the Governor of Kansas. Your office has advised Commission staff that you will be fulfilling your role as a delegate for approximately one to three hours during one session of the Convention. In addition, you will be addressing different events and conducting official functions in your capacity as Governor. You have informed us that you will be performing all of these functions in your capacity as Governor and not as Bill Graves, the party delegate.

**Question**

May the Governor use campaign funds to pay for expenses associated with the Republican National Convention when he is performing functions in his capacity as Governor?

**Opinion**

K.S.A. 1999 Supp. 25-4157a is applicable to your question. It states in pertinent part:

(a) No moneys received by any candidate . . . as a contribution under this act shall be used or be made available for the personal use of the candidate and no such moneys shall be used by such candidate or the candidate committee of such candidate except for:

(2) expenses of holding political office;

For the purpose of this subsection, expenditures for "personal use" shall include expenditures to defray normal living expenses for the candidate or the candidate's family and expenditures for the personal benefit of the candidate having no direct connection with or effect upon the campaign of the candidate or the holding of public office.

Because you will only be spending approximately one to three hours as a party delegate during one session of the Convention, and the remainder of your time will be spent performing duties in your position as the Governor of Kansas, this factual situation differs from those presented in Opinion 1996-07 and 1996-14. Because the expense of attending the convention is necessitated by and has a direct connection with the office of Governor, it is

an expense of holding political office and may be paid for out of campaign funds.

#### Opinion No. 2000-25

Written June 21, 2000, to Joan S. Lewerenz, Topeka.

This opinion is in response to your letter of June 16, 2000, in which you request an opinion from the Kansas Governmental Ethics Commission concerning the state level conflict of interest laws (K.S.A. 46-215 *et seq.*). We note at the outset that the Commission's jurisdiction is limited to the application of K.S.A. 46-215 *et seq.*, and whether some other statutory system, common law theory or agency rule or regulation applies to your inquiry is not covered by this opinion.

#### Factual Statement

We understand that you are asking for this opinion in your capacity as an employee of the Kansas Department of Social and Rehabilitation Services (SRS). You have explained that in 1996 Maximus was awarded a competitively bid contract with SRS. This contract included an option to renew. Pursuant to this provision, the Maximus contract was renewed for one year. You have informed a member of our staff that there were no changes to the contract at the time of the renewal. Although you were not involved in the making of the original contract, you were substantially involved in the making of the renewal contract.

#### Question

May this state employee accept employment with Maximus?

#### Opinion

K.S.A. 1999 Supp. 46-233 is applicable to this scenario. It states in pertinent part:

(a)(2) Except as otherwise provided in this subsection, whenever any individual has participated as a state officer or employee in the making of any contract with any person or business, such individual shall not accept employment with such person or business as an employee, independent contractor or subcontractor until two years after performance of the contract is completed or until two years after the individual terminates employment as a state officer or employee, whichever is sooner. . . .

(d) Subsections (a) and (b) shall not apply to the following:

(1) Contracts let after competitive bidding has been advertised for by published notice . . .

In Opinion 1999-33, this Commission stated:

It often occurs that an original contract let after a competitive bidding process contains a provision for renewal at a specific point in time. In dealing with such contracts, the question is whether the renewed contract will be considered to be let after competitive bid pursuant to K.S.A. 46-233(d), if any of the material terms are changed. The Commission determines that if the original contract is simply renewed with no material changes, the "renewed" contract will still be considered to have been let after a competitive bid process. If, however, there are material changes which are made to the renewal contract, the renewal contract will be considered to be a negotiated contract and not a contract let after a competitive bidding process.

Because the original contract was let pursuant to an advertised competitive bid process, and because the contract was renewed with no material changes, the restrictions listed in K.S.A. 1999 Supp. 46-233(a)(2), above, do not apply. Under the facts you have provided, you may

accept employment with Maximus without violating the state level conflict of interest laws.

#### Opinion No. 2000-26

Written June 21, 2000, to Roger E. Ozias, Kansas Department of Health and Environment, Topeka.

This opinion is in response to your letter of June 15, 2000, in which you request an advisory opinion from the Kansas Governmental Ethics Commission concerning the application of the governmental ethics laws (K.S.A. 46-215 *et seq.*). We note at the outset that the Commission's jurisdiction is limited to the application of K.S.A. 46-215 *et seq.*, and whether some other statutory system, common law theory or agency rule and regulation applies to your inquiry is not covered by this opinion.

#### Factual Statement

We understand you request this opinion in your capacity as a food protection investigator with the Kansas Department of Health and Environment (KDHE). You have explained that you are considering purchasing a cotton candy business to supplement your retirement income once you retire at the end of this year. You have indicated to a member of our staff that you will begin this business while you are still employed for the KDHE as a food protection investigator. You have made arrangements to exempt yourself from all aspects of the inspection and licensing of your cotton candy business.

#### Question

May a food protection investigator for the Kansas Department of Health and Environment operate a cotton candy business while still employed by the State?

#### Opinion

K.S.A. 46-286 applies to your question. That section states in pertinent part:

(a) No state officer or employee, in the officer's or employee's official capacity, shall participate directly in the licensure, inspection or administration . . . of . . . any outside organization with which the officer or employee holds a position.

Pursuant to this statute, you would be prohibited from participating in the licensure, inspection or administration of a business that you own or operate. You have stated that you will not be involved directly in the licensure, inspection or administration or enforcement of any regulation involving the cotton candy business, and, therefore, this statute would not prohibit you from owning or operating this business.

In addition, K.S.A. 46-241 should be considered. It states:

No state officer or employee shall disclose or use confidential information acquired in the course of his or her official duties in order to further his or her own economic interest or those of any other person.

This section is self-explanatory. Confidential information obtained during your official duties with the State may not be used for your financial gain or the financial gain of another.

#### Opinion No. 2000-27

Written June 21, 2000, to Clarke Sanders, EBC, Inc., Salina.  
(continued)

This opinion is in response to your letter of June 6, 2000, in which you request an opinion from the Kansas Governmental Ethics Commission concerning the Campaign Finance Act (K.S.A. 25-4142 *et seq.*). We note at the outset that the Commission's jurisdiction concerning your question is limited to the application of K.S.A. 25-4142 *et seq.* Thus, whether some other statutory system, common law theory or agency rule or regulation applies to your inquiry is not covered by this opinion.

#### Factual Statement

We understand that you request this opinion in your capacity as a candidate for State Senate. You have explained that you are employed by EBC, Inc., which operates six radio stations in North Central Kansas. Your duties include voicing commercials and co-hosting a talk show on a local radio station. You have been advised by the National Broadcasting Association that once you become a legally qualified candidate, your company is obligated to offer your opponents free air time equal to the amount of time your voice appears on the air. In order to eliminate this burden on your employer, you are considering remaining on staff but removing yourself from all air-time activities. If this occurs, you will be required, at your own expense, to hire a replacement to fill your position as co-host for the local talk show.

#### Question

May a candidate for State Senate use campaign funds to hire a replacement to fill his position as a co-host for a local radio talk show, when the replacement is necessitated by federal equal air-time laws directly related to his candidacy?

#### Opinion

K.S.A. 1999 Supp. 25-4157a is applicable to your question. It states in pertinent part:

(a) No moneys received by any candidate . . . as a contribution under this act shall be used or be made available for the personal use of the candidate and no such moneys shall be used by such candidate or the candidate committee of such candidate except for:

- (1) Legitimate campaign purposes;
- (2) expenses of holding political office ;
- (3) contributions to the party committees of the political party of which such candidate is a member;
- (4) any membership dues or donations paid to a community service or civic organization in the name of the candidate or candidate committee of any candidate;
- (5) expenses incurred in the purchase of tickets to meals and special events sponsored by any organization the major purpose of which is to promote or facilitate the social, business, commercial or economic well being of the local community; or
- (6) expenses incurred in the purchase and mailing of greeting cards to voters and constituents.

For the purpose of this subsection, expenditures for "personal use" shall include expenditures to defray normal living expenses for the candidate or the candidate's family and expenditures for the personal benefit of the candidate having no direct connection with or effect upon the campaign of the candidate or the holding of public office.

The question presented requires this Commission to determine whether the cost of hiring a replacement for a radio talk show necessitated by federal equal air-time laws directly related to the candidacy of a candidate is for a "legitimate campaign purpose." Under the facts pre-

sented, the Commission is not persuaded that the cost of hiring a replacement for a radio talk show is a "legitimate campaign purpose." Therefore, the replacement may not be paid for with campaign funds.

#### Opinion No. 2000-28

Written June 21, 2000, to David J. Harding, Assistant Trego County Attorney, WaKeeney.

This opinion is in response to your letter of May 25, 2000, in which you request an opinion from the Kansas Governmental Ethics Commission concerning the local conflict of interest laws (K.S.A. 75-4301 *et seq.*). We note at the outset that the Commission's jurisdiction is limited to the application of K.S.A. 75-4301 *et seq.*, and whether some other statutory system, common law theory or agency rule or regulation applies to your inquiry is not covered by this opinion.

#### Factual Statement

We understand that you request this opinion in your capacity as an Assistant Trego County Attorney. You note that this Commission issued Opinion 1999-05 regarding the ability of a Trego County Commissioner, Arlene Eveleigh, to participate and vote on an amendment to the sanitation code when she and her husband owned land with a proposed housing development which would be affected by the code amendment. At that time, we stated that Ms. Eveleigh was required to file a written disclosure of substantial interests detailing the nature of her proposed housing development affected by the change, prior to taking any action which would affect her interest. You have informed us that Ms. Eveleigh has filed this disclosure form. Ms. Eveleigh and her husband are now selling the land in question and Commissioner Lloyd Nilhas has questioned whether the sale of this land raises any ethical violations of the local level conflict of interest laws.

#### Question

Pursuant to the local level conflict of interest laws, may Ms. Eveleigh and her husband sell their land?

#### Opinion

As a Trego County Commissioner, Ms. Eveleigh is governed by the local level conflict of interest laws (K.S.A. 75-4301 *et seq.*). We have reviewed those laws and find nothing that would prohibit the transaction you have described.

#### Opinion No. 2000-29

Written June 21, 2000, to Greg Krissek, Topeka.

This opinion is in response to your letter of May 21, 2000, and in which you request an opinion from the Kansas Governmental Ethics Commission concerning the state level conflict of interest laws (K.S.A. 46-215 *et seq.*). We note at the outset that the Commission's jurisdiction is limited to the application of K.S.A. 46-215 *et seq.*, and whether some other statutory system, common law theory or agency rule or regulation applies to your inquiry is not covered by this opinion.

#### Factual Statement

We understand that you are asking for this opinion in your capacity as an Assistant Secretary for the Kansas Department of Agriculture (KDA). You have explained

that your primary area of responsibility is supervising the regulatory program areas of food safety, environmental protection, and consumer protection. You have informed us that pursuant to HB 2674 the State's Grain Commodity Commissions (Commissions) will obtain legal operating authority. These Commissions may now choose to contract with the private sector, including certain commodity associations, for administration of their programs. You are considering leaving the State and accepting employment with one of these commodity associations or a with a human resource leasing company that will lease employees to the commodity association. You have informed us that you have not participated in the making of any contracts with any of the commodity associations or the human resource leasing company.

#### Questions

I. May you accept employment with a commodity association or a with a human resource leasing company that will lease employees to the commodity association without violating State Governmental Ethics laws?

II. Are there any governmental ethics laws which would prohibit you from performing lobbying functions for a commodity association?

#### Opinion

K.S.A. 1999 Supp. 46-233 applies to your first question. It states in pertinent part:

(a)(1) No state officer or employee shall in the capacity as such officer or employee be substantially involved in the preparation of or participate in the making of a contract with any person or business by which such officer or employee is employed. . . .

(2) Except as otherwise provided in this subsection, whenever any individual has participated as a state officer or employee in the making of any contract with any person or business, such individual shall not accept employment with such person or business as an employee, independent contractor or subcontractor until two years after performance of the contract is completed or until two years after the individual terminates employment as a state officer or employee, whichever is sooner. . . .

(d) Subsections (a) and (b) shall not apply to the following:

(1) Contracts let after competitive bidding has been advertised for by published notice.

Under subsection (a)(2) you would be prohibited from accepting employment as an employee, independent contractor, subcontractor or as a consultant with a company, if you, as a state employee, had participated in the making of any non-competitively bid contract with that company. Because you have not been involved in the preparation or participated in the making of a contract with your prospective employer, you would not be prohibited from accepting employment with that entity.

With respect to your second question, we have reviewed the state level governmental ethics laws and find no provision that would prohibit you from leaving state employment and then performing lobbying functions for a commodity association.

#### Opinion No. 2000-30

Written June 21, 2000, to Duane Johnson, State Librarian, Kansas State Library, Topeka.

This opinion is in response to your letter of May 19, 2000, in which you request an opinion from the Kansas

Governmental Ethics Commission concerning the state level conflict of interest laws (K.S.A. 46-215 *et seq.*). We note at the outset that the Commission's jurisdiction is limited to the application of K.S.A. 46-215 *et seq.*, and whether some other statutory system, common law theory or agency rule or regulation applies to your inquiry is not covered by this opinion.

#### Factual Statement

We understand that you are asking for this opinion in your capacity as the State Librarian. You have explained that the Bill & Melinda Gates Foundation (the Foundation) has informed you that the State of Kansas may be eligible to take part in the Foundation's State Partnership Grant program. In order to submit an application for a grant, the State Librarian must attend the State Library Grant Application Workshop which will be held in Seattle on September 6-8, 2000. The Foundation has offered to pay the airfare, lodging, ground transportation, and group meals for you and your deputy or library development director.

#### Question

May the State Librarian and his deputy or library development director accept reimbursement from the Bill & Melinda Gates Foundation for the expenses associated with attendance at the State Library Grant Application Workshop?

#### Opinion

As a state employee, your ability to accept reimbursement for these expenses is covered by K.S.A. 1999 Supp. 46-237a(d)(2). It states in pertinent part:

(d) No person subject to the provisions of this section shall solicit or accept free or special discount travel or related expenses from a source outside state government, except:

(2) when the person's presence at a meeting, seminar or event serves a legitimate state purpose or interest and the person's agency authorizes or would authorize payment for such travel and expenses.

Pursuant to this statute, so long as your presence at the Application Workshop serves a legitimate state purpose and your agency would authorize payment for the travel and expenses, you and your designated employee may accept the expenses associated with attendance at this workshop.

#### Opinion No. 2000-31

Written June 21, 2000, to Shirley A. Norris, Topeka.

This opinion is in response to your letter of May 21, 2000, and in which you request an opinion from the Kansas Governmental Ethics Commission concerning the state level conflict of interest laws (K.S.A. 46-215 *et seq.*). We note at the outset that the Commission's jurisdiction is limited to the application of K.S.A. 46-215 *et seq.*, and whether some other statutory system, common law theory or agency rule or regulation applies to your inquiry is not covered by this opinion.

#### Factual Statement

We understand that you are asking for this opinion in your capacity as a part-time employee of the Kansas Department of Health and Environment. You have ex-

(continued)

plained that you currently work in the Child Care Licensing and Registration Division performing policy and regulation development. Your duties primarily require you to write regulations for the agency. You have been offered a part-time position with the Security Benefit Group advising them on how to meet state regulations in the development of their new child care facility.

#### Question

May you operate this private consulting business while still employed by the State without violating any of the State Governmental Ethics laws?

#### Opinion

Three statutes apply to the question you have raised: K.S.A. 1999 Supp. 46-233(a), which involves participation in the making of contracts; K.S.A. 1999 Supp. 46-235, which governs restrictions on compensation of state employees; and K.S.A. 46-241, which involves the use of confidential information. Each of these statutes will be addressed in turn.

K.S.A. 1999 Supp. 46-233(a) states in pertinent part:

(a)(1) No state officer or employee shall in the capacity as such officer or employee be substantially involved in the preparation of or participate in the making of a contract with any person or business by which such officer or employee is employed. . . .

(2) Except as otherwise provided in this subsection, whenever any individual has participated as a state officer or employee in the making of any contract with any person or business, such individual shall not accept employment with such person or business as an employee, independent contractor or subcontractor until two years after performance of the contract is completed or until two years after the individual terminates employment as a state officer or employee, whichever is sooner. . . .

Under subsection (a)(1) of this provision, you would be prohibited, as a state employee, from being substantially involved in the preparation of or participation in the making of a non-competitively bid contract with the business by which you will be employed. Additionally, under subsection (a)(2) you would be prohibited from accepting employment as an employee, independent contractor, subcontractor or as a consultant with a company, if you, as a state employee, had participated in the making of any non-competitively bid contract with that company during the preceding two years.

K.S.A. 1999 Supp. 46-235 states in pertinent part:

No state officer or employee shall accept compensation for performance of official duties, other than that to which such person is entitled for such performance. . . . The receipt of wages or salary from an individual's non-state employer during a period of service as a state officer or employee shall not be construed as compensation for performance of official duties.

Pursuant to this statute, so long as it is not part of your current state duties to perform the type of service you would perform for the Security Benefit Group, K.S.A. 1999 Supp. 46-235 would not prohibit you from working for this company.

Finally, K.S.A. 46-241 states:

No state officer or employee shall disclose or use confidential information acquired in the course of his or her official duties in order to further his or her own economic interest or those of any other person.

This section is self-explanatory. Confidential information obtained during your official duties with the state

may not be used for your financial gain or the financial gain of another.

Under the circumstances presented, the state governmental ethics laws would not prohibit you from accepting employment with Security Benefit Group.

#### Opinion No. 2000-32

Written June 21, 2000, to Michael R. Murray, Director, Governmental and Public Affairs, Sprint Midwest Operations, Topeka.

This opinion is in response to your letter of June 9, 2000, in which you request an opinion from the Kansas Governmental Ethics Commission concerning the lobbying provisions of the state level conflict of interest laws (K.S.A. 46-215 *et seq.*). We note at the outset that the Commission's jurisdiction is limited to the application of K.S.A. 46-215 *et seq.*, and whether some other statutory system, common law theory or agency rule or regulation applies to your inquiry is not covered by this opinion.

#### Factual Statement

We understand that you request this opinion in your capacity as the lobbyist for Sprint Corporation (Sprint). You have explained that Sprint has several divisions including Sprint Communications Company L.P., which is Sprint's long distance division (LDD); United Telephone Company of Kansas, United Telephone of Eastern Kansas and United Telephone of South Central Kansas, which are Sprint's local telephone divisions in Kansas (LTD); and Sprint Spectrum L.P., which is Sprint's wireless service (Sprint PCS). You have informed us that all of these "divisions" are separate legal entities which generate their own revenues, have their own boards of directors and their own federal tax identification numbers.

You have explained that your salary is paid by Sprint/United Management Company (SUMC), which is a management service company providing various services to Sprint and its subsidiaries and affiliates. SUMC receives a management fee from each of the entities listed above and all of your lobbying expenses are allocated and reimbursed by each entity on whose behalf you perform services.

#### Question

If a lobbyist lobbies on behalf of the subsidiary companies, may the lobbyist register only as a lobbyist for the parent company and still spend \$100 per legislator for "recreation provided as hospitality" for each of the subsidiary companies without registering as the lobbyist for the subsidiary companies?

#### Opinion

K.S.A. 46-265(a) details the requirements for lobbyist registration. It states in pertinent part:

(a) Every lobbyist shall register with the secretary of state by completing and signing a registration form prescribed and provided by the commission. Such registration shall show the name and address of the lobbyist, the name and address of the person compensating the lobbyist for lobbying, the purpose of the employment and the method of determining and computing the compensation of the lobbyist. *If the lobbyist is compensated or to be compensated for lobbying by more than one employer or is to be engaged in more than one employment, the relevant facts listed above shall be stated separately for each employer and each employment.* Whenever any new lobbying employment or lobbying position is accepted



by a lobbyist already registered as provided in this section, such lobbyist shall report the same on forms prescribed and provided by the commission before engaging in any lobbying activity related to such new employment or position, and such report shall be filed with the secretary of state. When a lobbyist is an employee of a lobbying group or firm which contracts to lobby and not an owner or partner of such entity, the lobbyist shall report each client of the group, firm or entity whose interest the lobbyist represents. Whenever the lobbying of a lobbyist concerns a legislative matter, the secretary of state promptly shall transmit copies of each registration and each report filed under this act to the secretary of the senate and the chief clerk of the house of representatives. (Emphasis added.)

Pursuant to this statute, a lobbyist may represent more than one company so long as he or she registers as the lobbyist for that company. Therefore, if a company has subsidiary companies which are separate legal entities, the lobbyist for the parent company may represent the subsidiary companies so long as he or she registers as the lobbyist for each of those companies. Similarly, a lobbyist may not lobby on behalf of the subsidiary company until he or she registers as that company's lobbyist.

In Opinion 2000-22, this Commission determined that pursuant to K.S.A. 1999 Supp. 46-237 as amended by HB 2627, a lobbyist may spend no more than \$99.99 on hospitality in the form of recreation and \$39.99 for other gifts per legislator per calendar year for each client he or she represents. Therefore, if a lobbyist has registered as the lobbyist for a parent company and its subsidiary companies, the lobbyist may provide hospitality in the form of recreation having an aggregate value of less than \$100.00 and a gift or gifts having an aggregate value of less than \$40 in any calendar year to each legislator on behalf of the parent company and each legally recognizable subsidiary company that he or she has registered to represent.

#### Opinion No. 2000-33

Written June 14, 2000, to Kim Moore, President, United Methodist Health Ministry Fund, Hutchinson.

This opinion is in response to your letter of May 31, 2000, in which you request a reconsideration of Opinion 2000-01 from the Kansas Governmental Ethics Commission concerning the state level conflict of interest laws (K.S.A. 46-215 *et seq.*). We note at the outset that the Commission's jurisdiction is limited to the application of K.S.A. 46-215 *et seq.*, and whether some other statutory system, common law theory or agency rule or regulation applies to your inquiry is not covered by this opinion.

#### Factual Statement

We understand that you request this opinion in your capacity as President of the United Methodist Health Ministry Fund (Fund). In Opinion 2000-01 this Commission informed you that you could reimburse classified state employees for their travel and related expenses, but that you could not reimburse the classified state employees for regular meals not provided at the conference or for the ground transportation fees for travel in Washington, D.C.

In Opinion 2000-17, this Commission determined that pursuant to K.S.A. 1999 Supp. 46-237a(d)(2), a classified state employee, whose presence at a Conference serves a legitimate state purpose and whose agency would au-

thorize payment for the travel and expenses, may accept all of the expenses associated with attendance at the conference. Based upon the decision in this most recent Opinion, you request that the Commission reconsider its decision in Opinion 2000-01.

#### Question

May the Fund reimburse classified state employees for regular meals not provided at the conference and for the ground transportation fees for travel in Washington, D.C.?

#### Opinion

Based upon the decision in Opinion 2000-17, the Commission has granted your request for reconsideration.

Classified state employee's ability to accept reimbursement for these expenses is covered by K.S.A. 1999 Supp. 46-237a(d)(2). It states in pertinent part:

(d) No person subject to the provisions of this section shall solicit or accept free or special discount travel or related expenses from a source outside state government, except:

(2) when the person's presence at a meeting, seminar or event serves a legitimate state purpose or interest and the person's agency authorizes or would authorize payment for such travel and expenses.

If the classified state employee's presence at the Conference serves a legitimate state purpose, and that employee's agency authorizes or would authorize payment for such travel and expenses, the classified employee may accept all of the expenses associated with attendance at this conference including the regular meals not provided at the conference and the ground transportation fees for travel in Washington, D.C.

#### Opinion No. 2000-34

Written June 21, 2000, to David W. Walker, Ombudsman/Claims Advisor, Kansas Department of Human Resources, Topeka.

This opinion is in response to your letter dated June 6, 2000, in which you request an opinion from the Kansas Governmental Ethics Commission concerning the State level governmental ethics laws (K.S.A. 46-215 *et seq.*). We note at the outset that the Commission's jurisdiction is limited to the application of K.S.A. 46-215 *et seq.*, and whether some other statutory system, common law theory or agency rule or regulation applies to your inquiry is not covered by this opinion.

#### Factual Statement

We understand that you request this opinion in your capacity as Ombudsman/Claims Advisor for the Workers Compensation Division of the Kansas Department of Human Resources. You have explained that as a part of your state duties you are required to attend speaking engagements before groups of employers. Recently, you were asked to attend two such events. The first was a luncheon speaking engagement before an informal group of Salina employers who regularly gather for lunch to discuss issues important to small business employers. During this discussion, the gentleman who invited you purchased your lunch. The total cost was less than \$5.00. The second occasion occurred during a luncheon speech given to an

(continued)

association of physical plant managers. The association purchased your lunch, which, again, had a value of under \$5.00. In addition, the group presented you with a speaker's gift of a \$25.00 gift certificate to a local restaurant.

### Questions

May a state employee accept lunch and a speaker's gift when provided during a speech given in the performance of the employee's job duties?

### Opinion

K.S.A. 1999 Supp. 46-237a applies to this question. In pertinent part it states:

(b) No person subject to the provisions of this section shall solicit or accept any gift, economic opportunity, loan, gratuity, special discount or service provided because of such person's official position, except:

(1) A gift having an aggregate value of less than \$40 given at a ceremony or public function where the person is accepting the gift in such person's official capacity; or

(2) gifts from relatives or gifts from personal friends when it is obvious to the person that the gift is not being given because of the person's official position; or

(3) anything of value received by the person on behalf of the state that inures to the benefit of the state or that becomes the property of the state; or

(4) contributions solicited on behalf of a nonprofit organization which is exempt from taxation under paragraph (3) of subsection (c) of section 501 of the internal revenue code of 1986, as amended;

(c) No person subject to the provisions of this section shall solicit or accept free or special discount meals from a source outside of state government, except:

(1) Meals, the provision of which is motivated by a personal or family relationship or provided at events that are widely attended. An occasion is "widely attended" when it is obvious to the person accepting the meal that the reason for providing the meal is not a pretext for exclusive or nearly exclusive access to the person;

(2) meals provided at public events in which the person is attending in an official capacity;

(3) meals provided to a person subject to this act when it is obvious such meals are not being provided because of the person's official position; and

(4) food such as soft drinks, coffee or snack foods not offered as part of a meal.

Under the facts you have presented it does not appear these meetings would constitute a public event or function pursuant to K.S.A. 46-237a(b)(1) or (c)(2). Therefore, you would be prohibited from accepting these meals. However, because this is a question of first impression, this opinion is prospective in application only.

### Opinion No. 2000-35

Written June 8, 2000, to Joyce Allegrucci, Assistant Secretary, Kansas Department of Social and Rehabilitation Services, Topeka.

This opinion is in response to your letter of April 25, 2000, in which you request an opinion from the Kansas Governmental Ethics Commission concerning the state level conflict of interest laws (K.S.A. 46-215 *et seq.*). We note at the outset that the Commission's jurisdiction is limited to the application of K.S.A. 46-215 *et seq.*, and whether some other statutory system, common law theory or agency rule or regulation applies to your inquiry is not covered by this opinion.

### Factual Statement

We understand that you are asking for this opinion in your capacity as the Assistant Secretary for the Kansas Department of Social and Rehabilitation Services. You have explained that in 1995 one of your employees was substantially involved in the making of a competitively bid contract between the Children and Family Services (CFS) division of Social and Rehabilitation Services (SRS) and the Kansas Children's Service League (KCSL). This was a four year contract which contained a provision for renewal on a yearly basis. The original contract specifically provided that the shared risk provision would be "renegotiated during contract renewal after the first contract year." The first renewal contract amended several "outcome goals and indicators" and changed the "risk share" provision of the contract. For instance, the first renewal amended the risk share provision in the following manner:

(1) A fixed increase of \$1500

The Contractor will receive the Year 2 Case Rate and \$1500 for each case rate referral made during year 2.

The second and third contract renewals contained similar language as well as other terms listed as "additional contractual requirements." We understand that this employee substantially participated in the making of the renewal contracts and that the renewal contracts were not let after a competitive bidding procedure. KCSL has now extended this employee an offer of employment.

### Question

May this state employee accept employment with the Kansas Children's Service League?

### Opinion

K.S.A. 1999 Supp. 46-233 is applicable to this scenario. It states in pertinent part:

(a)(2) Except as otherwise provided in this subsection, whenever any individual has participated as a state officer or employee in the making of any contract with any person or business, such individual shall not accept employment with such person or business as an employee, independent contractor or subcontractor until two years after performance of the contract is completed or until two years after the individual terminates employment as a state officer or employee, whichever is sooner.

(d) Subsections (a) and (b) shall not apply to the following:

(1) Contracts let after competitive bidding has been advertised for by published notice.

In Opinion 1999-33, this Commission stated:

It often occurs that an original contract let after a competitive bidding process contains a provision for renewal at a specific point in time. . . . The Commission determines that if . . . there are material changes which are made to the renewal contract, the renewal contract will be considered to be a negotiated contract and not a contract let after a competitive bidding process.

We have reviewed the modifications to the original contract, in the case at hand, and determine that the changes were material. Therefore, pursuant to Opinion 1999-33 and K.S.A. 1999 Supp. 46-233, the Year Two, Three, and Four renewal contracts were not contracts let after a competitive bidding procedure; thus, the restrictions in K.S.A. 1999 Supp. 46-233(a)(2) apply. Because this employee was substantially involved in the making of these contracts, she would not be permitted to accept em-



ployment with the Kansas Children's Service League until two years after performance of the contract is completed or until two years after she terminates state employment, whichever is sooner. The Year Four contract terminates on June 30, 2000. Therefore, she would be eligible to accept employment with the Kansas Children's Service League on June 30, 2002, or two years after she leaves state employment, which ever occurs first.

**Opinion No. 2000-36**

Written June 21, 2000, to all interested persons:

Pursuant to K.S.A. 25-4159, the Kansas Governmental Ethics Commission takes the opportunity to issue its opinion clarifying the nature of the disclosure required pursuant to K.S.A. 1999 Supp. 25-4156.

**Opinion**

K.S.A. 1999 Supp. 25-4156 states in pertinent part:

- (b) (1) Corrupt political advertising of a state or local office is:
  - (A) Publishing or causing to be published in a newspaper or other periodical any paid matter which expressly advocates the nomination, election or defeat of a clearly identified candidate for a state or local office, unless such matter is followed by the word "advertisement" or the abbreviation "adv." in a separate line together with the name of the chairperson or treasurer of the political or other organization sponsoring the same or the name of the individual who is responsible therefor;
  - (B) broadcasting or causing to be broadcast by any radio or television station any paid matter which expressly advocates the nomination, election or defeat of a clearly identified candidate for a state or local office, unless such matter is followed by a statement which states: "Paid for" or "Sponsored by" followed by the name of the sponsoring organization and the name of the chairperson or treasurer of the political or other organization sponsoring the same or the name of the individual who is responsible therefor; or
  - (C) publishing or causing to be published any brochure, flier or other political fact sheet which expressly advocates the nomination, election or defeat of a clearly identified candidate for a state or local office, unless such matter is followed by the name of the chairperson or treasurer of the political or other organization sponsoring the same or the name of the individual who is responsible therefor.

In Opinion 1994-22, with respect to what is now subsection (b)(1)(A), the Commission stated:

From a review of K.S.A. 25-4156(b)(1) it is our opinion that the following rules apply:

- 1. If the advertisement is placed by a political committee, the chairperson's name must appear.

- 2. If the ad is placed by a candidate or candidate committee, the treasurer shall be listed as the responsible person.
- 3. If the advertisement is placed by an organization other than a political committee, candidate, or candidate committee, which has a chairperson, the chairperson's name must appear.
- 4. If the ad is placed by an organization other than a political committee, candidate, or candidate committee which does not have a chairperson, then the responsible individual listed shall be:
  - (a) The individual who is the primary funding source.
  - (b) If no individual is the primary funding source, then the individual who controlled the decision to place the ad.
  - (c) If no one individual controlled the decision, then the individual who controlled the funds.
- 5. If the ad is placed by an individual, that individual's name shall appear.
- 6. Under no circumstance is the name of the organization alone sufficient.

The Commission now determines that the above quoted language applies to subsections (b)(1)(A)-(C). Therefore, all items requiring the disclosure of the responsible party shall list either the chairperson, treasurer or other responsible party in accord with the rules listed above.

In addition, the Commission notes that the disclosure required pursuant to subsections (b)(1)(A)-(C) must appear at the bottom of the item and must contain both the name of the responsible party and the name of the organization which the responsible party represents. For guidance, the Commission provides the following examples of adequate disclosures placed at the bottom of the item:

- Paid for by the John Doe Campaign, Jane Doe, treasurer.
- Paid for by John Doe for County Treasurer, Jane Doe, treasurer.
- Sponsored by Committee to elect Jane Doe, John Doe, Chairman.
- Paid for by ABC Political Action Committee, Jane Doe, Treasurer.

**Advertisement**

Paid for by Committee to elect Jane Doe, John Doe, Chairman.

Only individuals who make an independent expenditure of \$2,500 or more are permitted to list only their name at the end of the item.

The Commission notes that individuals making expenditures in an aggregate amount of less than \$2,500 within a calendar year who publish brochures, fliers or political fact sheets need not provide any disclosure.

Daniel Severt  
Chairman

Doc. No. 025404

**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
1-9-23	Amended (T)	V. 19, p. 243
1-9-23	Amended	V. 19, p. 944
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
1-49-1	Amended	V. 19, p. 724

**AGENCY 3: KANSAS STATE TREASURER**

Reg. No.	Action	Register
3-2-1	New	V. 19, p. 1016
3-2-2	New	V. 19, p. 1016
3-2-3	New	V. 19, p. 1016

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**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 16: ATTORNEY GENERAL**

Reg. No.	Action	Register
16-6-1	Amended	V. 19, p. 399

**AGENCY 17: STATE BANK COMMISSIONER**

Reg. No.	Action	Register
17-22-1	Amended	V. 19, p. 500
17-23-16	Amended	V. 19, p. 500
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
28-4-501	Amended	V. 19, p. 422
28-4-503	Amended	V. 19, p. 423
28-4-504	Amended	V. 19, p. 423
28-4-505	Amended	V. 19, p. 423
28-4-513	Amended	V. 19, p. 423
28-4-530	Revoked	V. 19, p. 423
28-4-531	Revoked	V. 19, p. 423
26-16-28b through 28-16-28f	Amended	V. 18, p. 1021-1033
28-17-15	Amended (T)	V. 19, p. 680
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
28-19-729	New	V. 19, p. 565
28-19-729a through 28-19-729h	New	V. 19, p. 566-569
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
28-29-1100 through 28-29-1107	New	V. 19, p. 941-943
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
28-38-18 through 28-38-23	Amended	V. 19, p. 1078-1080
28-38-26	Amended	V. 19, p. 1081
28-38-28	Amended	V. 19, p. 1081
28-38-29	Amended	V. 19, p. 1081
28-38-30	New	V. 19, p. 1082
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
28-72-51	through	
28-72-54	New	V. 19, p. 989, 990

**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
30-5-64	Amended	V. 19, p. 304
30-5-309	Amended	V. 19, p. 988
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
40-3-26	Amended	V. 19, p. 303
40-3-27	Revoked	V. 19, p. 680
40-3-32	Amended	V. 19, p. 303
40-3-33	Amended	V. 18, p. 1016
40-3-45	Amended	V. 19, p. 303
40-3-49	Amended	V. 19, p. 303
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 49: DEPARTMENT OF HUMAN RESOURCES**

Reg. No.	Action	Register
49-45-1	through	
49-45-4	Amended	V. 19, p. 504
49-45-4a	New	V. 19, p. 504
49-45-5	through	
49-45-9	Amended	V. 19, p. 504
49-45-20	through	
49-45-28	Amended	V. 19, p. 504, 505
49-45-29	through	
49-45-34	New	V. 19, p. 505
49-45a-1	Amended	V. 19, p. 505
49-45a-2	through	
49-45a-27	Revoked	V. 19, p. 506
49-46-1	Amended	V. 19, p. 506
49-47-1	Amended	V. 19, p. 507
49-47-1a	New	V. 19, p. 507
49-47-1b	New	V. 19, p. 507
49-47-2	Amended	V. 19, p. 507
49-48-1	Amended	V. 19, p. 508
49-49-1a	New	V. 19, p. 508
49-50-1	through	
49-50-4	Amended	V. 19, p. 509, 510
49-50-6	through	
49-50-15	Amended	V. 19, p. 510-513
49-50-17	through	
49-50-20	Amended	V. 19, p. 513, 514
49-50-21	New	V. 19, p. 514
49-50-22	New	V. 19, p. 515
49-51-1	Amended	V. 19, p. 515
49-51-2	Amended	V. 19, p. 515
49-51-3	Amended	V. 19, p. 515
49-51-3a	New	V. 19, p. 516
49-51-6	through	
49-51-12	Amended	V. 19, p. 516-518
49-51-14	Revoked	V. 19, p. 518
49-52-5	through	
49-52-9	Amended	V. 19, p. 518-520
49-52-11	Amended	V. 19, p. 520
49-52-13	Amended	V. 19, p. 520
49-52-14	Amended	V. 19, p. 521
49-52-15	Revoked	V. 19, p. 521
49-52-16	New	V. 19, p. 521
49-52-17	New	V. 19, p. 521
49-54-1	through	
49-54-3	Revoked	V. 19, p. 521

**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
60-6-101	Amended	V. 19, p. 344
60-7-101	Amended	V. 18, p. 52

60-11-101	Amended	V. 19, p. 344
60-11-103	Amended	V. 19, p. 345
60-11-104a	Amended	V. 19, p. 346
60-11-106	Amended	V. 19, p. 346
60-11-108	Revoked	V. 19, p. 346
60-16-101	Amended	V. 18, p. 1558
60-16-102	Amended	V. 18, p. 1558
60-16-104	Amended	V. 18, p. 1559
60-17-101	through	
60-17-111	New	V. 19, p. 346-350

**AGENCY 63: BOARD OF MORTUARY ARTS**

**AGENCY 65: BOARD OF EXAMINERS IN OPTOMETRY**

Reg. No.	Action	Register
65-5-6	Amended	V. 19, p. 839
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 67: BOARD OF HEARING AID EXAMINERS**

Reg. No.	Action	Register
67-2-4	Amended	V. 19, p. 626
67-3-2	Amended	V. 19, p. 626
67-4-7	Amended	V. 19, p. 626
67-4-10	Amended	V. 19, p. 626
67-4-13	New	V. 19, p. 626
67-5-3	Amended	V. 19, p. 626
67-5-4	Amended	V. 19, p. 626
67-6-4	Amended	V. 19, p. 626
67-7-4	Amended	V. 19, p. 627

**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
68-5-1	Amended	V. 19, p. 501
68-5-15	New	V. 18, p. 993
68-7-11	Amended	V. 19, p. 501
68-7-12	Amended	V. 18, p. 1815
68-7-14	Amended	V. 19, p. 502
68-7-18	Amended	V. 19, p. 503
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
68-20-17	Amended	V. 18, p. 1820
68-20-18	Amended	V. 18, p. 1820
68-20-19	Amended	V. 18, p. 1821

(continued)

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
71-1-20	New	V. 19, p. 573
71-1-21	New	V. 19, p. 573
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 75: STATE BANKING DEPARTMENT**

Reg. No.	Action	Register
75-6-2	Revoked	V. 19, p. 1082
75-6-6	Revoked	V. 19, p. 1082
75-6-24	Revoked	V. 19, p. 1082
75-6-26	Amended	V. 19, p. 1082
75-6-30	New	V. 19, p. 1082
75-6-31	New	V. 19, p. 1083

**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	Revoked	V. 18, p. 1237
80-53-6	Revoked	V. 18, p. 1237
80-54-1	Revoked	V. 18, p. 1237
80-54-4	Revoked	V. 18, p. 1237
80-55-1	Revoked	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	Revoked	V. 18, p. 276
82-3-908	New	V. 18, p. 276, 277
82-4-3	Amended (T)	V. 19, p. 575
82-4-3	Amended	V. 19, p. 208
82-4-6d	Amended	V. 19, p. 1083
82-4-8a	Amended	V. 19, p. 1084
82-4-8b	New	V. 19, p. 1085
82-4-20	Amended	V. 19, p. 1085
82-4-23	Amended	V. 19, p. 1085
82-4-24a	Amended	V. 19, p. 1085
82-4-27c	Amended	V. 19, p. 1085
82-4-27e	Amended	V. 19, p. 1086
82-4-27f	Revoked	V. 19, p. 1087
82-4-27g	Amended	V. 19, p. 1087
82-4-30a	Amended	V. 19, p. 1087
82-4-31	Amended	V. 19, p. 1087
82-4-32	Amended	V. 19, p. 1087
82-4-33	Amended	V. 19, p. 1087
82-4-35a	Amended	V. 19, p. 1088
82-4-37	Amended	V. 19, p. 1088
82-4-42	Amended	V. 19, p. 1088
82-4-57	Amended	V. 19, p. 1088
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
91-1-61	Revoked	V. 19, p. 680
91-12-22	Revoked	V. 19, p. 680
91-12-23	Revoked	V. 19, p. 680
91-12-24a	Revoked	V. 19, p. 680
91-12-25	Revoked	V. 19, p. 680
91-12-27	Revoked	V. 19, p. 680
91-12-28	Revoked	V. 19, p. 680
91-12-30	Revoked	V. 19, p. 680
91-12-33	Revoked	V. 19, p. 680

91-12-35	Revoked	V. 19, p. 680, 681
91-12-42	Revoked	V. 19, p. 681
91-12-44	Revoked	V. 19, p. 681
91-12-69	Revoked	V. 19, p. 682
91-12-71	Revoked	V. 19, p. 682
91-12-74	Revoked	V. 19, p. 682
91-22-1a	New	V. 19, p. 682
91-22-2	Amended	V. 19, p. 683
91-22-3	Revoked	V. 19, p. 683
91-22-4	Amended	V. 19, p. 683
91-22-5a	Amended	V. 19, p. 683
91-22-7	Amended	V. 19, p. 683
91-22-8	Revoked	V. 19, p. 683
91-22-9	Amended	V. 19, p. 683
91-22-10	Revoked	V. 19, p. 684
91-22-18	Amended	V. 19, p. 684
91-22-19	Revoked	V. 19, p. 684
91-22-21	Amended	V. 19, p. 684
91-22-22	Revoked	V. 19, p. 684
91-22-23	Revoked	V. 19, p. 684
91-22-24	Revoked	V. 19, p. 684
91-22-25	Amended	V. 19, p. 684
91-22-26	Revoked	V. 19, p. 685
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	Revoked	V. 18, p. 1823-1828
91-38-10	New	V. 18, p. 1823-1828
91-40-1	Revoked	V. 19, p. 685-691
91-40-5	New	V. 19, p. 685-691
91-40-7	Revoked	V. 19, p. 692-695
91-40-12	New	V. 19, p. 692-695
91-40-16	Revoked	V. 19, p. 695-697
91-40-19	New	V. 19, p. 697
91-40-21	New	V. 19, p. 697
91-40-22	New	V. 19, p. 697
91-40-24	Revoked	V. 19, p. 698-700
91-40-31	New	V. 19, p. 698-700
91-40-33	Revoked	V. 19, p. 700-702
91-40-39	New	V. 19, p. 700-702
91-40-41	Revoked	V. 19, p. 702-704
91-40-48	New	V. 19, p. 702-704
91-40-50	Revoked	V. 19, p. 705, 706
91-40-53	New	V. 19, p. 705, 706

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

Reg. No.	Action	Register
99-25-1	Amended	V. 18, p. 189
99-26-1	Amended	V. 19, p. 840
99-27-1	Amended	V. 19, p. 840

**AGENCY 100: BOARD OF HEALING ARTS**

Reg. No.	Action	Register
100-6-2	Amended (T)	V. 18, p. 1747
100-6-2	Amended	V. 19, p. 241
100-7-1	Amended	V. 19, p. 1044
100-10a-1	Amended	V. 19, p. 241
100-10a-3	Amended	V. 19, p. 241
100-11-5	Revoked	V. 18, p. 1230
100-22-3	New	V. 19, p. 571
100-24-3	New	V. 18, p. 483
100-55-1	Revoked	V. 19, p. 1017-1020
100-55-9	Amended	V. 19, p. 1020
100-55-11	New	V. 19, p. 571
100-60-9	Amended	V. 19, p. 571
100-60-10	Amended	V. 19, p. 571
100-60-13	Amended	V. 19, p. 572

**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		
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 110: DEPARTMENT OF COMMERCE AND HOUSING**

Reg. No.	Action	Register
110-6-1	Amended (T)	V. 19, p. 677
110-6-1a	New (T)	V. 19, p. 677
110-6-2	Amended (T)	V. 19, p. 678
110-6-3	Amended (T)	V. 19, p. 678
110-6-4	Amended (T)	V. 19, p. 679
110-6-5	Amended (T)	V. 19, p. 679

**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
111-2-30	Amended	V. 19, p. 1045
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
111-2-103	New	V. 19, p. 1089
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
111-2-111	New	V. 19, p. 811
111-3-1	Amended	V. 19, p. 1090
111-3-12	Amended	V. 19, p. 16
111-3-13	Amended	V. 19, p. 1045
111-3-14	Amended	V. 19, p. 521
111-3-20	Amended	V. 19, p. 17
111-3-35	Amended	V. 19, p. 177
111-4-580	Amended	V. 19, p. 1046
111-4-583	Amended	V. 19, p. 1046
111-4-584	Amended	V. 19, p. 1047
111-4-585	Amended	V. 19, p. 1047
111-4-878	Amended	V. 19, p. 1047
111-4-880	Amended	V. 19, p. 1091
111-4-881	Amended	V. 19, p. 1091
111-4-882	Amended	V. 19, p. 1048
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		
111-4-1636	New	V. 19, p. 177-181
111-4-1617	Amended	V. 19, p. 19
111-4-1637		
111-4-1649	New	V. 19, p. 19-22
111-4-1673		
111-4-1698	New	V. 19, p. 522-528
111-4-1686		
111-4-1689	Amended	V. 19, p. 811, 812
111-4-1699		
111-4-1711	New	V. 19, p. 812-815
111-4-1712		
111-4-1715	New	V. 19, p. 1092
111-4-1718		
111-4-1729	New	V. 19, p. 1048-1051

111-4-1730	through	
111-4-1758	New	V. 19, p. 1093-1101
111-5-30	Amended	V. 19, p. 529
111-5-77	New	V. 19, p. 529
111-5-78	New	V. 19, p. 815
111-6-1	Amended	V. 19, p. 529
111-6-5	Amended	V. 19, p. 530
111-6-24	New	V. 19, p. 531
111-7-73	Amended	V. 19, p. 531
111-7-77	Amended	V. 19, p. 531
111-7-78	Amended	V. 19, p. 532
111-7-80	Amended	V. 19, p. 532
111-7-81	Amended	V. 19, p. 533
111-7-126	Amended	V. 19, p. 534

**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**

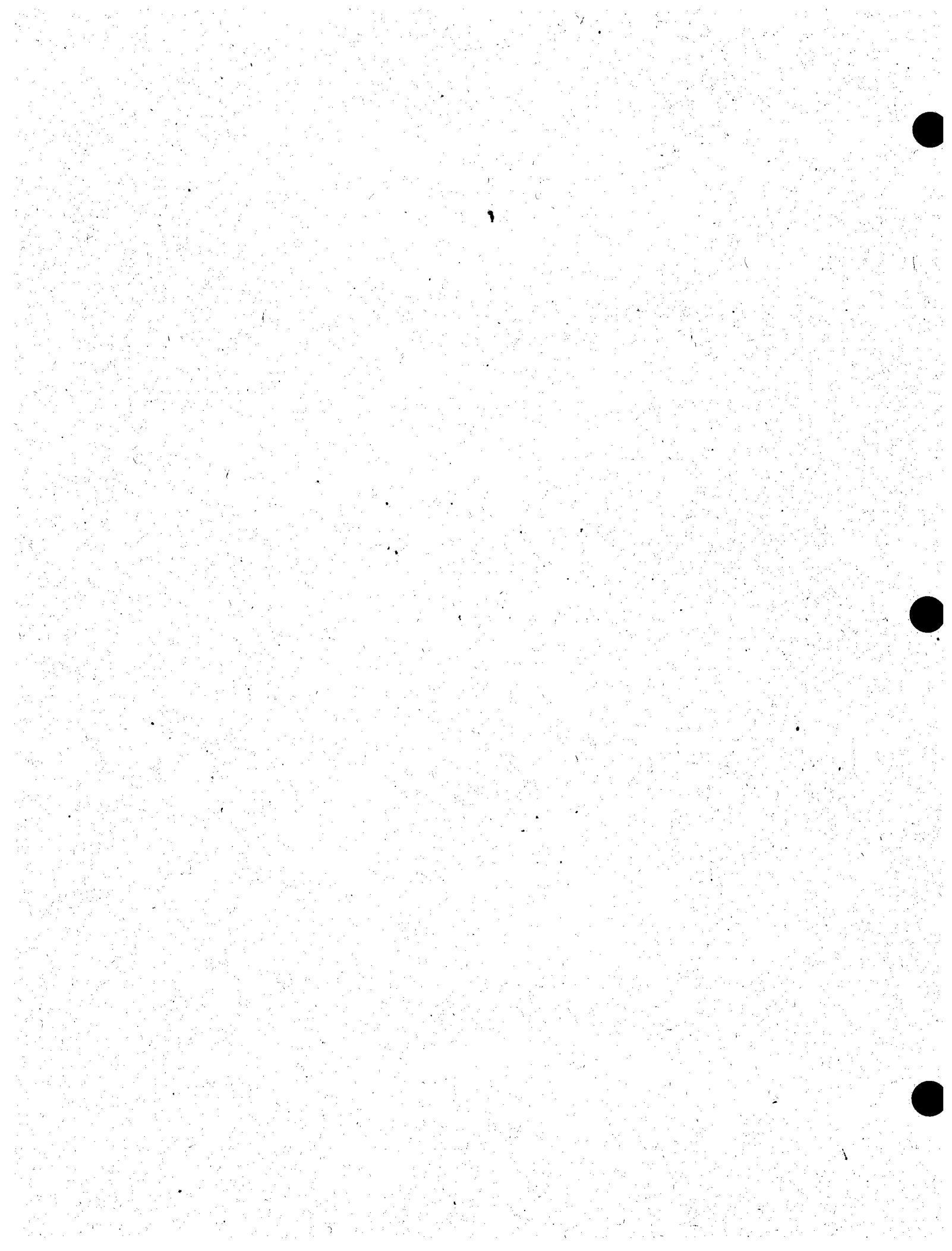
Reg. No.	Action	Register
115-2-1	Amended	V. 18, p. 1019
115-4-1	Amended	V. 19, p. 1137
115-4-3	Amended	V. 19, p. 1138
115-4-5	Amended	V. 19, p. 1139
115-4-6	Amended	V. 19, p. 1140
115-4-7	Amended	V. 19, p. 1142
115-4-13	Amended	V. 18, p. 1020
115-5-2	Amended	V. 18, p. 1723
115-7-1	Amended	V. 18, p. 1334
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
115-18-16	New (T)	V. 19, p. 242
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
117-6-3	Amended	V. 19, p. 472
117-7-1	Amended	V. 19, p. 41
117-8-1	Amended	V. 19, p. 473
117-9-1	Amended	V. 19, p. 41

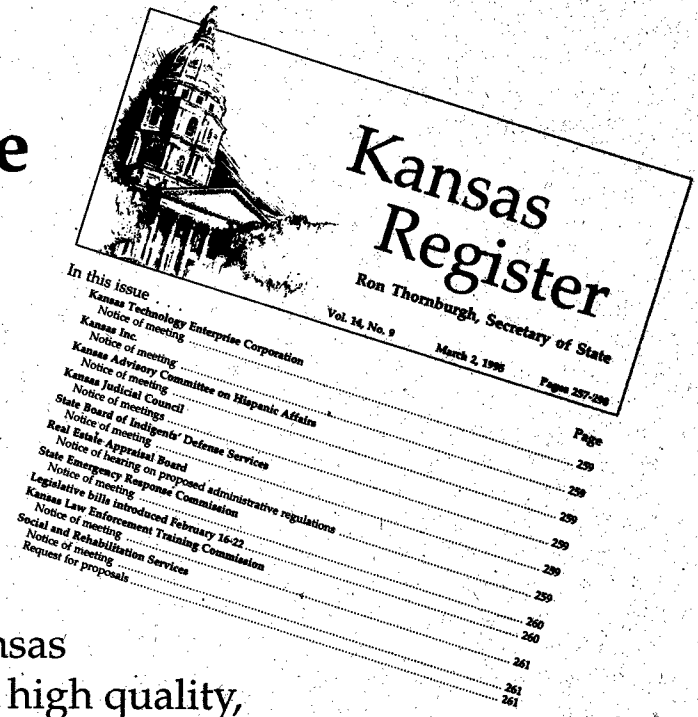
**AGENCY 118: KANSAS STATE HISTORICAL SOCIETY**

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



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