

# Kansas Register

Ron Thornburgh, Secretary of State

Vol. 20, No. 14    April 5, 2001    Pages 439-476

In this issue . . .	Page
<b>State Employees Health Care Commission</b>	
Notice of meeting .....	441
<b>Department of Human Resources</b>	
Request for comments on the Senior Employment Services Coordination Plan .....	441
<b>Kansas Commission on Veterans' Affairs</b>	
Notice of meeting .....	441
<b>Kansas Judicial Council</b>	
Notice of meetings .....	441
<b>Kansas Department of Transportation</b>	
Notice to contractors .....	441
<b>Secretary of State</b>	
Usury rate for April .....	441
Code mortgage rate for April .....	449
<b>Social and Rehabilitation Services</b>	
Notice of meeting .....	443
<b>Department of Administration—Division of Purchases</b>	
Notice to bidders for state purchases .....	443
<b>Pooled Money Investment Board</b>	
Notice of investment rates .....	444
<b>Kansas Department of Health and Environment</b>	
Requests for comments on proposed air quality permits .....	444
Requests for comments on proposed water pollution control permits .....	445
Notice concerning Kansas water pollution control permits .....	446
<b>Permanent Administrative Regulations</b>	
Board of Nursing .....	449
Department of Revenue—Division of Property Valuation .....	452
Department of Health and Environment .....	453
<b>Kansas Supreme Court</b>	
Docket for April .....	461
<b>Legislative bills and resolutions introduced March 22-28 .....</b>	<b>463</b>
<b>Department of Administration—Division of Architectural Services</b>	
Notice of commencement of negotiations for engineering services .....	464
<b>Notice of Bond/Note Sale</b>	
Grant County .....	464
Shawnee County .....	465

(continued on next page)

New State Laws

House Bill 2185, concerning improvement districts; concerning the issuance of revenue bonds..... 466

House Bill 2270, authorizing the state board of regents to exchange and convey certain tracts of real estate..... 467

House Bill 2193, relating to payday loans; limiting number of loans to same borrower..... 467

Senate Bill 29, relating to Kansas insurance coverage for children; concerning the six month waiting period..... 468

Senate Bill 178, concerning intoxicating liquors; relating to licensees under the liquor control act..... 468

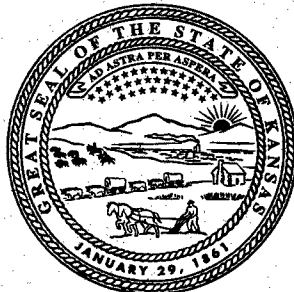
Index to administrative regulations..... 470

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State of Kansas

State Employees Health Care Commission

Notice of Meeting

The State Employees Health Care Commission will meet at 1:30 p.m. Monday, April 16, in the old Supreme Court Room, 313-South, State Capitol, 300 S.W. 10th Ave., Topeka. This single-agenda meeting is to allow entities identified in K.S.A. 75-6506(e) to provide information to the Health Care Commission about participation in the State of Kansas Health Care Benefits Program. Persons desiring to provide testimony should contact the Benefits Office at (785) 296-6280.

Dan Stanley  
Chair

Doc. No. 026397

State of Kansas

Secretary of State

Usury Rate for April

Pursuant to the provisions of K.S.A. 16-207, the maximum effective rate of interest per annum for notes secured by all real estate mortgages and contracts for deed for real estate (except where the note or contract for deed permits adjustment of the interest rate, the term of the loan or the amortization schedule) executed during the period of April 1, 2001 through April 30, 2001, is 8.51 percent.

Ron Thornburgh  
Secretary of State

Doc. No. 026389

State of Kansas

Department of Human Resources

Request for Comments

The Kansas Department of Human Resources is soliciting comments on a draft of the Program Year 2001 State Senior Employment Services Coordination Plan. The reauthorized Older American Act (OAA) contains language requiring the governor of each state to complete an annual plan intended to improve coordination among organizations that can be engaged in older worker activities and to enhance employment services for older workers.

The draft Program Year 2001 State Senior Employment Services Coordination Plan is available on the KDHR Web site, [www.hr.state.ks.us](http://www.hr.state.ks.us), and the Kansas Department on Aging Web site, [www.k4s.org/kdoa](http://www.k4s.org/kdoa). Questions and comments concerning this plan should be directed to Toni Wellshear, Older Worker Programs Coordinator, KDHR, 401 S.W. Topeka Blvd., Topeka, 66603, e-mail: [tmwells@hr.state.ks.us](mailto:tmwells@hr.state.ks.us). Comments must be received not later than April 20. The final Program Year 2001 State Senior Employment Services Coordination Plan will be posted when available.

Richard E. Beyer  
Secretary of Human Resources

Doc. No. 026393

State of Kansas

Commission on Veterans' Affairs

Notice of Meeting

The Kansas Commission on Veterans' Affairs will meet at 1 p.m. Friday, April 20, in the Eisenhower Auditorium at the Kansas Soldiers' Home, Fort Dodge. The public is invited to attend. For further information, call (785) 296-3976.

Stoney Wages  
Executive Director

Doc. No. 026395

State of Kansas

Kansas Judicial Council

Notice of Meetings

The Kansas Judicial Council and its advisory committees will meet according to the following schedule at the Kansas Judicial Center, 301 S.W. 10th Ave., Topeka.

Date	Committee	Time	Location
April 20	Probate Law	9:30 a.m.	Room 259
April 20	PIK-Civil	9:30 a.m.	Room 275
April 27	G&C	9:30 a.m.	Room 259
April 27	Juvenile Offender/ Child in Need of Care	9:30 a.m.	Room 275
May 18	Probate Law	9:30 a.m.	Room 259
May 18	PIK-Civil	9:30 a.m.	Room 275
May 25	Juvenile Offender/ Child in Need of Care	9:30 a.m.	Room 275
June 22	Juvenile Offender/ Child in Need of Care	9:30 a.m.	Room 275
June 29	Judicial Council	9:00 a.m.	Room 259
July 27	Juvenile Offender/ Child in Need of Care	9:30 a.m.	Room 275
August 24	Juvenile Offender/ Child in Need of Care	9:30 a.m.	Room 275

Hon. Tyler C. Lockett  
Chair

Doc. No. 026388

State of Kansas

Department of Transportation

Notice to Contractors

Sealed proposals for the construction of road and bridge work in the following Kansas counties will be received at the Bureau of Construction and Maintenance, KDOT, Topeka, or at the Capitol Plaza Hotel, Topeka, until 2 p.m. April 18 and then publicly opened:

District One - Northeast

**Brown**—20-7 K-8272-01 - K-20, 1 mile (1.6 kilometers) east of county route 1265, east 2 miles (3.2 kilometers), installation of deer delineators. (State Funds)

**Brown-Nemaha**—106 K-8333-01 - U.S. 73 from the north city limits of Hiawatha northwest to the Kansas-Nebraska state line; U.S. 75 from the junction of K-246 north to the Brown-Nemaha county line; U.S. 75 from the Brown-Nemaha county line northwest to the Kansas-Nebraska state line, 18.5 miles (29.8 kilometers), crack repair. (State Funds)

(continued)

**District—106 K-5925-01** - Various locations in District 1, 77 miles (123.9 kilometers), signing. (State Funds)

**Douglas—59-23 K-8383-01** - U.S. 59 from the Franklin-Anderson county line north to the south city limits of Lawrence, 12.7 miles (20.5 kilometers), crack repair. (State Funds)

**Jefferson-Leavenworth—92-106 K-8385-01** - K-92, 0.1 mile (0.2 kilometer) south of the north city limits of McLouth north to the Jefferson-Leavenworth county line; K-92 from the Jefferson-Leavenworth county line east to 15th Street in Leavenworth, 21 miles (33.8 kilometers), crack repair. (State Funds)

**Leavenworth—24-52 K-8384-01** - U.S. 24 from the Douglas-Leavenworth county line north to the junction of K-16, 9.4 miles (15 kilometers), sealing. (State Funds)

**Nemaha—66 C-3541-01** - County road 7 miles (9.4 kilometers) south of Seneca and 1 mile (1.6 kilometers) west of K-63, 0.1 mile (0.2 kilometer), grading, bridge and surfacing. (Federal Funds)

**Nemaha—75-66 K-7945-01** - U.S. 75, Rock Creek bridge, bridge overlay. (State Funds)

**Osage—56-70 K-2037-01** - U.S. 56 Missouri Pacific Railroad overpass bridge 26, 5.7 miles (9.2 kilometers) east of U.S. 75, bridge removal. (Federal Funds)

**Osage—56-70 K-6418-01** - U.S. 56 Smith Creek, 0.7 mile (1.2 kilometers) north of the south junction of K-31, bridge replacement. (Federal Funds)

**Riley—77-81 K-7949-01** - U.S. 77 culvert 4.8 miles (7.7 kilometers) north of the south junction of K-82, culvert construction. (State Funds)

**Wabaunsee—4-99 K-6407-01** - K-4, Mission Creek drainage/Higby Creek drainage, bridge replacement. (Federal Funds)

#### District Two - Northcentral

**Chase—177-9 K-7958-01** - K-177, Cottonwood River, bridge repair. (State Funds)

**Clay—14 C-3125-01** - County road 3 miles (4.8 kilometers) north and 5 miles (8 kilometers) west of Green, 0.2 mile (0.4 kilometer), grading and bridge. (Federal Funds)

**Ellsworth—156-27 K-8380-01** - K-156 from the junction of K-140 north to I-70, 10.7 miles (17.2 kilometers), crack repair. (State Funds)

#### District Three - Northwest

**Ellis—70-26 K-7303-01** - I-70 from the junction of U.S. 183 east to the Ellis-Russell county line, 15.6 miles (25.1 kilometers), overlay. (State Funds)

**Ellis—255-26 K-8386-01** - K-255, from I-70 south to the north city limits of Victoria, 1.1 miles (1.7 kilometers), milling and overlay. (State Funds)

**Ellis—26 U-1752-01** - West 13th and Dorrance in Ellis, 0.6 mile (0.09 kilometer), grading, bridge and surfacing. (Federal Funds)

**Ellis—26 U-1802-01** - Gustad Drive at Big Creek, 0.16 mile (0.25 kilometer), grading, bridge and surfacing. (Federal Funds)

**Norton—283-69 K-5752-01** - U.S. 283 from the junction of U.S. 36 in Norton north to the Kansas-Nebraska state line, 11.3 miles (18.2 kilometers), grading, bridge and surfacing. (Federal Funds)

**Norton—36-69 K-7188-01** - Intersection of U.S. 36 and U.S. 283 in Norton, 0.2 mile (0.3 kilometer), grading and surfacing. (State Funds)

**Wallace—40-100 K-5900-01** - U.S. 40 safety rest area east of Wallace, safety rest area improvement. (State Funds)

#### District Four - Southeast

**Montgomery—166-63 K-6698-01** - Intersection of U.S. 166 and U.S. 169 in Coffeyville, 0.09 mile (0.15 kilometer), grading and surfacing. (State Funds)

#### District Five - Southcentral

**Butler—8 K-2831-05** - El Dorado State Park, surfacing. (State Funds)

**Butler—8 U-1701-01** - Old U.S. 54 north to Belmont, 1.9 miles (3 kilometers), grading and surfacing. (Federal Funds)

**Harper—160-39 K-6700-01** - Intersection of U.S. 160 and K-14 in Harper, 0.2 mile, (0.3 kilometer), grading and surfacing. (State Funds)

**Harper—160-39 K-7975-01** - U.S. 160 East Spring Creek and Chikaskia River, bridge overlay. (State Funds)

**Sedgwick—87 C-3585-01** - Clearwater east to Viola, 6.1 miles (9.9 kilometers), grading and surfacing. (Federal Funds)

**Sedgwick—235-87 K-7978-01** - I-235 bridges over the Union Pacific Railroad, bridge overlay. (State Funds)

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

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

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

E. Dean Carlson  
Secretary of Transportation

Doc. No. 026365

State of Kansas

Social and Rehabilitation Services

Notice of Meeting

The Child Care and Development Fund (CCDF) Act requires each state, territorial and tribal child care lead agency to hold at least one public hearing every two years to provide the public an opportunity to comment on the child care services provided under the CCDF. The public hearing is a requirement of receiving federal funds for child care.

SRS will conduct one public meeting prior to the development of the Kansas State Child Care Plan. The meeting will be 10:30 a.m. Thursday, April 26 (during the Statewide Child Care and Early Education Advisory Committee meeting) in Room B of the SRS Learning Center, Topeka State Hospital grounds, 300 S.W. Oakley, Topeka.

Copies of the current Kansas State Child Care State Plan may be viewed at www.srskansas.org/kidsnet/careassistance. Written comments also may be sent to Jean Morgan, Children and Family Policy, Child Care and Early Childhood Development, 5th Floor, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612.

Janet Schalansky
Secretary of Social and Rehabilitation Services

Doc. No. 026391

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, April 16, 2001

02996

Kansas Bureau of Investigation—Double Take Software and Services

03111

Emporia State University—Greenhouse

03121

University of Kansas—Controller for Bio-Mechanical Testing

Tuesday, April 17, 2001

03114

Fort Hays State University—Exterior Door Hardware

Wednesday, April 18, 2001

03134

Department of Administration, Central Motor Pool—Cargo Vans

Thursday, April 19, 2001

A-8860(A)

Juvenile Justice Authority—225-Bed Combined Maximum Security/Classification Facility, Phase 1, Building Demolition and Earthwork

03119

University of Kansas—Security Guard Services

Tuesday, April 24, 2001

A-9038(r)

Larned Correctional Mental Health Facility—CDRP Program Building, Mechanical Equipment Building

Thursday, April 26, 2001

A-9023

Department of Transportation—Reroof Sub-Area Shop/Office, Abilene

A-9024

Department of Transportation—Reroof Sub-Area Shop/Office, Council Grove

A-9031

Department of Transportation—Tuckpoint and Entrance Renovation, Area Office, Clay Center

A-9146

Pittsburg State University—Fire Alarm and Emergency Lighting Upgrade, Nation and Mitchell Hall Annex

Tuesday, May 1, 2001

A-8910

Department of Transportation—New Sub-Area Shop, El Dorado

A-8910(A)

Department of Transportation—Sanitary Sewer Extension, El Dorado

A-9189

Kansas State University—B18 Parking Lot Lighting and Storm Sewer Construction

Wednesday, May 2, 2001

A-9209

Adjutant General's Department—HVAC Upgrade, Kansas City

\*\*\*\*\*

Request for Proposals

Thursday, April 19, 2001

03070

External Auditing and Accounting Services for the Kansas Lottery

Tuesday, May 15, 2001

03100

Court Debt and Restitution Collection Services for the Attorney General's Office

John T. Houlihan
Director of Purchases

Doc. No. 026407

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. 2000 Supp. 12-1675(b)(c)(d), and K.S.A. 75-4201(l) and 75-4209(a)(1)(B).

Effective 4-2-01 through 4-8-01

Term	Rate
1-89 days	5.17%
3 months	4.22%
6 months	4.21%
1 year	4.14%
18 months	4.18%
2 years	4.24%

Derl S. Treff  
Director of Investments

Doc. No. 026386

State of Kansas

Department of Health and Environment

Request for Comments

The Kansas Department of Health and Environment and the Unified Government of Wyandotte County/Kansas City, Kansas—Department of Air Quality (DAQ) are soliciting comments regarding proposed modifications to an air quality operating permit. The Kansas City, Kansas Board of Public Utilities (B.P.U.) Quindaro Power Station has applied for an air quality construction permit in accordance with the provisions of K.A.R. 28-19-300 to use an iron oxide additive with the coal burned at Quindaro's Power Station's Unit No. 1. Emissions of particulate matter (PM) were evaluated during the permit review.

B.P.U. Quindaro Power Station, Kansas City, Kansas, owns and operates the fossil fuel-fired electric power generating facility located at 3601 N. 12th St., Kansas City, Kansas.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during review of the permit application is available for public inspection for a period of 30 days from the date of publication during normal business hours at the KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, and at the Department of Air Quality, 619 Ann Ave., Kansas City, Kansas. To obtain or review the proposed permit and supporting documentation, contact Connie Carreno, (785) 296-6422, at the KDHE central office, or William P. Stevenson, (913) 573-6700, at the Department of Air Quality. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to William P. Stevenson, Unified Government of Wyandotte County/Kansas City, Kansas—Department of Air Quality, 619 Ann Ave., Kansas City, KS 66101. In order to be considered in formulating a final permit decision, written comments must be received by the close of business May 7.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall

be in writing and set forth the basis for the request. The written request must be submitted to Connie Carreno, Bureau of Air and Radiation, not later than the close of business May 7 in order for the Secretary of Health and Environment to consider the request.

Clyde D. Graeber  
Secretary of Health and Environment

Doc. No. 026403

State of Kansas

Department of Health and Environment

Request for Comments

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality operating permit. APAC-Kansas, Inc., Reno Construction Division has applied for a Class II operating permit in accordance with the provisions of K.A.R. 28-19-540. Emissions of sulfur oxides (SOx), nitrogen oxides (NOx), carbon monoxide (CO), volatile organic compounds (VOCs), total particulate matter (PM) and particulate matter equal to or less than 10 microns in diameter (PM<sub>10</sub>) were evaluated during the permit review process. The purpose of a Class II permit is to limit the potential-to-emit for these pollutants to below major source thresholds.

APAC-Kansas, Inc., Reno Construction Division, Overland Park, owns and operates a portable hot mix asphalt plant.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during the permit application review process is available for public review for a period of 30 days from the date of publication during normal business hours at the KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, and at the KDHE Northeast District Office, 800 W. 24th, Lawrence. To obtain or review the proposed permit and supporting documentation, contact Herbert Buckland, (785) 296-6438, at the KDHE central office, or Pat Simpson, (785) 842-4600, at the KDHE Northeast District Office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Herbert Buckland, KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, 66620. In order to be considered in formulating a final permit decision, written comments must be received by the close of business May 7.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Connie Carreno, Bureau of Air and Radiation, not later than the close of business May 7 in order for the Secretary of Health and Environment to consider the request.

Clyde D. Graeber  
Secretary of Health and Environment

Doc. No. 026398

## State of Kansas

**Department of Health  
and Environment****Request for Comments**

The Kansas Department of Health and Environment has prepared a draft National Pollutant Discharge Elimination System permit for Empire District Electric Company of Riverton to discharge noncontact cooling water, treated process water and treated domestic wastewater into the Spring River.

This facility generates electric power with high pressure steam produced by fossil fuel combustion. Two coal-fired units and three natural gas and oil-fired units have a combined rated capacity of 148 MW. Water from the Spring River is used for once-through unit condenser and equipment cooling. Cooling water is disinfected with chlorine followed by dechlorination with sodium bisulfite. Other discharges consist of demineralizer backwash, stormwater runoff, coal pile runoff pond overflow, bottom ash pond overflow, wastewater from yard and roof drains, and elevator and basement sludge. The proposed permit has limitations for total suspended solids, oil and grease, total residual oxidants and pH. Monitoring for temperature, dissolved oxygen, sulfate and effluent flow also will be required.

Copies of the city's application, draft permit, fact sheets and other pertinent documents may be requested by writing to the Kansas Department of Health and Environment, TSS - Permit Clerk, Bureau of Water, Forbes Field, Building 283, Topeka, 66620. Appropriate copying charges will be assessed for each request.

Persons wishing to comment on the draft permit must submit written statements to the address above by May 5.

Clyde D. Graeber  
Secretary of Health  
and Environment

Doc. No. 026400

## State of Kansas

**Department of Health  
and Environment****Request for Comments**

The Kansas Department of Health and Environment has prepared a draft National Pollutant Discharge Elimination System permit for the Johnson County Blue River Main Sewer District No. 1 to discharge treated domestic wastewater into the Blue River via Negro Creek.

The proposed permit is based upon an average discharge flow of 3.0 MGD into Negro Creek. This proposed wastewater treatment facility is a mechanical treatment plant consisting of grit removal, extended aeration activated sludge, final clarification, UV disinfection and a peak flow equalization basin. The facility receives domestic wastewater from residential and commercial development and industrial wastewater from local manufacturers. The proposed permit includes limits for biochemical oxygen demand, total suspended solids, ammonia, fecal coliform, dissolved oxygen and pH. Moni-

toring for total Kjeldahl nitrogen, total phosphorus, nitrate, nitrite and effluent flow also will be required. The chronic whole effluent toxicity and heavy metals testing will be required annually. A priority pollutant scan will be required to be performed at least once during the life of the permit.

Copies of the city's application, draft permit, fact sheets and other pertinent documents may be requested by writing to the Kansas Department of Health and Environment, TSS - Permit Clerk, Bureau of Water, Forbes Field, Building 283, Topeka, 66620. Appropriate copying charges will be assessed for each request.

Persons wishing to comment on the draft permit must submit written statements to the address above by May 5.

Clyde D. Graeber  
Secretary of Health  
and Environment

Doc. No. 026401

## State of Kansas

**Department of Health  
and Environment****Request for Comments**

The Kansas Department of Health and Environment has prepared a draft National Pollutant Discharge Elimination System permit for the City of Garden City to discharge treated domestic wastewater into the Arkansas River.

The proposed permit is based upon an average discharge flow of 6.0 MGD into the Arkansas River. This proposed wastewater treatment facility is a mechanical treatment plant consisting of a mechanical bar screen, an aerated grit removal, CMAS oxidation ditches, final clarification, UV disinfection, sludge aeration, thickeners and a filter press. The facility receives domestic wastewater from residential and commercial development and industrial wastewater from local manufacturers. The proposed permit includes limits for biochemical oxygen demand, total suspended solids, ammonia, fecal coliform, nitrate-nitrite and pH. Monitoring for total Kjeldahl nitrogen, total phosphorus, chlorides, sulfate, total boron and effluent flow also will be required. The chronic whole effluent toxicity and heavy metals testing will be required annually. A priority pollutant scan will be required to be performed at least once during the life of the permit.

Copies of the city's application, draft permit, fact sheets and other pertinent documents may be requested by writing to the Kansas Department of Health and Environment, TSS - Permit Clerk, Bureau of Water, Forbes Field, Building 283, Topeka, 66620. Appropriate copying charges will be assessed for each request.

Persons wishing to comment on the draft permit must submit written statements to the address above by May 5.

Clyde D. Graeber  
Secretary of Health  
and Environment

Doc. No. 026402

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-01-088/091  
Pending Permits for Confined Feeding Facilities

Name and Address of Applicant	Legal Description	Receiving Water
Steffen Farms, Bruce Steffen 917 1st Road Longford, KS 67458	SW/4 of Section 33, T10S, R2E, Clay County	Smoky Hill River Basin

Kansas Permit No. A-SHCY-S009

This is a renewal permit for an existing facility for maximum of 300 beef cattle weighing over 700 pounds [300 Animal Units (a.u.)], 1,000 swine weighing over 55 pounds (400 a.u.), and 1,000 swine weighing under 55 pounds (100 a.u.), for a total of 2,300 head (800 animal units) of cattle and swine. The facility is changing its operation from on-site farrowing to receiving piglets from off site. The existing cattle facilities and one of the enclosed swine facilities were not included in the last permit and are now referenced.

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

Compliance Schedule: The manure/waste management plan developed by the designer and approved by the department shall be adhered to as a condition of the permit.

Name and Address of Applicant	Legal Description	Receiving Water
Faron Strahm Route 4, Box 264 Sabetha, KS 66534	NW/4 of Section 24, NE/4 of Section 25, T1S, R13E, Nemaha County	Missouri River Basin

Kansas Permit No. A-MONM-S002

This is a permit renewal of a current permit for an existing facility for 705 head (282 animal units) of swine greater than 55 pounds, 500 head (50 animal units) of swine 55 pounds or less and 250 head of cattle greater than 700 pounds (250 animal units), for a total of 582 animal units.

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

Compliance Schedule: The manure/waste management plan most recently approved by the department shall be adhered to as a condition of the permit.

Name and Address of Applicant	Legal Description	Receiving Water
Hill Top Farm Route 1, Box 64 Baileyville, KS 66404	SE/4 of Section 34, SW/4 of Section 35, T1S, R11E, Nemaha County	Missouri River Basin

Kansas Permit No. A-MONM-S013

This is a permit renewal of a current permit for an existing facility for 1,400 head (560 animal units) of swine greater than 55 pounds, 1,160 head (116 animal units) of swine 55 pounds or less and 150 head (75 animal units) of cattle less than 700 pounds, for a total of 751 animal units.

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

Compliance Schedule: The manure/waste management plan developed by the designer and approved by the department shall be adhered to as a condition of the permit.

Name and Address of Applicant	Legal Description	Receiving Water
Vulgamore Land & Cattle (West Yard) 8250 S. Mesquite Road Scott City, KS 67871	NE/4 of Section 28, T19S, R33W, Scott County	Upper Arkansas River Basin

Kansas Permit No. A-UASC-B002

This is a renewal permit for an existing facility for 950 head (950 animal units) of beef cattle.

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

Compliance Schedule: The manure/waste management plan developed by the designer and approved by the department shall be adhered to as a condition of the permit.

Public Notice No. KS-01-019/031

Name and Address of Applicant	Waterway	Type of Discharge
Garden City, City of P.O. Box 499 Garden City, KS 67846	Arkansas River	Treated Domestic Wastewater

Kansas Permit No. M-UA14-OO01 Federal Permit No. KS0038962

Legal: SE¼, S21, T24S, R32W, Finney 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, nitrate-nitrite and pH. Monitoring for total phosphorus, total Kjeldahl nitrogen, chlorides, sulfate, total boron and effluent flow also will be required. In addition, the permittee is required to conduct a chronic whole effluent toxicity test and a priority pollutant scan. Included in this permit is a schedule of compliance requiring the permittee to make necessary improvements to achieve compliance with its NPDES permit. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

Name and Address of Applicant	Waterway	Type of Discharge
Garnett, City of P.O. Box H 131 W. 5th Ave. Garnett, KS 66032	South Fork Pottawatomie Creek	Treated Domestic Wastewater

Kansas Permit No. M-MC13-OO03 Federal Permit No. KS0096377

Legal: SE¼, S30, T20S, R20E, Anderson County



Facility Description: The proposed action is to issue a new permit for operation of a new wastewater treatment facility treating primarily domestic wastewater. The proposed permit includes limits for biochemical oxygen demand, total suspended solids, ammonia, fecal coliform 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
Johnson County Unified Wastewater Districts 7311 W. 130th St., Suite 100 Overland Park, KS 66213	Blue River via Negro Creek	Treated Domestic Wastewater

Facility Name: Blue River Main Sewer District No.1  
Kansas Permit No. M-MO26-OO06 Federal Permit No. KS0092738  
Legal: NE¼, S10, T14S, R25E, Johnson 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, dissolved oxygen and pH. Monitoring for total phosphorus, nitrate, nitrite, total Kjeldahl nitrogen, total residual chlorine and effluent flow also will be required. In addition, the permittee is required to conduct a chronic whole effluent toxicity test and a priority pollutant scan. 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
Ransom, City of P.O. Box 207 Ransom, KS 67572	Walnut Creek via Bazine Creek	Treated Domestic Wastewater

Kansas Permit No. M-UA34-OO01 Federal Permit No. KS0031453  
Legal: SE¼, S26, T16S, R24W, Ness 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
Central Paving P.O. Box 369 Benton, KS 67017	Walnut River via Towanda Reservoir via Various Tributaries	Stormwater Settling Pond Discharge and Washwater

Facility Name: Towanda Quarry  
Kansas Permit No. I-WA14-PO01 Federal Permit No. KS0096237  
Legal: SW¼, S17, T26S, R4E, Butler County

Facility Description: The proposed action is to issue a new permit for the discharge of wastewater during quarry operation. This is a limestone quarrying operation with some washing. Washwater is recycled into two settling ponds and only discharges after a heavy rain. Pit dewatering and stormwater runoff also is directed to the settling ponds. The proposed permit includes limits for total suspended solids and pH. Monitoring for sulfate 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
Empire District Electric Company P.O. Box 127 Joplin, MO 64802	Neosho River via Spring River	Process Wastewater

Facility Name: Riverton Plant

Kansas Permit No. I-NE73-BO01 Federal Permit No. KS0079812  
Facility Description: The proposed action is to reissue an existing permit for the discharge of process wastewater. This facility generates electric power with high pressure steam produced by fossil fuel combustion. Two coal-fired units and three natural gas and oil-fired units have a combined rated capacity of 148 MW. The proposed permit includes limits for total residual chlorine, total suspended solids, oil and grease, and pH. Monitoring for dissolved oxygen, sulfate, temperature and effluent flow also will be required. Included in this permit is a schedule of compliance requiring the permittee to make necessary improvements to achieve compliance with its NPDES permit. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

Name and Address of Applicant	Waterway	Type of Discharge
Jaycat Inc. P.O. Box 429 Maize, KS 67101	Arkansas River via Big Slough	Noncontact Cooling water

Facility Name: Carlson Products  
Kansas Permit No. I-AR58-CO01 Federal Permit No. KS0091189  
Legal: SE¼, S20, T26S, R1W, Sedgwick County

Facility Description: The proposed action is to reissue an existing permit for the discharge of noncontact cooling water. This facility manufactures pizza pans and cooking sheets. Metal doors and hydraulic cylinders also are assembled. Monitoring for chloride, sulfate, oil and grease, and effluent flow will be a permit requirement. Included in this permit is a schedule of compliance requiring the permittee to make necessary improvements to achieve compliance with its NPDES permit. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

Name and Address of Applicant	Waterway	Type of Discharge
Martin Marietta Materials, Inc. 11252 Aurora Ave. Des Moines, IA 50322	Kansas River via Deep Creek	Washwater

Facility Name: Zeandale Quarry  
Kansas Permit No. I-KS38-PO03 Federal Permit No. KS0020630  
Legal: NW¼ of S3 and N¼ of S4, T11S, R9E; S½ of S33 and W½ of SW¼ of S34, T10S, R9E, Riley County

Facility Description: The proposed action is to reissue an existing permit for the discharge of wastewater during quarry operation. This is a limestone quarrying and crushing operation with washing. The proposed permit includes limits for total suspended solids and pH. 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
N.R. Hamm Quarry, Inc. P.O. Box 17 Perry, KS 66073	Kansas River via Delaware River via various tributaries	Pit Dewatering and Uncontaminated Stormwater Runoff

Facility Name: Adams Quarry #94  
Kansas Permit No. I-KS23-PO02 Federal Permit No. KS0093700  
Legal: SE¼, S16, T7S, R14E, Jackson County

Facility Description: The proposed action is to reissue an existing permit for the discharge of wastewater during quarry operation. This facility is a limestone quarrying and crushing operation without washing. Monitoring of the effluent will not be required unless there is a significant change in the quality or quantity of the subject discharge. 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.

(continued)

Name and Address of Applicant	Waterway	Type of Discharge
N.R. Hamm Quarry, Inc. P.O. Box 17 Perry, KS 66073	Kansas River via Vermillion Creek via Indian Creek	Washwater and Stormwater Settling Pond Discharge

Facility Name: Kufahl Quarry #79

Kansas Permit No. I-KS79-PO02 Federal Permit No. KS0080977

Legal: SE¼ of S3, NE¼ of S10, T7S, R10E, Pottawatomie County

Facility Description: The proposed action is to reissue an existing permit for the discharge of wastewater during quarry operation. This facility is a limestone quarrying and crushing operation with washing. The proposed permit includes limits for total suspended solids and pH. 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
N.R. Hamm Quarry, Inc. P.O. Box 17 Perry, KS 66073	Kansas River via Cross Creek	Pit Dewatering and Uncontaminated Stormwater Runoff

Facility Name: Rezac Quarry #51

Kansas Permit No. I-KS10-PO02 Federal Permit No. KS0089435

Legal: SE¼, S25, T7S, R12E, Jackson County

Facility Description: The proposed action is to reissue an existing permit for the discharge of wastewater during quarry operation. This facility is a limestone quarrying and crushing operation without washing. Monitoring of the effluent will not be required unless there is a significant change in the quality or quantity of the subject discharge. 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
Wade Quarries P.O. Box 38 La Cygne, KS 66040	Marais des Cygnes River via Unnamed Tributary	Pit Dewatering, Uncontaminated Stormwater Runoff

Facility Name: Drexel Quarry

Kansas Permit No. I-MC10-PO01 Federal Permit No. KS0095851

Legal: S28, T18S, R23E, Miami County

Facility Description: The proposed action is to issue a new permit for the discharge of wastewater from an existing quarry operation. This is a limestone quarrying and crushing operation without washing. Monitoring of the effluent will not be required unless there is a significant change in the quality or quantity of the subject discharge. 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
Wade Quarries P.O. Box 38 La Cygne, KS 66080	Marais des Cygnes River via Various Tributaries	Pit Dewatering and Uncontaminated Stormwater Runoff

Facility Name: La Cygne Quarry

Kansas Permit No. I-MC18-PO08 Federal Permit No. KS0095966

Legal: SE¼, S20, T19S, R25E, Linn County

Facility Description: The proposed action is to issue a new permit for the discharge of wastewater from an existing quarry operation. This facility is a limestone quarrying and crushing operation without washing. Monitoring of the effluent will not be required unless there is a significant change in the quality or quantity of the subject discharge. 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.

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

All comments regarding the draft permit or application notice postmarked or received on or before May 5 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate Kansas permit number (KS-AG-01-088/091, KS-01-019/031) and name of applicant/application as listed when preparing comments.

If no objections are received during the public notice period regarding any proposed permit, the Secretary of Health and Environment will issue the final determination regarding issuance or denial of the proposed permit. If response to this notice indicates significant public interest, a public hearing may be held in conformance with K.A.R. 28-16-61 (28-46-21 for UIC). Media coordination for publication and/or announcement of the public notice or public hearing is handled by the Kansas Department of Health and Environment.

For agricultural permits and applications, a copy of the permit application, supporting documentation and a KDHE-developed fact sheet, if appropriate, is available for review at the appropriate district office:

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

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

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

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

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

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

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

For all other proposed permits, the draft permit(s), including proposed effluent limitations and special conditions, fact sheets as appropriate, comments received and other information, are on file and may be inspected at the offices of the Kansas Department of Health and Environment, Bureau of Water.

Division of Environment offices are open from 8 a.m. to 5 p.m. Monday through Friday, excluding holidays. These documents are available upon request at the copying cost assessed by KDHE. Additional copies of this public notice also may be obtained at the Division of Environment.

Clyde D. Graeber  
Secretary of Health  
and Environment

Doc. No. 026399

State of Kansas

Secretary of State

Code Mortgage Rate for April

Pursuant to the provisions of K.S.A. 2000 Supp. 16a-1-301, Section 11, the code mortgage rate during the period of April 1, 2001 through April 30, 2001, is 12.01 percent.

Ron Thornburgh  
Secretary of State

Doc. No. 026390

State of Kansas

Board of Nursing

Permanent Administrative  
Regulations

Article 4.—FEES

**60-4-101. Payment of fees.** The following fees shall be charged by the board of nursing:

(a) Fees for professional nurses.

(1) Application for license by endorsement to Kansas.....	\$75.00
(2) Application for license by examination.....	75.00
(3) Biennial renewal of license.....	60.00
(4) Application for reinstatement of license without temporary permit.....	60.00
(5) Application for reinstatement of license with temporary permit.....	80.00
(6) Certified copy of Kansas license.....	25.00
(7) Inactive license.....	10.00
(8) Verification of licensure.....	25.00
(9) Application for exempt license.....	50.00
(10) Renewal of exempt license.....	50.00

(b) Fees for practical nurses.

(1) Application for license by endorsement to Kansas.....	50.00
(2) Application for license by examination.....	50.00
(3) Biennial renewal of license.....	60.00
(4) Application for reinstatement of license without temporary permit.....	55.00
(5) Application for reinstatement of license with temporary permit.....	75.00
(6) Certified copy of Kansas license.....	25.00
(7) Inactive license.....	10.00
(8) Verification of licensure.....	25.00
(9) Application for exempt license.....	50.00
(10) Renewal of exempt license.....	50.00

This regulation shall be effective on and after July 1, 2001. (Authorized by K.S.A. 65-1129; implementing K.S.A. 2000 Supp. 65-1118; effective Jan. 1, 1966; amended Jan. 1, 1972; amended, E-74-29, July 1, 1974; modified, L. 1975, Ch. 302, Sec. 5, May 1, 1975; amended, E-77-8, March 19, 1976; amended Feb. 15, 1977; amended, E-79-8, March 16, 1978; amended May 1, 1979; amended May 1, 1980; amended May 1, 1983; amended March 9, 1992; amended May 17, 1993; amended May 9, 1994; amended Feb. 6, 1995; amended April 3, 1998; amended July 1, 2001.)

Article 7.—REQUIREMENTS FOR LICENSURE  
AND STANDARDS OF PRACTICE

**60-7-102. Duplicate of license.** When a license has been lost or destroyed, a duplicate may be issued by the board upon payment of a fee. The fee may be waived if the license has been stolen. (Authorized by K.S.A. 1999

Supp. 65-4203; implementing K.S.A. 1999 Supp. 65-4208; modified, L. 1975, Ch. 302, Sec. 9, May 1, 1975; amended April 20, 2001.)

**60-7-108. Inactive license.** (a) Before expiration of an active license, a licensed mental health technician may request to be put on inactive status.

(b) The request shall be accompanied by the inactive license fee specified in K.A.R. 60-8-101.

(c) Continuing licensed mental health technician education shall not be required while on inactive status.

(d) The licensee shall remain on inactive status until filing an application and meeting all the requirements for reinstatement. (Authorized by K.S.A. 1999 Supp. 65-4203; implementing K.S.A. 1999 Supp. 65-4205 and K.S.A. 1999 Supp. 65-4208; effective April 26, 1993; amended April 20, 2001.)

Article 8.—FEES

**60-8-101. Payment of fees.** The following fees shall be charged by the board of nursing.

(a) Mental health technician programs.

(1) Annual renewal of program approval.....	\$100.00
(2) Survey of a new program.....	200.00
(3) Application for approval of continuing education providers.....	200.00
(4) Annual renewal for continuing education providers.....	50.00

(b) Mental health technicians.

(1) Licensure by endorsement.....	50.00
(2) Application for licensure.....	50.00
(3) Examination.....	20.00
(4) Biennial renewal of license.....	60.00
(5) Application for reinstatement of license without temporary permit.....	35.00
(6) Application for reinstatement of license with temporary permit.....	55.00
(7) Certified copy of Kansas license.....	12.00
(8) Inactive license.....	10.00
(9) Verification of licensure.....	10.00
(10) Duplicate license.....	12.00
(11) Application for exempt license.....	50.00
(12) Renewal of exempt license.....	50.00

This regulation shall be effective on and after July 1, 2001. (Authorized by K.S.A. 2000 Supp. 65-4203; implementing K.S.A. 2000 Supp. 65-4208 and K.S.A. 65-4207; effective May 1, 1980; amended May 1, 1983; amended, T-85-49, Dec. 19, 1984; amended May 1, 1985; amended June 3, 1991; amended May 17, 1993; amended May 9, 1994; amended Feb. 6, 1995; amended April 3, 1998; amended July 1, 2001.)

Article 9.—CONTINUING EDUCATION  
FOR NURSES

**60-9-105. Definitions.** (a) "Advisory committee" means a group with members knowledgeable about the learning needs of the nurses or licensed mental health technicians for whom continuing nursing education (CNE) is provided.

(b) "Approval" means the act of determining that a providership application or course offering meets applicable standards based on review of either the total program or the individual offering.

(continued)

(c) "Approved provider" means a person, organization, or institution that is approved by the board and is responsible for the development, administration, and evaluation of the CNE program or offering.

(d) "Behavioral objectives" means the intended outcome of instruction stated as measurable learner behaviors.

(e) "Certificate" means a document that is proof of completion of one or more contact hours.

(f) "Clinical hours" means learning experiences for the attainment of clinical skills. One contact hour equals three clinical hours.

(g) "College course" means a class taken through a college or university and meeting the definition of CNE in K.S.A. 65-1117 and amendments thereto. One college credit hour equals 15 contact hours.

(h) "Computer-based instruction" means a learning application that provides computer control to solve an instructional problem or to facilitate an instructional opportunity.

(i) "Contact hour" means 50 minutes of participation in a learning experience organized by an approved provider.

(j) "Distance learning" means the acquisition of knowledge and skills through information and instruction, encompassing a variety of technologies.

(k) "Independent study" means a self-paced learning activity managed by an approved or accredited provider recognized by Kansas and may include research, professional papers, and other authorship.

(l) "Individual offering approval (IOA)" means a request for approval of an education offering meeting the definition of CNE but not presented by an approved provider or other acceptable approving body.

(m) "In-service education" and "on-the-job training" mean learning activities in the work setting designed to assist the individual in fulfilling job responsibilities. In-service education and on-the-job-training shall not be eligible for CNE credit.

(n) "Offering" means a single CNE learning experience designed to enhance knowledge, skills, and attitudes related to nursing. An offering shall consist of at least one contact hour.

(o) "Orientation" means formal or informal instruction designed to acquaint employees with the institution and the position. Orientation shall not be considered CNE.

(p) "Program" means an organized effort to achieve overall CNE goals.

(q) "Refresher course" means a course of study providing review of basic preparation and current developments in nursing practice.

(r) "Teleconference" means an interactive telecommunication offering of CNE.

(s) "Total program evaluation" means a systematic process by which an approved provider analyzes outcomes of the overall continuing nursing education program in order to make subsequent decisions. (Authorized by K.S.A. 2000 Supp. 65-4203; implementing K.S.A. 2000 Supp. 65-1117, K.S.A. 2000 Supp. 65-1119, and K.S.A. 2000 Supp. 65-4205; effective Sept. 2, 1991; amended March 9,

1992; amended April 26, 1993; amended April 3, 1998; amended April 20, 2001.)

**60-9-106. Continuing nursing education for license renewal.** (a) At the time of license renewal, a licensee shall submit proof of completion of 30 contact hours of approved continuing nursing education (CNE). This proof shall be documented as specified on the renewal notice and shall include the following:

- (1) Name of CNE offering or college course;
- (2) provider name or name of the accrediting organization;
- (3) provider number or number of the accrediting organization, if applicable;
- (4) offering date; and
- (5) number of contact hours.

(b) The required 30 contact hours of approved CNE shall have been completed during the most recent prior licensing period. Contact hours accumulated in excess of the 30-hour requirement shall not be carried over to the next renewal period.

(c) Acceptable continuing nursing education may include any of the following:

- (1) An offering presented by an approved long-term or single provider;
- (2) an offering as designated in K.S.A. 65-1119(e) and amendments thereto;
- (3) an offering for which a licensee has submitted an individual offering approval (IOA). Before licensure renewal, the licensee may submit an application for an IOA to the board, accompanied by the following:

- (A) An agenda with behavioral objectives describing learning outcomes; and
- (B) official documentation of earned contact hours;
- (4) a maximum of 15 contact hours for the first-time preparation and presentation as an instructor of an approved offering to licensed nurses or mental health technicians. Two contact hours of instructor credit shall be granted for each hour of presentation;
- (5) an offering utilizing a board-approved curriculum developed by the American heart association, emergency nurses association, or Mandt, which may include the following:

- (A) Advanced cardiac life support;
- (B) emergency nursing pediatric course;
- (C) pediatric advanced life support;
- (D) trauma nurse core course;
- (E) neonatal resuscitation program; or
- (F) Mandt program;
- (6) independent study;
- (7) distance learning offerings; or
- (8) a board-approved refresher course.

(d) Fractions of contact hours over one contact hour shall be accepted.

- (e) Contact hours shall not be recognized by the board for any of the following:
  - (1) Identical offerings completed within a renewal period;
  - (2) offerings containing the same content as courses that are part of basic preparation at the level of current licensure or certification;

(d) Fractions of contact hours over one contact hour shall be accepted.

(e) Contact hours shall not be recognized by the board for any of the following:

- (1) Identical offerings completed within a renewal period;
- (2) offerings containing the same content as courses that are part of basic preparation at the level of current licensure or certification;

(3) in-service education, on-the-job training, orientation, and institution-specific courses; or

(4) an incomplete or failed college course. (Authorized by K.S.A. 2000 Supp. 65-4203; implementing K.S.A. 2000 Supp. 65-1117, K.S.A. 2000 Supp. 65-1119, and K.S.A. 2000 Supp. 65-4205; effective Sept. 2, 1991; amended April 3, 1998; amended April 20, 2001.)

#### Article 11.—ADVANCED REGISTERED NURSE PRACTITIONERS

**60-11-119. Payment of fees.** Payment of fees for advanced registered nurse practitioners shall be as follows:

(a) Initial application for certification .....	\$50.00
(b) Biennial renewal of certification .....	60.00
(c) Application for reinstatement of certification without temporary permit .....	30.00
(d) Application for certificate with temporary permit .....	100.00
(e) Application for exempt certification .....	50.00
(f) Renewal of exempt certification .....	50.00

This regulation shall be effective on and after July 1, 2001. (Authorized by K.S.A. 2000 Supp. 65-1131; implementing K.S.A. 2000 Supp. 65-1131 and K.S.A. 2000 Supp. 65-1118; effective Sept. 2, 1991; amended May 17, 1993; amended Feb. 6, 1995; amended April 3, 1998; amended July 1, 2001.)

#### Article 13.—FEES; REGISTERED NURSE ANESTHETIST

**60-13-101. Payment of fees.** Payment of fees for registered nurse anesthetists shall be as follows:

(a) Initial application for authorization as a registered nurse anesthetist .....	\$75.00
(b) Biennial renewal of authorization as a registered nurse anesthetist .....	60.00
(c) Application for reinstatement of authorization as a registered nurse anesthetist without temporary permit .....	60.00
(d) Application for reinstatement of authorization with temporary permit as a registered nurse anesthetist ..	70.00
(e) Initial application with temporary authorization to practice as a registered nurse anesthetist .....	110.00
(f) Certified copy of authorization to practice as a registered nurse anesthetist .....	20.00

This regulation shall be effective on and after July 1, 2001. (Authorized by K.S.A. 65-1164; implementing K.S.A. 2000 Supp. 65-1118; effective, T-87-38, Nov. 19, 1986; effective May 1, 1987; amended May 17, 1993; amended Feb. 6, 1995; amended July 1, 2001.)

#### Article 16.—INTRAVENOUS FLUID THERAPY FOR LICENSED PRACTICAL NURSE

**60-16-104. Standards for course; competency examination.** (a) The purpose of the intravenous fluid therapy course shall be to prepare licensed practical nurses to perform safely and competently the activities as defined in K.A.R. 60-16-102. The course shall be based on the nursing process and current intravenous nursing standards of practice.

(b) The course shall meet all of these conditions:

- (1) Consist of at least 40 classroom hours of instruction;
- (2) require a minimum of eight hours of clinical practice, not to include testing time; and

(3) take place in a laboratory and clinical setting with patients under the supervision of faculty.

(c) To be eligible to enroll in an intravenous fluid therapy course, the individual shall be a nurse with a current license.

(d) Course coordinator qualifications. The intravenous therapy course coordinator shall meet the following conditions:

- (1) Be licensed as a registered professional nurse;
- (2) be responsible for the development and implementation of the intravenous fluid therapy course; and
- (3) have experience in intravenous fluid therapy and knowledge of the intravenous therapy standards.

(e) Faculty qualifications.

(1) Each primary faculty member shall meet the following conditions:

(A) Be currently licensed to practice as a registered professional nurse in Kansas;

(B) have clinical experience within the past five years that includes intravenous fluid therapy; and

(C) maintain competency in intravenous fluid therapy.

(2) Each guest lecturer shall have professional preparation and qualifications for the specific subject area in which that individual instructs.

(f) Clinical facility.

(1) Each classroom shall contain sufficient space, equipment, and teaching aids to meet the course objectives.

(2) The facility in which clinical practice and the competency examination are conducted shall allow students and faculty access to the intravenous fluid therapy equipment and intravenous fluid therapy recipients, and to the pertinent records for the purpose of documentation.

(3) There shall be a signed written agreement between the provider and a cooperating health care facility that specifies the roles, responsibilities, and liabilities of each party. This written agreement shall not be required if the only health care facility to be used is also the provider.

(g) An intravenous fluid therapy curriculum shall include the following information:

(1) The Kansas nurse practice act, including current regulations;

(2) the intravenous fluid therapy policies and procedures of the clinical agency where clinical instruction is given;

(3) the structure of the circulatory system, including the site and function of the veins used for venipuncture;

(4) the relationship between intravenous fluid treatment administration and the body's homeostatic and regulatory functions, with attention to the clinical manifestations of fluid and electrolyte imbalance and cellular physiology;

(5) the principles of infection control in intravenous fluid therapy administration;

(6) the various types of equipment used in intravenous fluid therapy administration with content related to criteria for the use of each piece of equipment and means of troubleshooting for malfunctions;

(7) the principles of compatibility and incompatibility of drugs and solutions;

(8) the nursing management of special intravenous fluid therapy administration procedures that are commonly used in the clinical setting;

(continued)

(9) the procedures for venipuncture, including the following:

- (A) Psychological preparation;
- (B) site selections;
- (C) skin preparation;
- (D) initiating;
- (E) stabilization; and
- (F) documentation;

(10) maintenance of an intravenous fluid therapy administration system, which shall include the following:

- (A) Discontinuing intravenous fluid therapy administration;
- (B) monitoring infusion;
- (C) changing administration sets and intravenous solution containers; and
- (D) care of the site;

(11) nursing management of the patient receiving the drug therapy identified in K.A.R. 60-16-102, which shall include the following:

- (A) Actions;
- (B) interactions;
- (C) adverse reactions;
- (D) methods of administration; and
- (E) admixing;

(12) the signs and symptoms of local and systemic complications in the delivery of fluids and medications and the preventive and treatment measures for those complications; and

(13) calculation of intravenous flow rate and medication dosage.

(h) Competency examination standards.

(1) The written examination shall be constructed based on a test plan that shall contain the components as listed in subsection (g) of this regulation.

(2) The test plan shall be reviewed by the advisory committee and approved by the board.

(3) The final written competency examination shall require a passing grade of 80 percent or above.

(4) The final clinical competency examination shall require a passing score of 100 percent.

(i) Records.

(1) The faculty shall complete the final record sheet, which shall include competencies and scores.

(2) The intravenous fluid therapy course coordinator shall perform the following:

(A) Award a certificate to each licensed nurse documenting successful completion;

(B) submit to the board, within 60 days, the name and license number of each individual who has successfully completed the course and the date of completion;

(C) maintain the records of each individual who has successfully completed the course for a period of at least five years; and

(D) submit to the board an annual report for the period of July 1 through June 30 of the respective year that includes the total number of licensees taking the intravenous fluid therapy course, the number passing the course, and the number of courses held. (Authorized by and implementing K.S.A. 1999 Supp. 65-1136; effective Nov. 21, 1994; amended Dec. 13, 1996; amended Oct. 29, 1999; amended April 20, 2001.)

Mary Blumbaugh  
Executive Administrator

Doc. No. 026392

State of Kansas

Department of Revenue  
Division of Property Valuation  
Permanent Administrative  
Regulations

Article 1.—HEARINGS BY DIRECTOR

**93-1-1.** (Authorized by K.S.A. 74-2437, 74-2438, 79-1404; effective, E-71-14, March 5, 1971; effective Jan. 1, 1972; revoked April 20, 2001.)

**93-1-2.** (Authorized by K.S.A. 74-2437, 74-2438, 79-1404, 79-1412b; effective, E-71-14, March 5, 1971; effective Jan. 1, 1972; revoked April 20, 2001.)

**93-1-3 to 93-1-4.** (Authorized by K.S.A. 74-2437, 74-2438, 79-1404; effective, E-71-14, March 5, 1971; effective Jan. 1, 1972; revoked April 20, 2001.)

Article 4.—REAL ESTATE RATIO STUDY

**93-4-6. Standards.** The "standard on ratio studies," adopted by the executive board of the international association of assessing officers in July 1999, shall constitute the minimum standard for the design, preparation, and use of the ratio study. The performance standards, summarized in table 7 of the "standard on ratio studies," shall be used to evaluate the appraisal of residential and commercial and industrial real estate, except that the coefficient of dispersion shall be 20 or less, with a confidence interval of 95 percent. (Authorized by K.S.A. 79-1491; implementing K.S.A. 79-1485, 79-1486, 79-1487, 79-1488, 79-1489, 79-1490, 79-1492, 79-1493; effective June 26, 1998; amended April 20, 2001.)

Article 6.—REGISTERED MASS APPRAISER

**93-6-1. Prerequisites.** Each candidate for the registered mass appraisal (RMA) designation shall complete all requirements necessary to be eligible to hold the office of Kansas appraiser pursuant to K.S.A. 19-430 and 19-432, and amendments thereto, before the issuance of the RMA designation. (Authorized by and implementing K.S.A. 1999 Supp. 19-430; effective, T-93-8-29-97, Aug. 29, 1997; effective Dec. 5, 1997; amended April 20, 2001.)

**93-6-2. Education requirements.** (a) Each candidate for the RMA designation shall complete 180 hours of courses, which shall include those courses specified in subsection (b). "Hour," as used in this regulation, shall mean one clock hour of no fewer than 50 minutes.

(b) Mandatory courses shall consist of the following:

International association of assessing officers (IAAO) course I or equivalent course approved by the secretary of revenue .....	30 hours
IAAO course II or equivalent course approved by the secretary of revenue .....	30 hours
IAAO standards and ethics course or equivalent course approved by the secretary of revenue .....	15 hours
IAAO course 300, 311, or 312 or equivalent course approved by the secretary of revenue .....	30 hours

Kansas property tax law course approved by the secretary of revenue .....	20 hours
Personal property course approved by the secretary of revenue .....	15 hours
Total mandatory course hours .....	140 hours

A candidate may substitute successfully completed appraisal courses with an emphasis on mass appraisal approved by the real estate appraisal board appointed by the governor pursuant to K.S.A. 58-4104, and amendments thereto. However, no course substitution shall be permitted for the Kansas property tax law course and the personal property course. Course substitution shall be subject to the approval of the secretary of revenue.

(c) The remaining 40 course hours may be selected from courses offered by an appraisal sponsor of the appraisal foundation or the director of property valuation. "Appraisal foundation" means the appraisal foundation established on November 30, 1987, as a not-for-profit corporation under the laws of Illinois. (Authorized by and implementing K.S.A. 1999 Supp. 19-430; effective, T-93-8-29-97, Aug. 29, 1997; effective Dec. 5, 1997; amended April 20, 2001.)

**93-6-3. Continuing education requirements.** (a)(1) Effective on and after July 1, 2001, each individual who has successfully obtained the RMA designation shall successfully complete a minimum of 120 hours of continuing education every four years in order to retain the designation. "Hour," as used in this regulation, shall mean one clock hour of no fewer than 50 minutes. The four-year period shall correspond with the four-year appointment period for county appraisers set forth in K.S.A. 19-430, and amendments thereto.

(2) No fewer than 90 hours of continuing education shall be completed during the relevant four-year period. No more than 30 hours may be carried forward from one four-year period to the next four-year period.

(b) The continuing education courses shall be the same as those established by the director of property valuation for an eligible Kansas appraiser under the provisions of K.S.A. 19-432, and amendments thereto. Each individual with the RMA designation shall complete the IAAO standards and ethics course or equivalent course approved by the secretary of revenue and the Kansas property tax law course once every four years. (Authorized by and implementing K.S.A. 1999 Supp. 19-430; effective, T-93-8-29-97, Aug. 29, 1997; effective Dec. 5, 1997; amended April 20, 2001.)

**93-6-4. Experience requirements.** (a) Each candidate for the RMA certification shall have 6,000 hours of mass appraisal experience. No more than 600 hours of mass appraisal experience shall come from appraising personal property. "Hour," as used in this regulation, shall mean 60 minutes.

(b) Of the required 6,000 hours of mass appraisal experience, the candidate shall document a minimum of 2,000 hours of experience in establishing values on property for ad valorem taxation purposes, of which no more than 400 hours may be obtained from establishing values on personal property.

(c) The candidate may petition the secretary of revenue to approve more than the 600 hours of experience in es-

tablishing values on personal property specified in subsection (a). The candidate shall demonstrate to the secretary that the experience entailed determining the fair market value of personal property in a manner comparable in complexity and documented market research and analysis to the valuation of real property. The candidate shall further demonstrate to the secretary that the personal property valued comprised a predominate portion of the tax base of the county in which the values were determined.

(d) The 6,000 hours of mass appraisal experience may include map maintenance, sales validation, income validation, and quality control. The 2,000 hours of experience in establishing values on property for ad valorem taxation purposes may include neighborhood analysis, land valuation, model building and testing, and final review. (Authorized by and implementing K.S.A. 1999 Supp. 19-430; effective, T-93-8-29-97, Aug. 29, 1997; effective Dec. 5, 1997; amended April 20, 2001.)

Stephen S. Richards  
Secretary of Revenue

Doc. No. 026385

## State of Kansas

### Department of Health and Environment

#### Permanent Administrative Regulations

#### Article 34.—HOSPITALS

**28-34-50. Definitions.** (a) "Administrator" means an individual appointed by the governing body to act on its behalf in the overall management of the ambulatory surgical center.

(b) "Ambulatory surgical center" means an establishment with the following:

(1) An organized medical staff of one or more physicians;

(2) permanent facilities that are equipped and operated primarily for the purpose of performing surgical procedures and do not provide services or other accommodations for patients to stay more than 24 hours;

(3) continuous physician services during surgical procedures and until the patient has recovered from the obvious effects of anesthesia, and at all other times with continuous physician services available whenever a patient is in the facility; and

(4) continuous registered professional nursing services whenever a patient is in the facility.

Before discharge from an ambulatory surgical center, each patient shall be evaluated by a physician for proper anesthesia recovery. Nothing in this regulation shall be construed to require the office of a physician or physicians to be licensed under this act as an ambulatory surgical center.

(c) "Anesthesiologist" means a physician who is licensed in Kansas to practice medicine and surgery and who has successfully completed a postgraduate medical

(continued)

education program and training program in anesthesiology.

(d) "Change of ownership" means any transaction that results in a change of control over the capital assets of an ambulatory surgical center.

(e) "Clinical laboratory improvement amendments" or "CLIA" is as published in 42 C.F.R. Part 493, as in effect on October 1, 1996 and hereby adopted by reference.

(f) "Dentist" means a person licensed in Kansas to practice dentistry.

(g) "Drug administration" means the direct application of a drug or biological, either by injection, inhalation, ingestion, or any other means, to the body of a patient by one of the following:

(1) A practitioner or individual pursuant to the lawful direction of a practitioner who is acting within the scope of that practitioner's license and who is qualified according to medical staff bylaws; or

(2) the patient at the direction and in the presence of a practitioner.

(h) "Drug dispensing" means delivering prescription medication to the patient pursuant to the lawful order of a practitioner.

(i) "Facilities" means buildings, equipment, and supplies necessary for delivery of ambulatory surgical center services.

(j) "Governing authority" means a board of directors, governing body, or individual in whom the ultimate authority and responsibility for management of the ambulatory surgical center is vested.

(k) "Licensing department" means the Kansas department of health and environment.

(l) "Licensed practical nurse (L.P.N.);" means an individual licensed in Kansas as a licensed practical nurse.

(m) "Medical staff" means a formal organization of physicians, dentists, and other practitioners who are appointed by the governing authority to attend patients within the ambulatory surgical center. Surgical procedures shall be performed only by practitioners within the scope of their practice who at the time are privileged to perform these procedures in at least one licensed hospital in the community in which the ambulatory surgical center is located, or the ambulatory surgical center shall have a written transfer agreement with the hospital.

(n) "Nursing services" means patient care services pertaining to the curative, restorative, and preventive aspects of nursing that are performed or supervised by a registered nurse pursuant to the medical care plan of the practitioner and the nursing care plan.

(o) "Organized" means administratively and functionally structured.

(p) "Organized medical staff" means a formal organization of physicians, dentists, and practitioners with the responsibility and authority to maintain proper standards of patient care as delegated by the governing authority.

(q) "Patient" means a person admitted to the ambulatory surgical center by and upon the order of a physician, or by a dentist in accordance with the orders of a physician who is a member of the medical staff.

(r) "Physician" means a person holding a valid license from the Kansas state board of healing arts to practice medicine and surgery.

(s) "Podiatrist" means a person holding a valid license from the Kansas state board of healing arts to practice podiatric medicine and surgery.

(t) "Practitioner" means a member of the ambulatory surgical center's medical staff and may include a physician or dentist.

(u) "Qualified nurse anesthetist" means any of the following:

(1) A registered nurse who has been certified as a nurse anesthetist by the council on certification of the American association of nurse anesthetists and has been authorized as a registered nurse anesthetist by the Kansas state board of nursing;

(2) a student enrolled in a program of nurse anesthesia by the council on accreditation of the American association of nurse anesthetists; or

(3) a graduate of an accredited program of nurse anesthesia who is awaiting certification testing or the results of the certification test and has been granted temporary authorization as a registered nurse anesthetist by the Kansas state board of nursing.

(v) "Registered nurse (R.N.);" means a person who is licensed in Kansas as a registered professional nurse.

(w) "Supervision" means authoritative procedural guidance by a qualified person for the accomplishment of a function or activity within that person's sphere of competence. Supervision shall include initial direction and periodic inspection of the actual act of accomplishing the function or activity.

(x) "Survey" means the process of evaluation or reevaluation of an ambulatory surgical center's compliance with this article. (Authorized by and implementing K.S.A. 2000 Supp. 65-429 and K.S.A. 65-431; effective Jan. 1, 1974; amended April 20, 2001.)

**28-34-51. Licensing procedure.** (a) No construction shall begin until plans and specifications covering the construction of new buildings, additions, or material alterations to existing buildings are submitted to the department, in writing, in accordance with K.A.R. 28-34-62a. A written narrative describing the intended use of the proposed construction shall accompany the plans and specifications.

(b) Ambulatory surgical centers shall be licensed to provide only those services for which they are qualified. The extent of the facility's compliance with this article may be documented by the department in one of the following ways:

(1) The statement of a responsible, authorized administrator or staff member, which shall include one of the following:

(A) Documentary evidence of compliance provided by the facility; or

(B) answers by the facility to detailed questions provided by the licensing department concerning the implementation of any provisions of this article or examples of this implementation that allow a judgement about compliance to be made; or

(2) on-site observations by surveyors.

(c) The application for a license to establish or maintain an ambulatory surgical center shall be submitted to the licensing department. Each application shall be made in



writing on forms provided by the department for a license for a new facility or for the renewal of a license for an existing facility. Applications for a license for each new facility shall be submitted at least 90 days before opening.

(d) Upon application for a license from a facility never before licensed, an inspection shall be made by the representative of the licensing department. Every building, institution, or establishment for which a license has been issued shall be periodically surveyed for compliance with the regulations of the licensing department.

(e) A license shall be issued by the department when both the following requirements are met:

(1) Construction is complete.

(2) The facility has completed an application form and is found to be in substantial compliance with K.S.A. 65-425 et seq., and amendments thereto, and K.A.R. 28-34-51 through K.A.R. 28-34-62a.

(f) If the facility is found to be in violation of this article, the applicant shall be notified in writing of each violation, and the applicant shall submit a plan of correction to the department. The plan shall state specifically what corrective action will be taken and the date on which it will be accomplished.

(g) Each licensee shall file an annual report on forms prescribed by the department. The license may be suspended or revoked at any time for noncompliance with this article of the licensing department and in accordance with the Kansas administrative procedure act, K.S.A. 77-501 et seq., and amendments thereto.

(h) The licensing department shall be notified within 60 days of any change in ownership or location of an ambulatory surgical center, and a new application form shall be submitted to the licensing department in the event of such a change.

(i) Within 60 days of issuance of an initial license, or following a change of ownership, the administrator shall submit the following information to the licensing department:

(1) Verification of professional liability coverage for the ambulatory surgical center in compliance with K.S.A. 40-3401 et seq., and amendments thereto; and

(2) a risk management plan in compliance with K.A.R. 28-52-1.

(j) The current license certificate issued by the licensing department shall be framed and conspicuously posted on the premises. The license certificate shall remain the property of the licensing department. (Authorized by and implementing K.S.A. 2000 Supp. 65-429 and K.S.A. 65-431; effective Jan. 1, 1974; amended April 20, 2001.)

**28-34-52.** (Authorized by K.S.A. 1973 Supp. 65-431; effective Jan. 1, 1974; revoked April 20, 2001.)

**28-34-52a. Patient rights.** (a) The governing authority shall ensure that the facility establishes policies and procedures that support the rights of all patients. At a minimum, each facility shall ensure that each patient has a right to the following:

(1) Receive respectful care given from competent personnel;

(2) receive information of the proposed treatment or procedures to be performed, potential complications, and expected outcomes;

(3) make health care decisions;

(4) access information contained in the patient's medical record, within the limits of state law, by each patient or patient's designated representative;

(5) maintain privacy and security of self and belongings during the delivery of patient care service;

(6) be informed of expected services and financial charges and receive an explanation of the patient's bill; and

(7) be informed of the facility's policies regarding patient rights.

(b) Grievances and complaints. The facility's policies and procedures shall establish a mechanism for responding to patient grievances and complaints.

(c) Reporting of grievances or complaints. Each person having a grievance or complaint pertaining to the provision of any patient services in an ambulatory surgical center may direct the grievance or complaint to the licensing department.

(d) Reporting of abuse, neglect, or exploitation.

(1) Each administrator of an ambulatory surgical center shall be responsible for reporting any incidents of abuse, neglect, or exploitation of any patient, in accordance with K.S.A. 39-1401 et seq., and amendments thereto.

(2) Each administrator of an ambulatory surgical center shall be responsible for reporting any incidents of abuse or neglect of children in accordance with K.S.A. 38-1521 et seq., and amendments thereto. (Authorized by and implementing K.S.A. 65-431; effective April 20, 2001.)

**28-34-52b. Assessment and care of patients.** (a) Each patient admitted to the ambulatory surgical center shall be under the care of a practitioner who is a member of the medical staff.

(b) Patient care shall meet the needs of the patient and shall be provided by qualified personnel.

(c) An initial assessment of each patient shall be completed by qualified staff. The assessment shall include the following information:

(1) The patient's current physical status;

(2) a history and physical completed within 30 days before any procedure performed at the ambulatory surgical facility;

(3) the results of clinical laboratory tests or diagnostic reports;

(4) a preanesthesia evaluation conducted by a licensed, qualified practitioner granted clinical privileges by the medical staff and governing body; and

(5) the patient's nutritional status.

(d) Each patient's identity shall be verified before the administration of any medication.

(e) Blood and blood products may be administered only by a physician or a registered nurse.

(f) Each patient's status shall be evaluated during anesthesia administration and shall be evaluated by a physician for proper anesthesia recovery before discharge.

(g) The ambulatory surgical center shall have a written transfer agreement with a local hospital for the immediate transfer of any patient requiring medical care beyond the capability of the ambulatory surgical center, or each phy-

(continued)

sician performing surgery at the ambulatory surgical center shall have admitting privileges with a local hospital.

(h) If a patient is transferred to another facility, essential medical information, including the diagnosis, shall be forwarded with the patient to ensure continuity of care.

(i) Each patient shall be discharged in the company of a responsible adult, unless this requirement is specifically waived by the attending physician.

(j) Discharge planning shall include education for each patient and caregiver. The patient education shall be interdisciplinary and include at least the following information:

- (1) The patient's medical condition;
- (2) the procedure and outcome of procedures performed;
- (3) the need and availability of follow-up care; and
- (4) the use of prescribed medication and medical equipment. (Authorized by and implementing K.S.A. 65-431; effective April 20, 2001.)

**28-34-53. Governing authority.** (a) The governing authority shall be the ultimate authority in the ambulatory surgical center, responsible for its organization and administration, including appointment of the medical staff, employment of an administrator, review and revision of policies and procedures, and maintenance of a physical plant equipped and staffed to adequately meet the needs of the patients.

(b) The governing authority shall be organized in accordance with its approved bylaws, policies, and procedures and shall be in conformance with the Kansas statutes governing ambulatory surgical centers. A copy of the ambulatory surgical center's current bylaws shall be available for review by the licensing department.

(c) Bylaws of the governing authority shall provide for the selection and appointment of medical staff members based on defined criteria and in accordance with an established procedure for processing and evaluating applications for memberships. Each application for appointment and reappointment shall be submitted in writing and shall signify agreement of the applicant to conform with the bylaws of both the governing authority and medical staff and to abide by professional ethical standards.

(d) The governing authority shall demonstrate evidence of a liaison and close working relationship with the medical staff.

(e) The governing authority shall be responsible for the implementation of a risk management program, in accordance with K.S.A. 65-4921 et seq. and amendments thereto, and K.A.R. 28-52-1 through 28-52-4.

(f) The governing authority shall select and employ an administrator and shall notify the department of any change of administrator within five days after the change has been made.

(g) Each patient admitted to the ambulatory surgical center shall be under the care of a practitioner who is a member of the medical staff.

(h) The governing authority shall ensure that the ambulatory surgical center complies with the following:

- (1) Defines, in writing, the scope of services provided;
- (2) has an adequate number of qualified personnel; and

(3) maintains effective quality control, quality improvement, and data management activities. (Authorized by and implementing K.S.A. 65-431; effective Jan. 1, 1974; amended April 20, 2001.)

**28-34-54. Medical staff.** (a) The ambulatory surgical center shall have an organized medical staff, responsible to the governing authority of the ambulatory surgical center for the quality of all medical care provided to patients in the ambulatory surgical center and for the ethical and professional practices of its members.

(b) In each ambulatory surgical center, the medical staff, with the approval of and subject to final action by the governing authority, shall formulate and approve medical staff bylaws, policies, and procedures for the proper conduct of its activities and recommend to the governing authority practitioners considered eligible for membership on the medical staff, in accordance with K.A.R. 28-34-50(u).

(c) Each member of the medical staff shall be granted privileges that are commensurate with the member's qualifications, experience, and present capabilities and that are within the practitioner's scope of practice.

(d) Each member of the medical staff shall submit a written application for staff membership on a form prescribed by the governing authority. After considering medical staff recommendations, the governing authority shall affirm, deny, or modify each recommendation for appointment to the medical staff.

(e) Surgical procedures shall be performed only by practitioners who have been granted privileges by the governing authority to perform surgical procedures.

(f) The medical staff of each ambulatory surgical center shall develop a policy stipulating which surgically removed tissues will be sent to a pathologist for review. This policy shall be approved by the governing authority.

(g) The medical staff bylaws shall require at least one physician member of the medical staff to be available to the ambulatory surgical center at all times that a patient is receiving or recovering from local, general, or intravenous sedation. The staffing shall meet the needs of the patients.

(h) The medical staff shall hold regular meetings for which records of attendance and minutes shall be kept.

(i) Medical staff committee minutes and information shall neither be a part of individual patient records nor be subject to review by other than medical staff members, except as otherwise provided by the governing authority.

(j) The medical staff shall review and analyze at regular intervals the clinical experience of its members and the medical records of patients on a sampling or other basis. All techniques and procedures involving the diagnosis and treatment of patients shall be reviewed periodically and shall be subject to change by the medical staff.

(k) The medical staff shall participate in risk management activities, in accordance with K.S.A. 65-4921 et seq., and amendments thereto, and K.A.R. 28-52-1 through 28-52-4, and with the ambulatory surgical center's risk management plan. Any ambulatory surgical center having a medical staff with fewer than two physician members shall include provisions for outside peer review in the risk management plan.

(l) All medical orders shall be given by a practitioner and recorded in accordance with the medical staff policies and procedures. All orders shall be signed or either countersigned or initialed by the attending physician, dentist, or podiatrist.

(m) The medical staff and the governing authority shall review the medical staff privileges at least every two years. (Authorized by and implementing K.S.A. 65-431; effective Jan. 1, 1974; amended April 20, 2001.)

**28-34-55.** (Authorized by K.S.A. 1973 Supp. 65-431; effective Jan. 1, 1974; revoked April 20, 2001.)

**28-34-55a. Human resources.** (a) The ambulatory surgical center shall provide an adequate number of qualified staff to meet the needs of the patients.

(b) All nursing and ancillary staff employed by or contracted with the ambulatory surgical center shall be qualified and shall provide services consistent with the scope of practice granted by the license, registration, or certification regulations.

(c) One registered nurse shall be on duty at all times whenever a patient is in the ambulatory surgical center.

(d) The ambulatory surgical center shall provide all nursing and ancillary staff services in accordance with written policies and procedures consistent with professional practice standards and reviewed and revised, as necessary.

(e) The governing authority shall ensure that all employees are provided information related to the reporting of reportable incidents in accordance with the ambulatory surgical center's risk management plan.

(f) The governing authority shall ensure that ongoing staff education and training are provided to continually improve patient care services.

(g) The ambulatory surgical center shall maintain personnel records on each employee that shall include the job application, professional and credentialing information, health information, and annual performance evaluations. (Authorized by and implementing K.S.A. 65-431; effective April 20, 2001.)

**28-34-56.** (Authorized by K.S.A. 1973 Supp. 65-431; effective Jan. 1, 1974; revoked April 20, 2001.)

**28-34-56a. Anesthesia services.** (a) If there is a department of anesthesia, it shall be directed by a member of the medical staff with appropriate clinical and administrative experience. The clinical privileges of qualified anesthesia personnel shall be reviewed by the director of anesthesia services and the medical staff and approved by the governing authority.

(b) (1) An anesthesiologist or physician shall be on the premises and readily accessible during the administration of anesthetics, whether local, general, or intravenous, and the postanesthesia recovery period until all patients are alert or medically discharged from the postanesthesia area. Qualified anesthesia personnel shall be present in the room through the administration of all general anesthetics, regional anesthetics, and monitored anesthesia care and shall continuously evaluate the patient's oxygenation, ventilation, circulation, and temperature.

(2) The following equipment shall be available as the scope of practice requires:

(A) Oxygen analyzers;

(B) a pulse oximeter; and

(C) electrocardiography, blood pressure, resuscitation, and suction equipment.

(c) The medical staff, in consultation with qualified anesthesia personnel, shall develop policies and procedures on the administration of anesthetics and drugs that produce conscious and deep sedation and on postanesthesia care. These policies and procedures shall be approved by the governing authority.

(d) Before undergoing general anesthesia, each patient shall have a history and physical examination by a physician entered in the patient's record, including the results of any necessary laboratory examination. A physician shall examine the patient immediately before surgery and shall evaluate the risk of anesthesia and of the procedure to be performed.

(e) The anesthesiologist or anesthetist shall discuss anesthesia options and risks with the patient or family before surgery.

(f) Qualified anesthesia personnel shall develop a plan of anesthesia care with the physician or dentist. The patient records shall contain a preanesthetic evaluation and a postanesthetic note by qualified anesthesia personnel. Anesthesia services shall write postanesthetic policies and procedures. Follow-up notes shall include postoperative abnormalities or complications.

(g) Flammable anesthetics shall not be used in the ambulatory surgical center.

(h) Anesthesia shall be provided only by a qualified individual licensed to administer anesthesia by the Kansas board of healing arts, the Kansas board of nursing, or the Kansas dental board. Each certified registered nurse anesthetist shall work in an interdependent role as a member of a physician- or dentist-directed health care team.

(i) All anesthetics shall be properly labeled and inventoried according to the facility's policies and procedures.

(j) All equipment for the administration of anesthetics shall be made available, cleaned with a facility-approved disinfectant and clean cloth, and maintained in good working condition.

(k) Written procedures and criteria for discharge from the recovery service shall be approved by the medical staff. Each patient who has received anesthesia shall be discharged in the company of a responsible adult, unless the requirement is specifically waived by the attending physician.

(l) There shall be a mechanism for the review and evaluation, according to the facility's policies and procedures, of the quality and scope of anesthesia services. (Authorized by and implementing K.S.A. 65-431; effective April 20, 2001.)

**28-34-57. Medical records.** (a) A medical record shall be maintained for each patient cared for in the ambulatory surgical center. The records shall be documented and retrievable by authorized persons.

(b) Each medical record shall be the property of the ambulatory surgical center. Only persons authorized by the governing authority shall have access to medical re-

(continued)

cords. These persons shall include individuals designated by the licensing department for verifying compliance with the state or federal regulations, and for disease control investigations of public health concern.

(c) Each medical record shall be maintained in a retrievable form for 10 years after the date of last discharge of the patient, or one year after the date that the minor patient reaches the age of 18, whichever is greater.

(d) Each medical record shall contain the following information, if applicable:

- (1) Patient identification data;
- (2) patient consent forms;
- (3) patient history and physical;
- (4) clinical laboratory reports;
- (5) physician's or physicians' orders;
- (6) radiological reports;
- (7) consultations;
- (8) anesthesia records;
- (9) surgical reports;
- (10) tissue reports;
- (11) progress notes;
- (12) a description of the care given to that patient based on the type of surgical procedure;
- (13) the signature or initials of authorized personnel on notes or observations;
- (14) the final diagnosis;
- (15) the discharge summary;
- (16) discharge instructions to the patient;
- (17) a copy of transfer form; and
- (18) the autopsy findings.

(e) Each record shall be dated and authenticated by the person making the entry. Nursing notes and observations shall be signed and dated by the registered nurse or licensed practical nurse making the entry. Verbal orders by authorized individuals shall be accepted and transcribed only by designated personnel.

(f) The ambulatory surgical center shall furnish, to the appropriate authority, all available information on deceased patients for completion of a death certificate.

(g) The medical record shall be completed within 30 days following the patient's discharge.

(h) Statistical data, administrative records, and records of reportable diseases as required shall be maintained and submitted by the ambulatory surgical center to the licensing department, as requested.

(i) Adequate space, facilities, and equipment shall be provided for completion and storage of medical records.

(j) Nothing in this article shall be construed to prohibit the use of properly automated medical records or use of other automated techniques, if these regulations are met. (Authorized by and implementing K.S.A. 65-431; effective Jan. 1, 1974; amended April 20, 2001.)

**28-34-58.** (Authorized by K.S.A. 1973 Supp. 65-431; effective Jan. 1, 1974; revoked April 20, 2001.)

**28-34-58a. Infection control.** (a) Each ambulatory surgical center shall establish and maintain an ongoing infection control program. The program shall be based upon guidelines established by the centers for disease control and the licensing department. The program shall include the following:

(1) Measures for the surveillance, prevention, and control of infections;

(2) the assignment of the primary responsibility for the program, as well as medical staff participation and review of findings, to an individual;

(3) written policies and procedures outlining infection control measures and aseptic techniques;

(4) orientation and ongoing education provided to all personnel on the cause, effect, transmission, and prevention of infections;

(5) policies and procedures that require all employees to adhere to universal precautions to prevent the spread of blood-borne infectious diseases;

(6) policies and procedures related to employee's health;

(7) review and evaluation, according to the facility's policies and procedures, of the quality and effectiveness of infection control throughout the ambulatory surgical center; and

(8) provisions for reporting, to the licensing department, infectious or contagious diseases in accordance with K.A.R. 28-1-2.

(b) Personnel health requirements. Upon employment, each individual shall have a medical examination consisting of examinations appropriate to the duties of the employee, including a tuberculin skin test. Subsequent medical examinations or health assessments shall be given periodically in accordance with the facility's policies. Each ambulatory surgical center shall develop policies and procedures for the control of communicable diseases, including maintenance of immunization histories and the provision of educational materials for patient care staff. Cases of employees with tuberculin skin test conversion shall be reported to the Kansas department of health and environment.

(c) Any personnel having a condition detrimental to patient well-being, or suspected of having such a condition, shall be excluded from work until the requirements of K.A.R. 28-1-6 are met.

(d) Sanitation and housekeeping. Each ambulatory surgical center shall comply with the following procedures:

(1) Be kept neat, clean, and free of rubbish;

(2) develop written housekeeping procedures;

(3) provide hand-washing facilities; and

(4) develop written procedures for the laundering of linen and washable goods.

(e) Soiled and clean linen shall be handled and stored separately.

(f) All garbage and waste shall be collected, stored, and disposed of in a manner that does not encourage the transmission of contagious disease. Containers shall be washed and sanitized before being returned to work areas, or the containers may be disposable.

(g) Staff shall make periodic checks, according to the facility's policies and procedures, throughout the premises to enforce sanitation procedures.

(h) Sterilizing supplies and equipment. The governing authority shall establish written policies and procedures for the storage, maintenance, and distribution of supplies and equipment.

(1) Sterile supplies and equipment shall not be mixed with unsterile supplies and shall be stored in dustproof and moisture-free units. These sterile units shall be labeled.

(2) Sterilizers and autoclaves shall be provided, of the appropriate type and necessary capacity, to sterilize instruments, utensils, dressings, water, and operating and delivery room materials, as well as laboratory equipment and supplies. The sterilizers shall have approved control and safety features. The accuracy of instruments shall be checked, and surveillance methods, according to the facility's policies and procedures, for checking sterilization procedures shall be employed.

(3) The date of sterilization or date of expiration shall be marked on all sterile supplies, and unused items shall be resterilized in accordance with written policies. (Authorized by and implementing K.S.A. 65-431; effective April 20, 2001.)

**28-34-59.** (Authorized by K.S.A. 1973 Supp. 65-431; effective Jan. 1, 1974; revoked April 20, 2001.)

**28-34-59a. Ancillary services.** (a) The ambulatory surgical center shall provide, either directly or through agreement, laboratory, radiology, and pharmacy services to meet the needs of the patients.

(b) Laboratory services. If the ambulatory surgical center provides its own clinical laboratory services, the following criteria shall be met:

(1) The laboratory performing analytical tests within the ambulatory surgical center shall hold a valid CLIA certificate for the type and complexity of all tests performed.

(2) An authorized individual shall, through written or electronic means, request all tests performed by the laboratory. The individual or individuals serving as the laboratory's clinical consultant or consultants shall be as defined in 42 C.F.R. 493.1417(b), as in effect on October 1, 1996 and hereby adopted by reference.

(3) The original report or duplicate copies of written tests, reports, and supporting records shall be retained in a retrievable form by the laboratory for at least the following periods:

- (A) Two years for routine test reports;
- (B) five years for blood banking test reports; and
- (C) 10 years for histologic or cytologic test reports.

(4) Facilities for procurement, safekeeping, and transfusion of blood, blood products, or both shall be provided or available. If blood products or transfusion services are provided by sources outside the ambulatory surgical center, outside sources shall be provided by a CLIA-certified laboratory. The source shall be certified for the scope of testing performed or products provided.

(c) If the ambulatory surgical center contracts for laboratory services, the center shall have a written agreement with that CLIA-certified laboratory.

(d) Radiology services. If the ambulatory surgical center provides its own radiology services, the services shall meet the requirements specified in K.S.A. 48-1607, and amendments thereto.

(e) The ambulatory surgical center staff shall meet the following standards:

(1) Allow only trained and qualified individuals to operate radiology equipment;

(2) document annual checks and calibration of all radiology equipment and maintain records of such;

(3) ensure that all radiology and diagnostic services are provided only on the order of a physician; and

(4) document the presence of signed and dated clinical reports of the radiological or diagnostic findings in the patient's record.

(f) If the ambulatory surgical center contracts for radiology services, it shall have a written agreement with a medicare-approved radiology provider or supplier.

(g) Pharmacy services. Each ambulatory surgical center shall provide pharmaceutical services that are appropriate for the services offered by the ambulatory surgical center.

(h) The pharmaceutical service shall be under the direction of an individual designed responsible for the service and shall be provided in accordance with K.A.R. 68-7-11.

(i) Policies and procedures. There shall be policies and procedures developed by a pharmacist, and approved by the governing authority, related to the following:

- (1) Storage of drugs;
- (2) security of drugs;
- (3) labeling and preparation of drugs;
- (4) administration of drugs; and
- (5) disposal of drugs.

(j) All drugs and biologicals shall be ordered pursuant to a written order issued by a licensed physician.

(k) Each adverse drug reaction shall be reported to the physician responsible for the patient and shall be documented in the patient's record.

(l) Drugs requiring refrigeration shall be stored in a refrigerator that is used only for drug storage.

(m) Quality assurance. There shall be a mechanism for the ongoing review and evaluation of the quality and scope of radiological, laboratory, and pharmacy services. (Authorized by and implementing K.S.A. 65-431; effective April 20, 2001.)

**28-34-60.** (Authorized by K.S.A. 1973 Supp. 65-431; effective Jan. 1, 1974; revoked April 20, 2001.)

**28-34-60a. Food services.** (a) Food service and food service policies and procedures shall reflect the level of services offered to meet the needs of the patients.

(b) The food and nutritional needs of patients shall be met in accordance with physician's orders.

(c) There shall be written policies for food storage, preparation, and service. Policies shall meet the following standards:

(1) There shall be a separate storage area above the floor level for food.

(2) Food transportation equipment shall be cleaned and disinfected daily or after each use if uneaten food or unclean dishes are transported.

(3) There shall be separate hand-washing facilities in the food preparation and service area.

(4) The temperature in each food freezer shall be no higher than 0° Fahrenheit.

(continued)

(5) Dishes and utensils shall be washed in water at 140° Fahrenheit and shall be rinsed at 180° Fahrenheit; or a ware-washing machine and its auxiliary components shall be operated in accordance with the machine's data plate and any other manufacturer's instructions.

(6) Foods being transported shall be protected from contamination and held at required temperatures in clean containers or serving carts.

(7) Except during preparation, cooking, or cooling, potentially hazardous food shall be maintained at or above 140° Fahrenheit or at or below 41° Fahrenheit.

(8) Storage of toxic agents shall be prohibited in food preparation and food serving areas.

(9) Food returned on patients' trays shall not be re-used. (Authorized by and implementing K.S.A. 65-431; effective April 20, 2001.)

**28-34-61.** (Authorized by K.S.A. 1973 Supp. 65-431; effective Jan. 1, 1974; revoked April 20, 2001.)

**28-34-61a. Physical environment.** (a) Each ambulatory surgical center shall be designed, constructed, equipped, and maintained to protect the health and safety of patients, staff, and visitors:

(b) Each ambulatory surgical center shall include the following features:

- (1) A separate recovery area and waiting area;
- (2) business office facilities;
- (3) storage areas designated for janitorial supplies and equipment; and
- (4) separate toilet facilities designated for patients, staff, and visitors.

(c) Equipment.

(1) Patient resuscitation and suction equipment shall be available in the surgical area at all times.

(2) All equipment shall be clean, functional, and maintained in accordance with the manufacturer's instruction.

(3) Each fire extinguisher shall be the type approved by underwriters laboratories. Extinguishers shall be inspected and tagged annually to assure that nothing has been tampered with or moved from designated areas. All extinguishers shall be functional.

(d) Fire and disaster drills. Each ambulatory surgical center shall meet the following requirements:

(1) Develop a written fire evacuation plan. Drills shall be held according to the facility's policies and procedures to prepare employees for evacuation of patients, staff, and visitors during a fire emergency. A record of each drill shall be kept on file.

(2) Develop a written plan for addressing the safety of patients, staff, and visitors during disasters. Periodic drills shall be held, and a record of each drill shall be kept on file.

(e) Smoking shall be prohibited in each ambulatory surgical center, and "no smoking" signs shall be posted in accordance with K.S.A. 21-4017, and amendments thereto.

(f) Use of space. The physical space licensed as an ambulatory surgical center shall be separate from any physician's office. (Authorized by and implementing K.S.A. 65-431; effective April 20, 2001.)

**28-34-62a. Construction standards.** (a) General provisions. All ambulatory surgical center construction,

including new buildings and additions or alterations to existing buildings, shall be in accordance with standards set forth in sections 1, 2, 3, 4, 5, 6, and subsections 9.1, 9.2, 9.5, 9.9, 9.10, 9.31, and 9.32 in the American institute of architects academy of architecture for health publication no. ISBN 1-55835-151-5, entitled "1996-97 guidelines for design and construction of hospital and health care facilities," copyrighted in 1996, and hereby adopted by reference.

(b) Provisions for handicapped. All construction shall be in compliance with K.S.A. 58-1301 et seq., and amendments thereto.

(c) Construction plans and specifications.

(1) Plans and specifications for each new ambulatory surgical center and each alteration and addition to any existing ambulatory surgical center, other than minor alterations, shall be prepared by an architect licensed in Kansas and shall be submitted to the licensing department before beginning construction. "Minor alterations" means those projects that do not affect the structural integrity of the building, do not change functional operation, and do not affect fire safety.

(2) Plans shall be submitted at the preliminary plan and outline specification stage.

(3) The preliminary plans shall include the following information:

(A) Sketch plans of the basement, each floor, and the roof indicating the space assignment, size, and outline of fixed equipment;

(B) all elevations and typical sections;

(C) a plot plan showing roads and parking facilities; and

(D) areas and bed capacities by floors.

(4) Outline specifications shall consist of a general description of the construction, air conditioning, heating, and ventilation systems.

(5) Contract documents and final plans shall be prepared by the architect and consist of working drawings that are complete and adequate for bidding, contract, and construction purposes. Specifications shall supplement the drawings to fully describe the types, sizes, capacities, workmanship, finishes, and other characteristics of all materials and equipment. Contract documents shall be submitted to the licensing department, if requested. The architect shall certify that contract documents and final plans are in compliance with subsections (a) and (b) of this regulation.

(d) Access. Representatives of the licensing department shall, at all reasonable times, have access to work in preparation or progress, and the contractor shall provide proper facilities for this access and inspection. A complete set of plans and specifications shall be available on the job site for use by licensing department personnel. (Authorized by and implementing K.S.A. 65-431; effective May 1, 1986; amended, T-87-51, Dec. 19, 1986; amended May 1, 1987; amended Dec. 29, 1995; amended April 20, 2001.)

Clyde D. Graeber  
Secretary of Health  
and Environment

Doc. No. 026367



1:30 p.m.

81,804	State of Kansas, Appellee, v. William D. Plaskett, Appellant.	Carla J. Stovall, Atty. Gen. Paul J. Morrison, District Atty. Reid T. Nelson, Asst. Appellate Defender	Johnson
85,956	State of Kansas, Appellee, v. Yolanda D. Ferguson, Appellant.	Carla J. Stovall, Atty. Gen. Paul J. Morrison, District Atty. Nathan D. Webb, Asst. Appellate Defender	Johnson
86,079	In the Matter of the Petition of Michael J. Pierpoint for a Writ of Habeas Corpus.	Robert Wasinger Daniel C. Walter	Johnson
84,488	Kenneth and Mary Jo Shelton, Appellants, v. Susan R. Dewitte, Appellee.	David S. Brake Daniel J. Matula	Miami

Wednesday, April 18, 2001

9:00 a.m.

Case No.	Case Name	Attorneys	Jurisdiction
84,171	D. Clarence Unrau, et al., Appellants, v. Kidron Bethel Retirement Services, et al., Appellees.	Randall E. Fisher David C. Burns.	Harvey
85,052	Colorado Interstate Gas Company and ANR Pipeline Company, Appellants, v. Secretary of Revenue, et al., Appellees.	Richard D. Greene William E. Waters	Shawnee
84,673	State of Kansas, Appellee, v. Enrique L. Luna, Appellant.	Carla J. Stovall, Atty. Gen. Keith E. Schroeder, District Atty. Randall L. Hodgkinson, Asst. Appellate Defender	Reno Petition for Review
84,583	State of Kansas, Appellee, v. Vernon J. Amos, Appellant.	Carla J. Stovall, Atty. Gen. Nick A. Tomasic, District Atty. Virginia Girard-Brady	Wyandotte

1:30 p.m.

83,716	State of Kansas, Appellee, v. Gentry E. Bolton, Appellant.	Carla J. Stovall, Atty. Gen. Nick A. Tomasic, District Atty. Craig H. Durham, Asst. Appellate Defender	Wyandotte
83,480	State of Kansas, Appellee, v. Daniel Ramos, Appellant.	Carla J. Stovall, Atty. Gen. Nick A. Tomasic, District Atty. Debra J. Wilson, Asst. Appellate Defender	Wyandotte
83,923	State of Kansas, Appellee, v. Curtis Lee Coleman, Jr., Appellant.	Carla J. Stovall, Atty. Gen. Nick A. Tomasic, District Atty. Randall L. Hodgkinson, Asst. Appellate Defender	Wyandotte

Thursday, April 19, 2001.

9:00 a.m.

Case No.	Case Name	Attorneys	Jurisdiction
83,276	State of Kansas, Appellee, v. Todd Miller Deal, Appellant.	Carla J. Stovall, Atty. Gen. David L. Miller, County Atty. Debra J. Wilson, Asst. Appellate Defender	Miami



84,835	Michael P. Mitchell, Appellant, v. Liberty Mutual Insurance Co., et al., Appellees.	Robert G. Herndon Craig C. Blumreich Paul Hasty, Jr.	Riley
86,527	In the Matter of John B. Rishel III, Respondent.	Stanton A. Hazlett, Disc. Admin. John B. Rishel III, Pro Se	Original
86,416	In the Matter of Marlin Eugene Johanning, Respondent.	Frank D. Diehl, Deputy Disc. Admin. Shelley Kurt Bock Marlin Eugene Johanning, Pro Se	Original

Friday, April 20, 2001

**Summary Calendar—No Oral Argument  
Pursuant to Supreme Court Rule 7.01(c)**

83,495 State v. Joseph Johnson

**Summary Disposition of Sentencing Appeals—No Oral Argument  
Pursuant to Supreme Court Rule 7.041(a)**

83,463 State v. Robert E. McMillan	85,569 State v. Charles Conley Haymond	85,759 State v. Robert O. Jones
85,194 State v. Kealen D. Berger	85,633 State v. James C. Fourhorn	85,874 State v. Guadalupe D. Casas
85,310 State v. Eric J. Avila	85,663 State v. Carl R. Nagy III	85,887 State v. Vincent E. Daugherty
85,448 Ernie R. Davis v. State	85,737 State v. Ernest Cobb	85,888 State v. Eric Phillip Joeckel
85,526 Jason Gorgas v. State	85,739 State v. Eddie L. Gardner	85,950 State v. Douglas S. Williams

Carol G. Green  
Clerk of the Appellate Courts

Doc. No. 026357

**State of Kansas**

**Legislature**

**Legislative Bills and Resolutions Introduced**

The following numbers and titles of bills and resolutions were introduced March 22-28 by the 2001 Kansas Legislature. Copies of bills and resolutions are available free of charge from the Legislative Document Room, 145-N State Capitol, 300 S.W. 10th Ave., Topeka, 66612, (785) 296-4096. Full texts of bills, bill tracking and other information may be accessed at [ink.org/public/legislative](http://ink.org/public/legislative).

**House Bills**

**HB 2575**, An act relating to developmental disabilities; establishing the state council on developmental disabilities; membership; powers and duties; amending K.S.A. 74-5501, 74-5503 and 74-5504 and K.S.A. 2000 Supp. 74-5502 and 74-5505 and repealing the existing sections; also repealing K.S.A. 74-5506, by Committee on Appropriations.

**HB 2576**, An act concerning agriculture; relating to agricultural products development; alternative crop research and marketing; tax imposed upon alcoholic liquor and cereal malt beverages; amending K.S.A. 41-501, as amended by section 129 of 2001 Senate Bill No. 15 and K.S.A. 2000 Supp. 74-50,156, as amended by section 328 of 2001 Senate Bill No. 15 and repealing the existing sections, by Committee on Taxation.

**HB 2577**, An act concerning school district finance; authorizing the levy of an ad valorem tax for enhancement of teachers' salaries; providing for teachers' enhancement for affordable community housing weighting; amending K.S.A. 2000 Supp. 72-6407 and repealing the existing section, by Committee on Taxation.

**HB 2578**, An act concerning school district finance; concerning state aid and grants for various educational performance programs; relating to school district ad valorem taxes and other taxes for educational enhancement financing; making and concerning appropriations for the fiscal year ending June 30, 2002, for the department of education; amending K.S.A. 72-6413 and K.S.A. 2000 Supp. 72-1398, 72-6407, 72-6410, 72-6412, 72-6414, 72-6431, 72-6442, 79-201x, 79-2959, 79-2964, 79-3492b, 79-34,118, 79-34,141, 79-34,142, 79-34,147, 79-3603, 79-3635 and 79-3703 and repealing the existing sections; also repealing K.S.A. 2000 Supp. 72-978, 72-979 and 72-983, by Committee on Taxation.

**HB 2579**, An act concerning telecommunications; relating to the provision of local exchange telephone service; amending K.S.A. 12-2001, 17-1901 and 17-1906 and repealing the existing sections, by Committee on Taxation.

**House Concurrent Resolutions**

**HCR 5028**, A concurrent resolution relating to the adjournment of the senate and house of representatives for periods during the 2001 regular session of the legislature.

**HCR 5029**, A concurrent resolution urging that the Governor recommend an appropriation for fiscal year 2002 and the next two subsequent fiscal years to provide sufficient state matching funds to increase the HCBS waiver budget to allow reimbursement rate increases to address inadequate pay for direct care workers employed by community service providers who serve persons with developmental disabilities and their families in home and community based settings.

**House Resolutions**

**HR 6016**, A resolution in memory of Herman Dillon.

**Senate Bills**

**SB 359**, An act concerning the Kansas life and health insurance guaranty association; amending K.S.A. 40-3006, 40-3008, as amended by section 3 of 2001 House Bill No. 2115, 40-3011, 40-3016 and 40-3017 and repealing the existing sections, by Committee on Ways and Means.

**Senate Resolutions**

**SR 1830**, A resolution recognizing the ANNE FRANK: A HISTORY FOR TODAY exhibition.

**SR 1831**, A resolution congratulating and commending Dustin May.  
**SR 1832**, A resolution congratulating and commending Marvin E. Thompson for his service as a member of the Kansas Judicial Council.

**SR 1833**, A resolution congratulating and commending the Hutchinson High School boys basketball team and Coach Phil Anderson for winning the 2001 Class 6A State Basketball Championship.

**SR 1834**, A resolution acknowledging the 50th anniversary of the Kansas Rural Preceptor Program.

**SR 1835**, A resolution congratulating and commending the Lebo High School girls basketball team and Coach Bill Nienstedt for winning the 2001 Class 1A State Basketball Championship.

Doc. No. 026387

## State of Kansas

**Department of Administration  
Division of Architectural Services**

**Notice of Commencement of  
Negotiations for Engineering Services**

Notice is hereby given of the commencement of negotiations for engineering services for the design and construction administration of the installation of sprinkler systems at the Hutchinson Correctional Facility. The system will be located in the wood attics of A, B, C and D cellhouses and the rotunda building. The estimated construction cost is \$300,000.

For information regarding the scope of services, contact Mike Gaito, Director of Capital Improvements, Kansas Department of Corrections, (785) 296-0883.

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

Expressions of interest and the SF 255 submittals should be received by Gary Grimes before 5 p.m. April 20.

Thaine Hoffman, AIA  
Director, Division of  
Architectural Services

Doc. No. 026396

(Published in the Kansas Register April 5, 2001.)

**Summary Notice of Bond Sale  
Grant County, Kansas  
\$1,800,000**

**General Obligation Library Bonds, Series 2001**

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

**Bids**

Subject to the notice of bond sale dated March 6, 2001, written bids will be received by the clerk of Grant County, Kansas (the issuer), on behalf of the governing body at the Grant County Courthouse, 108 S. Glenn, Ulysses, KS 67880, until 11 a.m. April 17, 2001, for the purchase of \$1,800,000 principal amount of General Obligation Library Bonds, Series 2001. No bid of less than 100 percent of the principal amount of the bonds and accrued interest thereon to the date of delivery will be considered.

**Bond Details**

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated May 1, 2001, and will become due on November 1 in the years as follows:

Year	Principal Amount
2002	\$105,000
2003	155,000
2004	160,000
2005	170,000
2006	180,000
2007	185,000
2008	195,000
2009	205,000
2010	215,000
2011	230,000

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 May 1 and November 1 in each year, beginning May 1, 2002.

**Book-Entry-Only System**

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

**Paying Agent and Bond Registrar**

Kansas State Treasurer, Topeka, Kansas.

**Good Faith Deposit**

Each bid shall be accompanied by a good faith deposit in the form of a cashier's or certified check drawn on a bank located in the United States or a qualified financial surety bond in the amount of \$36,000 (2 percent of the principal amount of the bonds).

**Delivery**

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about May 9, 2001, to 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 2000 is \$252,923,276. The total general obligation indebtedness of the issuer as of the date of delivery of the bonds, including the bonds being sold, is \$3,250,000.

**Approval of Bonds**

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

**Additional Information**

Additional information regarding the bonds may be obtained from the clerk, (316) 356-1335, fax (316) 356-3081; or from the financial advisor, George K. Baum & Company, 100 N. Main, Suite 810, Wichita, KS 67202, Attention: Charles M. Bouilly, (316) 264-9351, fax (316) 264-9370.

Dated March 6, 2001.

Grant County, Kansas

Doc. No. 026394

(Published in the Kansas Register April 5, 2001.)

**Summary Notice of Bond and Note Sale  
Shawnee County, Kansas**

**\$2,635,000\* General Obligation Bonds, Series 2001-A  
\$1,000,000 General Obligation Bonds, Series 2001-B  
\$6,810,000 General Obligation Temporary Note,  
Series 2001-1**

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

**Sale Particulars**

Subject to the terms and conditions of the complete official notice of sale and the preliminary official statement both dated April 5, 2001, of Shawnee County, Kansas, prepared in connection with the issuance of the county's General Obligation Bonds, Series 2001-A, and the county's General Obligation Bonds, Series 2001-B (collectively referred to herein as the bonds); and the county's General Obligation Temporary Note, Series 2001-1, sealed, written bids will be received at the office of the county clerk at the Shawnee County Courthouse, 200 S.W. 7th, Topeka, 66603, until 11 a.m. Monday, April 23, 2001, for the purchase of the bonds and the note. All bids will be publicly opened, read aloud and tabulated on said date and at said time and will thereafter be immediately considered and acted upon by the governing body of the county.

No oral or auction bids for the bonds or the note will be considered, and no bid for less than the entire principal amount of the bonds will be considered. No bid for less than the entire principal amount of the note will be considered.

Bids will be accepted only on the official bid forms that have been prepared for the public bidding on the bonds and the note, all of which may be obtained from the county clerk. Each bid for the bonds must be accompanied by a good faith deposit in the form of a qualified financial surety bond or certified or cashier's check drawn on a bank located within the United States, each made payable to the order of the county and in an amount equal to 2 percent of the principal amount of the bonds.

**Details of the Series 2001-A Bonds**

The Series 2001-A Bonds in the approximate principal amount of \$2,635,000\* are to be dated May 1, 2001, and will be issued as fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The Series 2001-A Bonds shall initially be registered in the name of Cede & Co., as nominee of the Depository Trust Company, New York, New York, to which payment of principal of and interest on the Series 2001-A Bonds will be made. Individual purchases of bonds will be made in book-entry form only. Purchasers will not receive certificates representing their interest in bonds purchased. The Series 2001-A Bonds will bear interest, payable as hereinafter set forth, at the rates specified by the successful bidder for the Series 2001-A Bonds.

Interest on the Series 2001-A Bonds will be payable semiannually on March 1 and September 1 in each year, commencing March 1, 2002.

The Series 2001-A Bonds will mature serially on September 1 as follows:

Maturity	Amount
2002	\$80,000
2003	85,000
2004	90,000
2005	90,000
2006	95,000
2007	100,000
2008	105,000
2009	110,000
2010	120,000
2011	125,000
2012	130,000
2013	135,000
2014	145,000
2015	150,000
2016	160,000
2017	165,000
2018	175,000
2019	185,000
2020	190,000
2021	200,000

Certain of the Series 2001-A Bonds are subject to redemption prior to their maturities as provided in the complete official notice of sale and preliminary official statement.

**Details of the Series 2001-B Bonds**

The Series 2001-B Bonds in the principal amount of \$1,000,000 are to be dated May 1, 2001, and will be issued as fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The Series 2001-B Bonds shall initially be registered in the name of Cede & Co., as nominee of the Depository Trust Company, New York, New York, to which payment of principal of and interest on the Series 2001-B Bonds will be made. Individual purchases of bonds will be made in book-entry form only. Purchasers will not receive certificates representing their interest in bonds purchased. The Series 2001-B Bonds will bear interest, payable as hereinafter set forth, at the rates specified by the successful bidder for the Series 2001-B Bonds.

Interest on the Series 2001-B Bonds will be payable semiannually on March 1 and September 1 in each year, commencing March 1, 2002.

The Series 2001-B Bonds will mature serially on September 1 as follows:

Maturity	Amount
2002	\$45,000
2003	50,000
2004	50,000
2005	55,000
2006	55,000
2007	60,000
2008	65,000
2009	65,000
2010	70,000
2011	70,000
2012	75,000
2013	80,000
2014	85,000
2015	85,000
2016	90,000

(continued)

Certain of the Series 2001-B Bonds are subject to redemption prior to their maturities as provided in the complete official notice of sale and preliminary official statement.

#### Details of the Note

The county's Temporary Note, Series 2001-1, in the principal amount of \$6,810,000 is to be dated May 1, 2001. The note shall initially be registered in the name of Cede & Co., as nominee of the Depository Trust Company, New York, New York, to which payment of principal of and interest on the note will be made. Purchases of the note will be made in book-entry form only. Purchasers will *not* receive certificates representing their interest in the note purchased. The note will be dated May 1, 2001, and will become due on May 15, 2002, subject to redemption as set forth in the preliminary official statement. The note will bear interest from the dated date at the rate to be determined when the note is sold.

#### Payment of Principal and Interest

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

The Shawnee County Treasurer will serve as the note registrar and paying agent for the note, and the principal of the note will be payable upon surrender at the paying agent's principal offices in Topeka, Kansas. Interest will be paid by the mailing of a check or draft of the paying agent to the registered owners of the note.

#### Security for the Bonds and Note

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

#### Delivery of the Bonds and Note

The bonds and note, duly prepared, executed and registered, will be furnished and delivered in book-entry form only at the expense of the county through the facilities of the Depository Trust Company, New York, New York, on or before May 11, 2001.

#### Legal Opinion

The bonds and note will be sold subject to the legal opinion of Jonathan P. Small, Chartered, Topeka, Kansas, bond counsel, whose fees will be paid by the county. Bond counsel's approving legal opinion as to the validity of the bonds and note will be furnished and paid for by the county and delivered to the successful bidder upon delivery of the bonds and note. (Reference is made to the official notice of sale and preliminary official statement for a discussion of tax exemption and other legal matters.)

#### Financial Matters

The total equalized assessed valuation of the taxable tangible property within the county for computation of bonded debt limitations for the year 2001 is \$1,272,695,830.

The total general obligation bonded indebtedness of the county as of the date of the bonds and note (including the bonds being sold) is \$52,985,485, and the county has temporary notes outstanding (including the note being sold) in the amount of \$14,768,000.

#### Additional Information

For additional information regarding the county, the bonds and note, and the public sale, interested parties are invited to contact the county clerk at the address and telephone number shown below.

Dated April 5, 2001.

Cynthia A. Beck  
County Clerk  
200 S.E. 7th St.  
Topeka, KS 66610  
(785) 233-8200, Ext. 4111  
Fax (785) 291-4912

\*Subject to change based upon prepayment of special assessments.

Doc. No. 026408

#### State of Kansas

#### Secretary of State

#### Certification of New State Laws

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

Ron Thornburgh  
Secretary of State

(Published in the Kansas Register April 5, 2001.)

#### HOUSE BILL No. 2185

AN ACT concerning improvement districts; concerning the issuance of revenue bonds; amending K.S.A. 19-2777 and repealing the existing section.

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

Section 1. K.S.A. 19-2777 is hereby amended to read as follows: 19-2777. (a) *Except as provided by subsection (b), any revenue bonds issued under the provisions of this act K.S.A. 19-2776, and amendments thereto, shall mature serially or otherwise. Provided, That all of said. Such bonds shall mature within a maximum period of thirty (30) 30 years from the date of issue issuance and shall bear interest at a rate not to exceed the maximum rate of interest prescribed by K.S.A. 10-1009, and amendments thereto.*

(b) *Any revenue bonds issued under the provisions of K.S.A. 19-2776, and amendments thereto, and sold, pursuant to written agreement, to the government of the United States of America or any bureau, department, instrumentality or agency thereof, shall be issued to mature in, not more than 40 years and shall bear interest at a rate not to exceed the maximum rate prescribed by K.S.A. 10-1009, and amendments thereto, payable at such times fixed by the board of directors of the improvement district issuing the same. The bonds shall mature serially or otherwise, may be in coupon or registered form and interchangeable, and shall have such other terms and provisions as the board of directors of the improvement district provides by resolution or trust agreement.*

Sec. 2. K.S.A. 19-2777 is hereby repealed.

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

(Published in the Kansas Register April 5, 2001.)

## HOUSE BILL No. 2270

AN ACT authorizing the state board of regents to exchange and convey certain tracts of real estate located in Ellis county, Kansas, for and on behalf of Fort Hays state university with the Fort Hays university endowment association.

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

Section 1. (a) The state board of regents is hereby authorized and empowered, for and on behalf of Fort Hays state university to exchange and convey all of the rights, title and interest in the university real estate, as defined by this section, for the endowment real estate, as defined by this section.

(b) Conveyance of such rights, title and interest in such real estate, and any improvements thereon, shall be executed in the name of the state board of regents by its chairperson and executive officer. The deed for such conveyance may be by warranty deed or by quitclaim deed as determined to be in the best interests of the state by the state board of regents in consultation with the attorney general.

(c) No exchange and conveyance of real estate and improvements thereon as authorized by this section shall be made by the state board of regents until the deeds and conveyances have been reviewed and approved by the attorney general and, if warranty deeds are to be the instruments of conveyance, title reviews have been performed or title insurance has been obtained and the title opinions or the certificates of title insurance, as the case may be, have been approved by the attorney general.

(d) As used in this section:

(1) "University real estate" means the following described real estate located in Ellis county, Kansas:

Tract 1: A tract in the Northwest Quarter (NW/4) of Section Twenty-Nine (29), Township Thirteen (13) South, Range Eighteen (18) West of the 6th P.M. in Ellis county, Kansas, and more particularly described as follows: Beginning at a point on the South line of said Northwest Quarter (NW/4) of Section Twenty-Nine (29), 445.5 feet East of the Southwest corner of said Northwest Quarter (NW/4), thence East along the South line of said Northwest Quarter (NW/4) 880.5 feet, thence North a right angles 1317.5 feet, thence West at right angles 880.5 feet, thence South at right angles 1317.5 feet to the point of beginning, being 26.63 acres more or less, together with a permanent easement for ingress and egress over and across the South forty (40) feet of said Northwest Quarter (NW/4) of Section 29, in Township 13 South, Range 18 West of the 6th P.M. for roadway purposes and all utility lines; subject to easements of record; and

Tract 2: A tract of land situated in the Southwest Quarter of Section Thirty-two (32), Township Thirteen (13) South, Range Eighteen (18) West of the 6th P.M., Ellis county, Kansas, and more particularly described as follows: Commencing at the Northwest corner of the Southwest Quarter (SW/4) of said Section Thirty-two(32); thence on a bearing of North 87 degrees, 25 minutes, 00 seconds East along the North line of the said Southwest Quarter (SW/4) a distance of 412.30 feet to the centerline tangent of Highway 183 Alternate; thence on a bearing of South 27 degrees, 57 minutes, 37 seconds East along the said centerline of Highway 183 Alternate a distance of 1698.56 feet; thence on a bearing of North 62 degrees, 02 minutes, 23 seconds East a distance of 200.00 feet to the point of beginning thence continuing on the last described course a distance of 380.00 feet; thence on a bearing of South 35 degrees, 17 minutes, 17 seconds East a distance of 352.87 feet; thence on a bearing of South 62 degrees, 01 minute, 48 seconds West a distance of 425.00 feet; thence on a bearing of North 27 degrees, 57 minutes, 37 seconds West a distance of 350 feet to the point of beginning, said tract containing 3.234 acres; and

(2) "endowment real estate" means the following described real estate located in Ellis county, Kansas:

Tract 1: The real estate located at 610 Park Street, which is Lot 2, Block 5, C.W. Reeders Addition to the City of Hays, Kansas; and

Tract 2: The real estate located at 507 W. 6th Street, which is Lots 1 and 3, Block 5, C.W. Reeders Addition to the City of Hays, Kansas.

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

(Published in the Kansas Register April 5, 2001.)

## HOUSE BILL No. 2193

AN ACT relating to payday loans; limiting number of loans to same borrower; amending K.S.A. 2000 Supp. 16a-2-404 and repealing the existing section.

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

Section 1. K.S.A. 2000 Supp. 16a-2-404 is hereby amended to read as follows: 16a-2-404. (1) On consumer loan transactions in which cash is advanced:

(a) With a short term,

(b) a single payment repayment is anticipated, and

(c) such cash advance is equal to or less than \$860, a licensed or supervised lender may charge in lieu of the loan finance charges specified in K.S.A. 16a-2-401, and amendments thereto, the following amounts:

(i) On any amount up to and including \$50, a charge of \$5.50 may be added;

(ii) on amounts in excess of \$50, but not more than \$100, a charge may be added equal to 10% of the loan proceeds plus a \$5 administrative fee;

(iii) on amounts in excess of \$100, but not more than \$250 a charge may be added equal to 7% of the loan proceeds with a minimum of \$10 plus a \$5 administrative fee;

(iv) for amounts in excess of \$250 and not greater than the maximum defined in this section, a charge may be added equal to 6% of the loan proceeds with a minimum of \$17.50 plus a \$5 administrative fee.

(2) The maximum term of any loan made under this section shall be 30 days.

(3) *A lender and related interest shall not have more than two loans made under this section outstanding to the same borrower at any one time.*

(4) *Each loan agreement made under this section shall contain the following notice in at least 10 point bold face type: NOTICE TO BORROWER: KANSAS LAW PROHIBITS THIS LENDER AND THEIR RELATED INTEREST FROM HAVING MORE THAN TWO LOANS OUTSTANDING TO YOU AT ANY ONE TIME. A LENDER CANNOT DIVIDE THE AMOUNT YOU WANT TO BORROW INTO MULTIPLE LOANS IN ORDER TO INCREASE THE FEES YOU PAY.*

(5) (7) The contract rate of any loan made under this section shall not be more than 3% per month of the loan proceeds after the maturity date. No insurance charges or any other charges of any nature whatsoever shall be permitted, except as stated in subsection (5) (7), including any charges for cashing the loan proceeds if they are given in check form.

(4) (6) Any loan made under this section shall not be repaid by proceeds of another loan made under this section by the same lender or related interest. The proceeds from any loan made under this section shall not be applied to any other loan from the same lender or related interest.

(5) (7) On a consumer loan transaction in which cash is advanced in exchange for a personal check, a return check charge may be charged if the check is deemed insufficient as defined in paragraph (e) of subsection (1) of K.S.A. 16a-2-501, and amendments thereto.

(6) (8) In determining whether a consumer loan transaction made under the provisions of this section is unconscionable conduct under K.S.A. 16a-5-108, and amendments thereto, consideration shall be given, among other factors, to:

(a) The ability of the borrower to repay within the terms of the loan made under this section; or

(b) the original request of the borrower for amount and term of the loan are within the limitations under this section.

(7) (9) This section shall be supplemental to and a part of the uniform consumer credit code.

Sec. 2. K.S.A. 2000 Supp. 16a-2-404 is hereby repealed.

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

(Published in the Kansas Register April 5, 2001.)

## SENATE BILL No. 29

AN ACT relating to Kansas insurance coverage for children; concerning the six month waiting period; amending K.S.A. 38-2001 and repealing the existing section.

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

Section 1. K.S.A. 38-2001 is hereby amended to read as follows: 38-2001. (a) The secretary of social and rehabilitation services shall develop and submit a plan consistent with federal guidelines established under section 4901 of public law 105-33 (42 U.S.C. 1397aa *et seq.*; title XXI).

(b) The plan developed under subsection (a) shall be a capitated managed care plan covering Kansas children from zero to 19 years which:

(1) Contains benefit levels at least equal to those for the early and periodic screening, diagnosis and treatment program;

(2) provides for presumptive eligibility for children where applicable;

(3) provides continuous eligibility for 12 months once a formal determination is made that a child is eligible subject to subsection (e);

(4) has performance based contracting with measurable outcomes indicating age appropriate utilization of plan services to include, but not limited to, such measurable services as immunizations, vision, hearing and dental exams, emergency room utilization, annual physical exams and asthma;

(5) shall use the same prior authorization standards and requirements as used for health care services under medicaid to further the goal of seamlessness of coverage between the two programs; and

(6) will provide targeted low-income children, as defined under section 4901 of public law 105-33 (42 U.S.C. 1397aa, *et seq.*), coverage subject to appropriations.

(c) The secretary is authorized to contract with entities authorized to transact health insurance business in this state to implement the health insurance coverage plan pursuant to subsection (a) providing for several plan options to enrollees which are coordinated with federal and state child health care programs, except that when contracting to provide managed mental health care services the secretary shall assure that contracted entities demonstrate the ability to provide a full array of mental health services in accordance with the early and periodic screening, diagnosis and treatment plan. The secretary shall not develop a request for proposal process which excludes community mental health centers from the opportunity to bid for managed mental health care services.

(d) When developing and implementing the plan in subsection (a), the secretary to the extent authorized by law:

(1) Shall include provisions that encourage contracting insurers to utilize and coordinate with existing community health care institutions and providers;

(2) may work with public health care providers and other community resources to provide educational programs promoting healthy lifestyles and appropriate use of the plan's health services;

(3) shall plan for outreach and maximum enrollment of eligible children through cooperation with local health departments, schools, child care facilities and other community institutions and providers;

(4) shall provide for a simplified enrollment plan;

(5) shall provide cost sharing as allowed by law;

(6) shall not count the caring program for children, the Kansas health insurance association plan or any charity health care plan as insurance under subsection (e)(1); and

(7) may provide for payment of health insurance premiums, including contributions to a medical savings account if applicable, if it is determined cost effective, taking into account the number of children to be served and the benefits to be provided.

(e) A child shall not be eligible for coverage and shall lose coverage under the plan developed under subsection (a) of K.S.A. 38-2001, and amendments thereto, if:

~~(1) During the prior six months, the child was covered with a comprehensive health insurance policy by an insurance company, health maintenance organization or nonprofit hospital and medical insurance corporation authorized to do business in this state and such insurance is still available to the child, or~~

~~(2) such child's family has not paid the enrollee's applicable share of any premium due.~~

If the family pays all of the delinquent premiums owed during the year, such child will again be eligible for coverage for the remaining months of the continuous eligibility period.

(f) The plan developed under section 4901 of public law 105-33 (42 U.S.C. 1397aa *et seq.*, and amendments thereto) is not an entitlement program. The availability of the plan benefits shall be subject to funds appropriated. The secretary shall not utilize waiting lists, but shall monitor costs of the program and make necessary adjustments to stay within the program's appropriations.

Sec. 2. K.S.A. 38-2001 is hereby repealed.

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

(Published in the Kansas Register April 5, 2001.)

## SENATE BILL No. 178

AN ACT concerning intoxicating liquors; relating to licensees under the liquor control act; amending K.S.A. 41-311, 41-313, 41-319 and repealing the existing sections.

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

Section 1. K.S.A. 41-311 is hereby amended to read as follows: 41-311. (a) No license of any kind shall be issued pursuant to the liquor control act to a person:

(1) Who has not been a citizen of the United States for at least 10 years, except that the spouse of a deceased retail licensee may receive and renew a retail license notwithstanding the provisions of this subsection (a)(1) if such spouse is otherwise qualified to hold a retail license and is a United States citizen or becomes a United States citizen within one year after the deceased licensee's death;

(2) who has been convicted of a felony under the laws of this state, any other state or the United States;

(3) who has had a license revoked for cause under the provisions of this act or who has had any license issued under the cereal malt beverage laws of any state revoked for cause except that a license may be issued to a person whose license was revoked for the conviction of a misdemeanor at any time after the lapse of 10 years following the date of the revocation;

(4) who has been convicted of being the keeper or is keeping a house of prostitution or has forfeited bond to appear in court to answer charges of being a keeper of a house of prostitution;

(5) who has been convicted of being a proprietor of a gambling house, pandering or any other crime opposed to decency and morality or has forfeited bond to appear in court to answer charges for any of those crimes;

(6) who is not at least 21 years of age;

(7) who, other than as a member of the governing body of a city or county, appoints or supervises any law enforcement officer, who is a law enforcement official or who is an employee of the director;

(8) who intends to carry on the business authorized by the license as agent of another;

(9) who at the time of application for renewal of any license issued under this act would not be eligible for the license upon a first application, except as provided by subsection (a)(12);

(10) who is the holder of a valid and existing license issued under article 27 of chapter 41 of the Kansas Statutes Annotated unless the person agrees to and does surrender the license to the officer issuing the same upon the issuance to the person of a license under this act, except that a retailer licensed pursuant to K.S.A. 41-2702, and amendments thereto, shall be eligible to receive a retailer's license under the Kansas liquor control act;

(11) who does not own the premises for which a license is sought, or does not have a written lease thereon for at least ¾ of the period for which the license is to be issued; or

(12) whose spouse would be ineligible to receive a license under this act for any reason other than citizenship, residence requirements or age, except that this subsection (a)(12) shall not apply in determining eligibility for a renewal license; or

(13) who does not provide any data or information required by section 2, and amendments thereto.

(b) No retailer's license shall be issued to:

(1) A person who is not a resident of this state;

(2) a person who has not been a resident of this state for at least four years immediately preceding the date of application;

(3) a person who has beneficial interest in the manufacture, preparation or wholesaling of alcoholic beverages;

(4) a person who has beneficial interest in any other retail establishment licensed under this act, except that the spouse of a licensee may own and hold a retailer's license for another retail establishment;

(5) a copartnership, unless all of the copartners are qualified to obtain a license;

(6) a corporation; or

(7) a trust, if any grantor, beneficiary or trustee would be ineligible to receive a license under this act for any reason, except that the provisions of subsection (a)(6) shall not apply in determining whether a beneficiary would be eligible for a license.

(c) No manufacturer's license shall be issued to:

(1) A corporation, if any officer or director thereof, or any stockholder owning in the aggregate more than 25% of the stock of the corporation would be ineligible to receive a manufacturer's license for any reason other than citizenship and residence requirements;

(2) a copartnership, unless all of the copartners shall have been residents of this state for at least five years immediately preceding the date of application and unless all the members of the copartnership would be eligible to receive a manufacturer's license under this act;

(3) a trust, if any grantor, beneficiary or trustee would be ineligible to receive a license under this act for any reason, except that the provisions of subsection (a)(6) shall not apply in determining whether a beneficiary would be eligible for a license;

(4) an individual who is not a resident of this state; or

(5) an individual who has not been a resident of this state for at least five years immediately preceding the date of application.

(d) No distributor's license shall be issued to:

(1) A corporation, if any officer, director or stockholder of the corporation would be ineligible to receive a distributor's license for any reason. It shall be unlawful for any stockholder of a corporation licensed as a distributor to transfer any stock in the corporation to any person who would be ineligible to receive a distributor's license for any reason, and any such transfer shall be null and void, except that: (A) If any stockholder owning stock in the corporation dies and an heir or devisee to whom stock of the corporation descends by descent and distribution or by will is ineligible to receive a distributor's license, the legal representatives of the deceased stockholder's estate and the ineligible heir or devisee shall have 14 months from the date of the death of the stockholder within which to sell the stock to a person eligible to receive a distributor's license, any such sale by a legal representative to be made in accordance with the provisions of the probate code; or (B) if the stock in any such corporation is the subject of any trust and any trustee or beneficiary of the trust who is 21 years of age or older is ineligible to receive a distributor's license, the trustee, within 14 months after the effective date of the trust, shall sell the stock to a person eligible to receive a distributor's license and hold and disburse the proceeds in accordance with the terms of the trust. If any legal representatives, heirs, devisees or trustees fail, refuse or neglect to sell any stock as required by this subsection, the stock shall revert to and become the property of the corporation, and the corporation shall pay to the legal representatives, heirs, devisees or trustees the book value of the stock. During the period of 14 months prescribed by this subsection, the corporation shall not be denied a distributor's license or have its distributor's license revoked if the corporation meets all of the other requirements necessary to have a distributor's license;

(2) a copartnership, unless all of the copartners are eligible to receive a distributor's license; or

(3) a trust, if any grantor, beneficiary or trustee would be ineligible to receive a license under this act for any reason, except that the provisions of subsection (a)(6) shall not apply in determining whether a beneficiary would be eligible for a license;

(4) an individual who is not a resident of this state; or

(5) an individual who has not been a resident of this state for at least 10 years immediately preceding the date of application, except that:

(A) A wholesaler of cereal malt beverages properly licensed on September 1, 1948, shall be eligible for a beer distributor's license; and

(B) a person who has been a resident of the state for at least one year immediately preceding the date of application shall be eligible for a beer distributor's license.

(e) No nonbeverage user's license shall be issued to a corporation, if any officer, manager or director of the corporation or any stockholder owning in the aggregate more than 25% of the stock of the corporation

would be ineligible to receive a nonbeverage user's license for any reason other than citizenship and residence requirements.

(f) No microbrewery license or farm winery license shall be issued to a:

(1) Person who is not a resident of this state;

(2) person who has not been a resident of this state for at least four years immediately preceding the date of application;

(3) person who has beneficial interest in the manufacture, preparation or wholesaling of alcoholic beverages other than that produced by such brewery or winery;

(4) person, copartnership or association which has beneficial interest in any retailer licensed under this act or under K.S.A. 41-2702, and amendments thereto;

(5) copartnership, unless all of the copartners are qualified to obtain a license;

(6) corporation, unless stockholders owning in the aggregate 50% or more of the stock of the corporation would be eligible to receive such license and all other stockholders would be eligible to receive such license except for reason of citizenship or residency; or

(7) a trust, if any grantor, beneficiary or trustee would be ineligible to receive a license under this act for any reason, except that the provisions of subsection (a)(6) shall not apply in determining whether a beneficiary would be eligible for a license.

(g) The provisions of subsections (b)(1), (b)(2), (c)(3), (c)(4), (d)(3), (d)(4), (f)(1) and (f)(2) shall not apply in determining eligibility for the 10th, or a subsequent, consecutive renewal of a license if the applicant has appointed a citizen of the United States who is a resident of Kansas as the applicant's agent and filed with the director a duly authenticated copy of a duly executed power of attorney, authorizing the agent to accept service of process from the director and the courts of this state and to exercise full authority, control and responsibility for the conduct of all business and transactions within the state relative to alcoholic liquor and the business licensed. The agent must be satisfactory to and approved by the director, except that the director shall not approve as an agent any person who:

(1) Has been convicted of a felony under the laws of this state, any other state or the United States;

(2) has had a license issued under the alcoholic liquor or cereal malt beverage laws of this or any other state revoked for cause, except that a person may be appointed as an agent if the person's license was revoked for the conviction of a misdemeanor and 10 years have lapsed since the date of the revocation;

(3) has been convicted of being the keeper or is keeping a house of prostitution or has forfeited bond to appear in court to answer charges of being a keeper of a house of prostitution;

(4) has been convicted of being a proprietor of a gambling house, pandering or any other crime opposed to decency and morality or has forfeited bond to appear in court to answer charges for any of those crimes; or

(5) is less than 21 years of age.

New Sec. 2. (a) If an applicant for licensure is not a resident of the state of Kansas on the date of submission of such application or has not been a resident for at least one year immediately preceding the date of submission of such application, the director shall require the individual applicant, or if the applicant is a corporation, partnership or trust, each individual officer, director, stockholder, copartner or trustee to:

(1) Submit to a national criminal history record check and provide the director with a legible set of fingerprints;

(2) disclose to the director any substantial financial interest the applicant owns in any entity that receives proceeds from the sale of alcoholic beverages; and

(3) submit a release allowing the director to have access to and review of the applicant's financial records to verify ownership and to ensure applicant is not an agent of another person. This release shall remain in effect after the license has been issued until the license is canceled or revoked.

(b) The director shall submit the fingerprints provided under subsection (a) to the Kansas bureau of investigation and to the federal bureau of investigation and receive a reply to enable the director to verify the identity of such applicant or such individuals specified in subsection (a)

(continued)

and whether such applicant or such individuals have been convicted of any crimes that would disqualify the applicant or such individuals from holding a license under the liquor control act. The director is authorized to use the information obtained from the national criminal history record check to determine such applicant's or individuals' eligibility to hold a license under the liquor control act.

(c) All costs incurred pursuant to this section to ensure that the applicant is qualified for licensure shall be paid by the applicant.

Sec. 3. K.S.A. 41-313 is hereby amended to read as follows: 41-313.

(a) No corporation, either organized under the laws of this state, any other state or a foreign country, shall be issued a manufacturer's, distributor's, microbrewery or farm winery license unless the corporation has first procured a certificate of authority from the secretary of state to do business in this state as provided by law, appointed a citizen of the United States, and resident of Kansas, as its agent and filed with the director a duly authenticated copy of a duly executed power of attorney, authorizing the agent to accept service of process from the director and the courts of this state and to exercise full authority of the corporation and full authority, control and responsibility for the conduct of all business and transactions of the corporation within the state relative to alcoholic liquor and the business licensed. The agent must be satisfactory to and approved by the director with respect to the agent's character. The agent shall at all times be maintained by the corporation.

In addition, any corporation organized under the laws of any other state or foreign country, as a condition precedent to the issuance to it of any license, shall file with the secretary of state of the state of Kansas, a duly authorized and executed power of attorney, authorizing the secretary of state to accept service of process from the director and the courts of this state and to accept service of any notice or order provided for in this act, and all such acts by the secretary of state shall be fully binding upon the corporation.

(b) Every nonresident applicant on applying for a license or permit under this act, and as a condition precedent to obtaining such license or permit, shall file with the secretary of state of this state its written consent, irrevocable, that any action or garnishment proceeding may be commenced against such applicant in the proper court of any county in this state in which the cause of action shall arise or in which the plaintiff may reside by the service of process on the resident agent specified in subsec-

tion (a), and stipulating and agreeing that such service shall be taken and held in all courts to be as valid and binding as if due service had been made upon the applicant. The written consent shall state that the courts of this state have jurisdiction over the person of such applicant and are the proper and convenient forum for such action and shall waive the right to request a change of jurisdiction or venue to a court outside this state and that all actions arising under this act and commenced by the applicant shall be brought in this state's courts as the proper and convenient forum. Such consent shall be executed by the applicant and if a corporation, by the president and secretary of the corporate applicant, and shall be accompanied by a duly certified copy of the order or resolution of the board of directors, trustees or managers authorizing the president and secretary to execute the same.

Sec. 4. K.S.A. 41-319 is hereby amended to read as follows: 41-319.

(a) Except as provided by subsection (b), within 30 days after an application is filed for a retailer's, microbrewery or farm winery license and within 20 days after an application is filed for a manufacturer's, distributor's or nonbeverage user's license, the director shall enter an order either refusing or granting the license. If the director does not enter an order within the time prescribed, the license applied for shall be deemed to have been refused. The director, with the written consent of the applicant for a license, may delay entering an order on an application for an additional period of not to exceed 30 days.

(b) In order to complete any national criminal history record check of an applicant who submitted any application after January 31, 2001, and if the applicant is not a resident of the state of Kansas on the date of submission of such application or has not been a resident for at least one year immediately preceding the date of submission of such application the director shall enter an order either refusing or granting the license within 90 days after such application is filed. If the director does not enter an order within the time prescribed, the license applied for shall be deemed to have been refused. The director, with the written consent of the applicant for a license, may delay entering an order on an application for an additional period of not to exceed 30 days.

Sec. 5. K.S.A. 41-311, 41-313 and 41-319 are hereby repealed.

Sec. 6. This act shall take effect and be in force from and after its publication in the Kansas register.

**INDEX TO ADMINISTRATIVE REGULATIONS**

This index lists in numerical order the new, amended and revoked administrative regulations and the volume and page number of the *Kansas Register* issue in which more information can be found. Temporary regulations are designated with a (T) in the Action column. This cumulative index supplements the 2000 Volumes of the *Kansas Administrative Regulations*.

**AGENCY 1: DEPARTMENT OF ADMINISTRATION**

Reg. No.	Action	Register
1-5-8	Amended (T)	V. 20, p. 175
1-5-9	Amended (T)	V. 20, p. 176
1-5-19b	Amended (T)	V. 20, p. 176
1-5-19c	Amended (T)	V. 20, p. 176
1-5-20	Amended (T)	V. 20, p. 176
1-5-24	Amended	V. 19, p. 1337
1-9-23	Amended	V. 19, p. 944
1-18-1a	Amended	V. 19, p. 1719
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
3-3-1	New	V. 19, p. 1678

**AGENCY 4: DEPARTMENT OF AGRICULTURE**

Reg. No.	Action	Register
4-3-49	Amended (T)	V. 20, p. 246
4-3-51	New (T)	V. 20, p. 246
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
4-8-14a	Amended	V. 19, p. 1679
4-8-27	Amended	V. 19, p. 1679
4-8-28	Amended	V. 19, p. 1680
4-8-29	Amended	V. 19, p. 1680
4-8-32	Amended	V. 19, p. 1680
4-8-34	Amended	V. 19, p. 1680
4-8-41	Amended	V. 19, p. 1680
4-8-42	New	V. 19, p. 1680
4-10-2j	Amended	V. 20, p. 431
4-10-5	Amended	V. 20, p. 430
4-10-5a	New	V. 20, p. 431

**AGENCY 5: DEPARTMENT OF AGRICULTURE—DIVISION OF WATER RESOURCES**

Reg. No.	Action	Register
5-1-1	Amended	V. 19, p. 1476
5-1-3	through	
5-1-12	New	V. 19, p. 1480-1483
5-2-3	New	V. 19, p. 1484
5-3-1a	New	V. 19, p. 1484
5-3-4b	Amended	V. 19, p. 1484
5-3-4c	New	V. 19, p. 1484
5-3-4d	New	V. 19, p. 1485
5-3-4e	New	V. 19, p. 1485
5-3-5d	Amended	V. 19, p. 1485
5-3-5e	Amended	V. 19, p. 1485
5-3-5g	through	
5-3-5n	New	V. 19, p. 1485, 1486

5-3-11	Amended	V. 19, p. 1486
5-3-16	Amended	V. 19, p. 1490
5-3-19	through	
5-3-28	New	V. 19, p. 1490-1493
5-4-5	New	V. 19, p. 1494
5-4-8	New	V. 19, p. 1494
5-5-1	Amended	V. 19, p. 1495
5-5-6	Amended	V. 19, p. 1495
5-5-13	New	V. 19, p. 1496
5-5-14	New	V. 19, p. 1496
5-5-16	New	V. 19, p. 1496
5-6-3	through	
5-6-15	New	V. 19, p. 1497-1499
5-7-4	Amended	V. 19, p. 1499
5-7-4a	New	V. 19, p. 1500
5-7-5	New	V. 19, p. 1500
5-8-3	New	V. 19, p. 1500
5-8-4	New	V. 19, p. 1501
5-8-6	New	V. 19, p. 1501
5-8-7	New	V. 19, p. 1502
5-8-8	New	V. 19, p. 1502
5-9-11	New	V. 19, p. 1503
5-12-1	through	
5-12-4	New	V. 19, p. 1503, 1504
5-13-1	through	
5-13-11	New	V. 19, p. 1504-1507
5-14-1	through	
5-14-7	New	V. 19, p. 1507-1509
5-21-4	Amended	V. 19, p. 1509
5-21-5	New	V. 19, p. 1510
5-21-8	New	V. 19, p. 1510
5-21-9	New	V. 19, p. 1510
5-23-1	Amended	V. 19, p. 1510
5-23-3	Amended	V. 19, p. 1511
5-23-3a	New	V. 19, p. 1511



5-23-4b	New	V. 19, p. 1513
5-23-14	New	V. 19, p. 1514
5-23-15	New	V. 19, p. 1514
5-25-4	Amended	V. 20, p. 294
5-40-1	Amended	V. 19, p. 1514
5-40-4	Amended	V. 19, p. 1515
5-40-11	New	V. 19, p. 1515
5-40-14	New	V. 19, p. 1515
5-40-15	New	V. 19, p. 1515
5-40-16	New	V. 19, p. 1515
5-41-1	Amended	V. 19, p. 1516
5-41-6	Amended	V. 19, p. 1516
5-42-3	Revoked	V. 19, p. 1516
5-42-4	New	V. 19, p. 1517
5-45-1	Amended	V. 19, p. 1517
5-45-4	Amended	V. 19, p. 1518
5-45-13	Amended	V. 19, p. 1518
5-45-14	Amended	V. 19, p. 1518
5-45-18	New	V. 19, p. 1518
5-46-1	New	V. 19, p. 1519
5-46-3	New	V. 19, p. 1519
5-46-4	New	V. 19, p. 1520

**AGENCY 7: SECRETARY OF STATE**

Reg. No.	Action	Register
7-24-2	Amended	V. 20, p. 323
7-25-1	Amended	V. 20, p. 325
7-26-1	Amended	V. 20, p. 325
7-26-2	Amended	V. 20, p. 325
7-28-1	Amended	V. 20, p. 325
7-29-2	Amended	V. 20, p. 325
7-32-1	Amended	V. 19, p. 1269
7-32-2	Amended	V. 19, p. 1269
7-36-4	Amended	V. 20, p. 326
7-38-1	Amended	V. 20, p. 326

**AGENCY 9: ANIMAL HEALTH DEPARTMENT**

Reg. No.	Action	Register
9-10-33	New	V. 19, p. 1948
9-14-2	Amended	V. 19, p. 1748
9-15-4	Amended	V. 19, p. 1748
9-15-5	New	V. 19, p. 1948

**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

**AGENCY 28: DEPARTMENT OF HEALTH AND ENVIRONMENT**

Reg. No.	Action	Register
28-1-2	Amended	V. 19, p. 141
28-1-18	Amended	V. 19, p. 141
28-1-26	New	V. 19, p. 142
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
28-10-15	through	
28-10-35	Revoked	V. 20, p. 322
28-10-37	Revoked	V. 20, p. 322
28-10-38	Revoked	V. 20, p. 322
28-10-39	Revoked	V. 20, p. 322
28-10-75	through	
28-10-88	Revoked	V. 20, p. 322
28-10-100	through	
28-10-108	Revoked	V. 20, p. 322
28-16-28b	Amended	V. 19, p. 1720
28-16-28e	Amended	V. 19, p. 1723
28-16-57	Revoked	V. 20, p. 322
28-16-76	through	
28-16-79	Revoked	V. 20, p. 322
28-16-82	Revoked	V. 20, p. 322
28-17-15	Amended	V. 19, p. 1190
28-19-202	Amended	V. 20, p. 322
28-19-717	New	V. 19, p. 1932
28-19-729	New	V. 19, p. 565

28-19-729a	through	
28-19-729b	New	V. 19, p. 566-569
28-29-1100	through	
28-29-1107	New	V. 19, p. 941-943
28-34-1a	Amended	V. 20, p. 105
28-34-6a	Amended	V. 20, p. 106
28-34-9a	Amended	V. 20, p. 107
28-34-21	Revoked	V. 20, p. 323
28-34-26	Revoked	V. 20, p. 323
28-34-27	Revoked	V. 20, p. 323
28-34-28	Revoked	V. 20, p. 323
28-34-30	Revoked	V. 20, p. 323
28-34-32b	Amended	V. 20, p. 107
28-34-75	through	
28-34-93	Revoked	V. 20, p. 323
28-34-94a	Revoked	V. 20, p. 323
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
28-39-410	Revoked	V. 20, p. 323
28-59-1	through	
28-59-5	Amended	V. 20, p. 295, 296
28-59-5a	Amended	V. 20, p. 297
28-59-6	Amended	V. 20, p. 297
28-59-7	Amended	V. 20, p. 298
28-59-8	Amended	V. 20, p. 298
28-61-1	through	
28-61-10	Amended	V. 20, p. 298-303
28-61-11	New	V. 20, p. 304
28-68-1	Amended	V. 19, p. 1934
28-68-2	Amended	V. 19, p. 1934
28-68-3	Amended	V. 19, p. 1935
28-68-6	Amended	V. 19, p. 1936
28-72-51	through	
28-72-54	New	V. 19, p. 989, 990

**AGENCY 30: SOCIAL AND REHABILITATION SERVICES**

Reg. No.	Action	Register
30-4-50	Amended	V. 19, p. 1548
30-5-59	Amended	V. 19, p. 1548
30-5-64	Amended	V. 19, p. 1549
30-5-81	Amended	V. 19, p. 1587
30-5-309	Amended	V. 19, p. 988
30-10-21	Amended	V. 19, p. 1550

**AGENCY 36: DEPARTMENT OF TRANSPORTATION**

Reg. No.	Action	Register
36-2-3	Revoked	V. 19, p. 1449
36-2-4	Revoked	V. 19, p. 1449
36-2-6	Revoked	V. 19, p. 1449
36-2-8	through	
36-2-13	Revoked	V. 19, p. 1449
36-15-23	Revoked	V. 19, p. 1622
36-34-1	Revoked	V. 19, p. 1622

**AGENCY 40: KANSAS INSURANCE DEPARTMENT**

Reg. No.	Action	Register
40-3-26	Amended	V. 19, p. 303
40-3-27	Revoked	V. 19, p. 680
40-3-32	Amended	V. 19, p. 303
40-3-45	Amended	V. 19, p. 303
40-3-49	Amended	V. 19, p. 303
40-4-35	Amended	V. 19, p. 1853

**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	
49-49-9	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 50: DEPARTMENT OF HUMAN RESOURCES—DIVISION OF EMPLOYMENT**

Reg. No.	Action	Register
50-1-2	Amended	V. 20, p. 137
50-1-3	Amended	V. 20, p. 138
50-1-4	Amended	V. 20, p. 138
50-2-1	Amended	V. 20, p. 139
50-2-3	Amended	V. 20, p. 139
50-2-9	Revoked	V. 20, p. 140
50-2-12	Amended	V. 20, p. 140
50-2-17	Amended	V. 20, p. 140
50-2-18	Amended	V. 20, p. 140
50-2-19	Amended	V. 20, p. 140
50-2-21	Amended	V. 20, p. 141
50-2-26	Amended	V. 20, p. 143
50-3-1	through	
50-3-5	Amended	V. 20, p. 143-145
50-4-2	Amended	V. 20, p. 146

**AGENCY 60: BOARD OF NURSING**

Reg. No.	Action	Register
60-6-101	Amended	V. 19, p. 344
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
60-17-101	through	
60-17-111	New	V. 19, p. 346-350

**AGENCY 63: BOARD OF MORTUARY ARTS**

Reg. No.	Action	Register
63-1-3	Amended	V. 19, p. 2024
63-1-4	Amended	V. 19, p. 2024
63-1-5	Amended	V. 19, p. 2025
63-1-6	Amended	V. 19, p. 2025
63-1-12	Amended	V. 19, p. 2025

(continued)

63-2-7	Amended	V. 19, p. 2025
63-2-10	Amended	V. 19, p. 2026
63-2-11	Amended	V. 19, p. 2026
63-2-12	Amended	V. 19, p. 2026
63-3-17	Amended	V. 19, p. 2027
63-3-18	Amended	V. 19, p. 2027
63-3-20	Amended	V. 19, p. 2027
63-5-1	Amended	V. 19, p. 2028
63-6-1	Amended	V. 19, p. 2028
63-6-2	Amended	V. 19, p. 2028
63-6-3	Amended	V. 19, p. 2029
63-6-6	Amended	V. 19, p. 2029

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

Reg. No.	Action	Register
65-5-6	Amended	V. 19, p. 839

**AGENCY 66: BOARD OF TECHNICAL PROFESSIONS**

Reg. No.	Action	Register
66-6-4	Amended	V. 20, p. 102
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
66-10-1	Amended	V. 20, p. 103
66-10-4	Amended	V. 20, p. 103
66-10-11	Amended	V. 20, p. 104
66-10-12	Amended	V. 20, p. 104
66-10-13	Amended	V. 20, p. 104
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
66-14-10	Amended	V. 20, p. 104

**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
68-5-1	Amended	V. 19, p. 501
68-7-11	Amended	V. 19, p. 501
68-7-14	Amended	V. 19, p. 502
68-7-18	Amended	V. 19, p. 503
68-14-8	Amended	V. 19, p. 1830

**AGENCY 71: KANSAS DENTAL BOARD**

Reg. No.	Action	Register
71-1-20	New	V. 19, p. 573
71-1-21	New	V. 19, p. 573
71-3-8	New	V. 19, p. 1336

**AGENCY 74: BOARD OF ACCOUNTANCY**

Reg. No.	Action	Register
74-1-2	Amended	V. 19, p. 1791
74-1-7	New	V. 19, p. 1792
74-2-1	Amended	V. 19, p. 1792
74-2-3	Amended	V. 19, p. 1792
74-2-4	Amended	V. 19, p. 1792
74-3-8	Amended	V. 19, p. 1792
74-4-1	Revoked	V. 19, p. 1792
74-4-1a	New	V. 19, p. 1792
74-4-2a	New	V. 19, p. 1792
74-4-3a	New	V. 19, p. 1793
74-4-4	Amended	V. 19, p. 1793
74-4-7	Amended	V. 19, p. 1793
74-4-10	Amended	V. 19, p. 1793
74-5-2	Amended	V. 19, p. 1793
74-5-202	Amended	V. 19, p. 1794
74-5-203	Amended	V. 19, p. 1794
74-5-205	New	V. 19, p. 1795
74-5-405	Amended	V. 19, p. 1795
74-6-1	Amended	V. 19, p. 1795
74-6-2	Amended	V. 19, p. 1795
74-7-2	Amended	V. 19, p. 1795
74-11-6	Amended	V. 19, p. 1796

74-12-1	Amended	V. 19, p. 1796
74-15-1	New	V. 19, p. 1797
74-15-2	New	V. 19, p. 1797

**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
75-6-32	New	V. 20, p. 175

**AGENCY 82: STATE CORPORATION COMMISSION**

Reg. No.	Action	Register
82-4-1	Amended	V. 19, p. 1158
82-4-3	Amended	V. 19, p. 1159
82-4-6d	Amended	V. 19, p. 1083
82-4-8a	Amended	V. 19, p. 1084
82-4-8h	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

**AGENCY 88: BOARD OF REGENTS**

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

**AGENCY 91: DEPARTMENT OF EDUCATION**

Reg. No.	Action	Register
91-1-26	Revoked	V. 19, p. 1435
91-1-27	Revoked	V. 19, p. 1435
91-1-27a	Revoked	V. 19, p. 1435
91-1-27d	Revoked	V. 19, p. 1435
91-1-28	Revoked	V. 19, p. 1435
91-1-30	Revoked	V. 19, p. 1435
91-1-30a	Revoked	V. 19, p. 1435
91-1-31	Revoked	V. 19, p. 1435
91-1-35	Revoked	V. 19, p. 1435
91-1-37	Revoked	V. 19, p. 1435
91-1-39	Revoked	V. 19, p. 1435
91-1-58	Revoked	V. 19, p. 1435, 1436
91-1-60	Revoked	V. 19, p. 1436
91-1-61	Revoked	V. 19, p. 680
91-1-63	Revoked	V. 19, p. 1436
91-1-65	Revoked	V. 19, p. 1436
91-1-67	Revoked	V. 19, p. 1436
91-1-68a	Revoked	V. 19, p. 1436
91-1-68e	Amended	V. 19, p. 1588-1592
91-1-70	Revoked	V. 19, p. 1436
91-1-70b	Revoked	V. 19, p. 1593
91-1-71	Revoked	V. 19, p. 1593
91-1-83	Revoked	V. 19, p. 1436, 1437
91-1-84a	Revoked	V. 19, p. 1437
91-1-85	Revoked	V. 19, p. 1437
91-1-91	Revoked	V. 19, p. 1437
91-1-91a	Revoked	V. 19, p. 1437
91-1-92	Revoked	V. 19, p. 1437
91-1-93a	Revoked	V. 19, p. 1437
91-1-101a	Revoked	V. 19, p. 1437
91-1-101b	Revoked	V. 19, p. 1437
91-1-102a	Revoked	V. 19, p. 1437
91-1-104b	Revoked	V. 19, p. 1437
91-1-104c	Revoked	V. 19, p. 1437
91-1-105	Revoked	V. 19, p. 1437
91-1-106	Revoked	V. 19, p. 1437

91-1-106a	Revoked	V. 19, p. 1437, 1438
91-1-106m	Revoked	V. 19, p. 1438
91-1-107a	Revoked	V. 19, p. 1438
91-1-108a	Revoked	V. 19, p. 1438
91-1-108b	Revoked	V. 19, p. 1438
91-1-108c	Revoked	V. 19, p. 1438
91-1-109a	Revoked	V. 19, p. 1438
91-1-110a	Revoked	V. 19, p. 1438
91-1-110c	Revoked	V. 19, p. 1438
91-1-111a	Revoked	V. 19, p. 1438
91-1-112c	Revoked	V. 19, p. 1438
91-1-112d	Revoked	V. 19, p. 1438
91-1-113b	Revoked	V. 19, p. 1438
91-1-114a	Revoked	V. 19, p. 1438
91-1-115a	Revoked	V. 19, p. 1438
91-1-117a	Revoked	V. 19, p. 1438
91-1-118a	Revoked	V. 19, p. 1438
91-1-119a	Revoked	V. 19, p. 1438, 1439
91-1-119g	Revoked	V. 19, p. 1439
91-1-120	Revoked	V. 19, p. 1439
91-1-121	Revoked	V. 19, p. 1439
91-1-122	Revoked	V. 19, p. 1439
91-1-123a	Revoked	V. 19, p. 1439
91-1-125	Revoked	V. 19, p. 1439
91-1-127a	Revoked	V. 19, p. 1439
91-1-128b	Revoked	V. 19, p. 1439
91-1-129a	Revoked	V. 19, p. 1439
91-1-130	Revoked	V. 19, p. 1439
91-1-131	Revoked	V. 19, p. 1439
91-1-132a	Revoked	V. 19, p. 1439
91-1-135a	Revoked	V. 19, p. 1439
91-1-137a	Revoked	V. 19, p. 1439
91-1-138a	Revoked	V. 19, p. 1439
91-1-140a	Revoked	V. 19, p. 1439
91-1-141	Revoked	V. 19, p. 1439
91-1-143	Revoked	V. 19, p. 1439
91-1-144	Revoked	V. 19, p. 1439
91-1-145	Revoked	V. 19, p. 1439
91-1-146a	Amended	V. 19, p. 1593
91-1-146e	Amended	V. 19, p. 1593
91-1-148a	Revoked	V. 19, p. 1439
91-1-149	Revoked	V. 19, p. 1439
91-1-150	Revoked	V. 19, p. 1439
91-1-153	Revoked	V. 19, p. 1439
91-1-200	New	V. 19, p. 1439-1449
91-5-14	Amended	V. 20, p. 108
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
91-12-42	Revoked	V. 19, p. 680, 681
91-12-44	Revoked	V. 19, p. 681
91-12-69	Revoked	V. 19, p. 681
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	Revoked	V. 19, p. 684
91-22-19	Amended	V. 19, p. 684
91-22-21	Revoked	V. 19, p. 684
91-22-22	Amended	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
91-40-1	New	V. 19, p. 685-691

91-40-7 through 91-40-12	New	V. 19, p. 692-695
91-40-16 through 91-40-19	New	V. 19, p. 695-697
91-40-21	New	V. 19, p. 697
91-40-22	New	V. 19, p. 697
91-40-24 through 91-40-31	New	V. 19, p. 698-700
91-40-33 through 91-40-39	New	V. 19, p. 700-702
91-40-41 through 91-40-48	New	V. 19, p. 702-704
91-40-50 through 91-40-53	New	V. 19, p. 705, 706
91-41-1 through 91-41-4	New (T)	V. 20, p. 137

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

Reg. No.	Action	Register
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	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
100-11-1	Amended	V. 19, p. 1190
100-22-3	New	V. 19, p. 571
100-28a-1 through 100-28a-16	New (T)	V. 20, p. 247-251
100-29-7	Amended	V. 19, p. 1547
100-49-4	Amended	V. 19, p. 1190
100-54-4	Amended	V. 19, p. 1547
100-55-1 through 100-55-9	Amended	V. 19, p. 1017-1020
100-55-4	Amended	V. 19, p. 1547
100-55-11	New	V. 19, p. 1020
100-60-1	Revoked (T)	V. 20, p. 251
100-60-2	Revoked (T)	V. 20, p. 251
100-60-4	Revoked (T)	V. 20, p. 251
100-60-5	Revoked (T)	V. 20, p. 251
100-60-6	Revoked (T)	V. 20, p. 251
100-60-8 through 100-60-15	Revoked (T)	V. 20, p. 251
100-60-10	Amended	V. 19, p. 571
100-60-13	Amended	V. 19, p. 572
100-69-5	Amended	V. 19, p. 1547

**AGENCY 102: BEHAVIORAL SCIENCES REGULATORY BOARD**

Reg. No.	Action	Register
102-1-3	Revoked	V. 19, p. 1681
102-1-3a	New	V. 19, p. 1681
102-1-5	Revoked	V. 19, p. 1683
102-1-5a	New	V. 19, p. 1683
102-1-12	Amended	V. 19, p. 1684
102-1-15	Amended	V. 19, p. 1686
102-1-17	New	V. 19, p. 1687
102-1-18	New	V. 19, p. 1687
102-2-1a	Amended	V. 19, p. 1192
102-2-2a	Amended	V. 19, p. 1194
102-2-3	Amended	V. 19, p. 1194
102-2-4a	Amended	V. 19, p. 1195
102-2-5	Amended	V. 19, p. 1196
102-2-7	Amended	V. 19, p. 1196
102-2-8	Amended	V. 19, p. 1198
102-2-11	Amended	V. 19, p. 1200
102-2-12	Amended	V. 19, p. 1201
102-2-13	New	V. 19, p. 1202
102-2-14	New	V. 19, p. 1202
102-3-1a	Amended	V. 19, p. 1202
102-3-2	Amended	V. 19, p. 1204
102-3-5a	Amended	V. 19, p. 1205
102-3-7a	Amended	V. 19, p. 1206
102-3-14	New	V. 19, p. 1207
102-3-15	New	V. 19, p. 1207
102-4-1a	Amended	V. 19, p. 1208
102-4-2	Amended	V. 19, p. 1209
102-4-4a	Amended	V. 19, p. 1209
102-4-5a	Amended	V. 19, p. 1211
102-4-7a	Amended	V. 19, p. 1211
102-4-14	New	V. 19, p. 1212
102-4-15	New	V. 19, p. 1213
102-5-1	Amended	V. 19, p. 1213
102-5-2	Amended	V. 19, p. 1214
102-5-4a	Amended	V. 19, p. 1215
102-5-5	Amended	V. 19, p. 1216
102-5-7a	Amended	V. 19, p. 1216
102-5-13	New	V. 19, p. 1218
102-5-14	New	V. 19, p. 1218

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

Reg. No.	Action	Register
108-1-1	Amended	V. 19, p. 2022
108-1-3	New	V. 19, p. 68

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

Reg. No.	Action	Register
109-2-2	Amended	V. 19, p. 1949
109-5-1	Amended	V. 19, p. 1749
109-5-4	Amended	V. 19, p. 1750
109-6-2	Amended	V. 19, p. 1750
109-6-3	New	V. 19, p. 1751
109-7-1	Amended	V. 19, p. 1751
109-10-1	Amended	V. 19, p. 1751
109-11-6	Amended	V. 19, p. 1753
109-13-1	Amended	V. 19, p. 1754

**AGENCY 110: DEPARTMENT OF COMMERCE AND HOUSING**

Reg. No.	Action	Register
110-6-1	Amended	V. 20, p. 177
110-6-1a	Amended	V. 20, p. 178
110-6-2	Amended	V. 20, p. 178
110-6-3	Amended	V. 20, p. 178
110-6-4	Amended	V. 20, p. 179
110-6-5	Amended	V. 20, p. 180

**AGENCY 111: KANSAS LOTTERY**

A complete index listing all regulations filed by the Kansas Lottery from 1988 through 2000 can be found in the Vol. 19, No. 52, December 28, 2000 Kansas Register. The regulations listed below were published after December 31, 2000.

Reg. No.	Action	Register
111-2-119 through 111-2-124	New	V. 20, p. 416-419
111-3-12	Amended	V. 20, p. 40
111-4-1795 through 111-4-1813	New	V. 20, p. 40-47
111-4-1814 through 111-4-1823	New	V. 20, p. 419-427
111-5-23	Amended	V. 20, p. 428
111-5-24	Amended	V. 20, p. 428
111-5-27	Amended	V. 20, p. 429
111-7-123	Amended	V. 20, p. 48
111-7-134	Amended	V. 20, p. 429
111-7-152	Amended	V. 20, p. 49

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

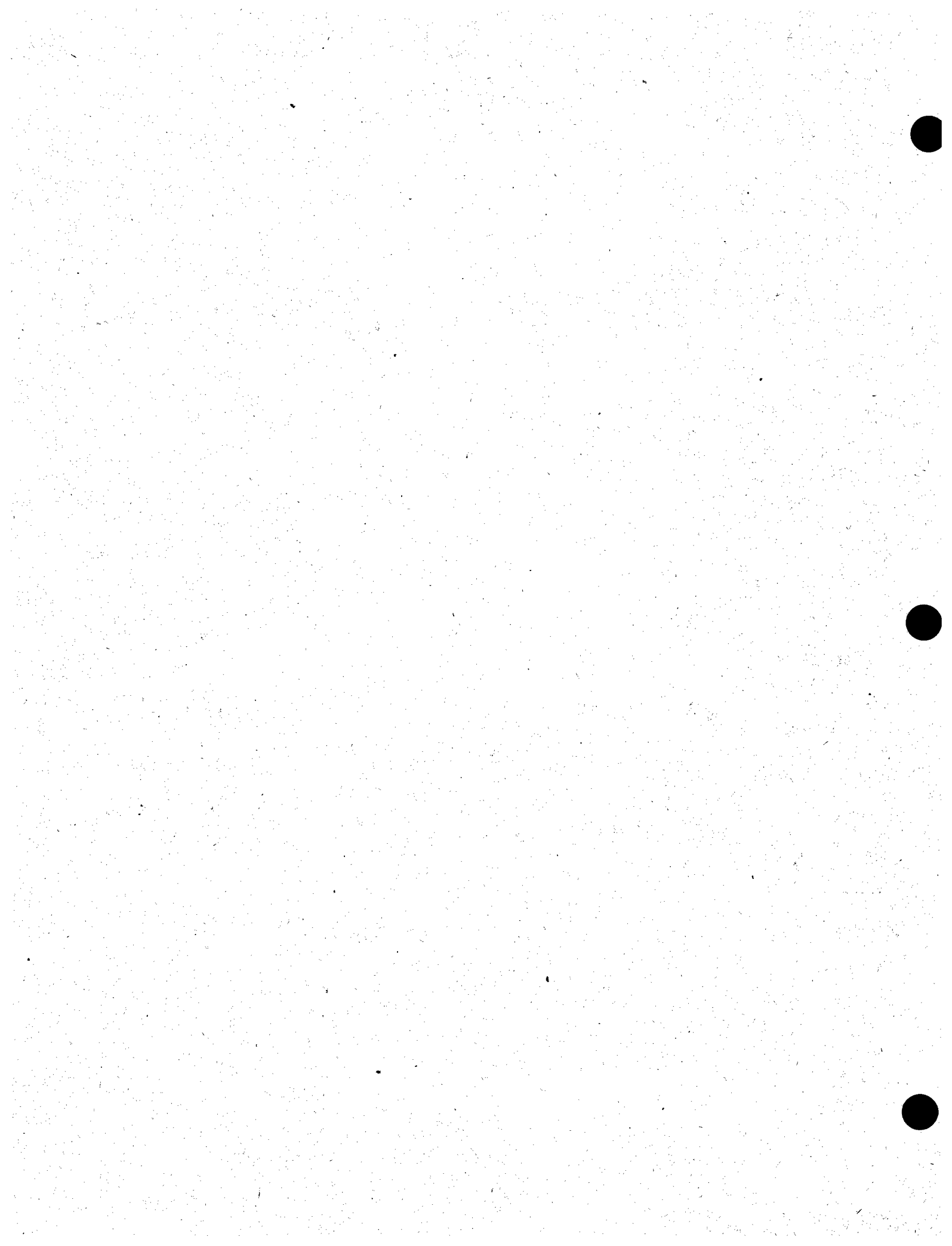
Reg. No.	Action	Register
112-4-1	Amended	V. 19, p. 1307
112-7-21	Amended	V. 19, p. 118
112-10-38	Amended	V. 19, p. 119
112-18-21	Amended	V. 19, p. 1308
112-18-22	Amended	V. 19, p. 119

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

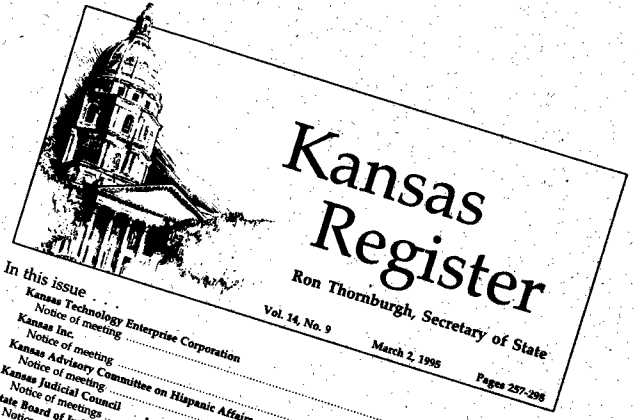
Reg. No.	Action	Register
115-2-2	Amended	V. 19, p. 1875
115-2-3	Amended	V. 19, p. 1875
115-4-1	Amended	V. 20, p. 180
115-4-3	Amended	V. 19, p. 1138
115-4-5	Amended	V. 19, p. 1139
115-4-6	Amended	V. 19, p. 1140
115-4-7	Amended	V. 19, p. 1142
115-7-1	Amended	V. 19, p. 1876
115-18-10	Amended	V. 19, p. 1474
115-18-13	Amended	V. 19, p. 1475
115-18-16	New	V. 19, p. 1475

**AGENCY 117: REAL ESTATE APPRAISAL BOARD**

Reg. No.	Action	Register
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



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**In this issue**

Kansas Technology Enterprise Corporation	Page 259
Notice of meeting Kansas Inc.	259
Notice of meeting Kansas Advisory Committee on Hispanic Affairs	259
Notice of meeting Kansas Judicial Council	259
Notice of meeting State Board of Indigents' Defense Services	259
Notice of meeting Real Estate Appraisal Board	260
Notice of hearing on proposed administrative regulations State Emergency Response Commission	260
Notice of meeting Kansas Law Enforcement Training Commission	261
Legislative bills introduced February 16-22	261
Notice of meeting Social and Rehabilitation Services	261
Request for proposals	261

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