

Kansas Register

Ron Thornburgh, Secretary of State

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State of Kansas

**Department of Administration
Division of Architectural Services**
**Notice of Commencement of Negotiations
for Architectural/Engineering Services**

Notice is hereby given of the commencement of negotiations for architectural and engineering services for renovation and new construction at the Kansas State Fairgrounds in Hutchinson. This work will include the engineering of major new infrastructure such as water, storm, sanitary, gas and electrical. It also will include design of camping facilities, partial and complete renovations of more than 15 buildings, and demolition of numerous buildings, as well as new construction of buildings and structures. The successful firm will be required to use as consultants the fairgrounds consultant firm of Bullock, Smith & Partners, Inc., Knoxville, Tennessee, as they specialize in master plans for fairgrounds and designed the Kansas State Fair Master Plan.

The estimated project cost is \$36 million. This project will be phased over seven years. The plan is to contract with one firm for the design and administration of the entire project, although the owner reserves the right to portion out work through other means. Currently, \$29 million is funded for phases 1 through 5, and phases 6 and 7 will depend upon private donations yet to be solicited.

To allow all prospective firms the same information concerning the scope of the project, an informational meeting will be held at 1:30 p.m. May 29 at the Kansas State Fair Administration Office, Fairgrounds, 2000 N. Poplar, Hutchinson, 67502, (620) 669-3600, fax (620) 669-3640. Attendance is strongly suggested. Please RSVP to the above by May 24. For information regarding the scope of services, contact Larry Ankerholz, Physical Plant Manager, (620) 669-3633.

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. June 8.

Thaine Hoffman, AIA
Director, Division of
Architectural Services

Doc. No. 026587

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State of Kansas

**Department of Administration
Division of Architectural Services**

**Notice of Commencement of
Negotiations for Architectural and
Civil Engineering Services**

Notice is hereby given of the commencement of separate services for architectural services for the design and construction of the Grain Science Center, Biological and Industrial Value-Added Program (BIVAP) facility, and civil engineering services for the design and construction of the infrastructure service to and within the Grain Science Complex at Kansas State University's main Manhattan campus.

The Grain Science Complex is located north of Kimball Avenue and the Peters Recreation Complex facilities. It is master planned to be a five-building complex including a feed mill, flour mill and International Grains Program Building (all privately-funded and in various stages of design). The fourth building of the complex is the BIVAP facility. The fifth, and final, facility is a major academic building for teaching, research and baking. This last facility has not been funded, nor scheduled for design and construction, until later in the decade.

The BIVAP facility is programmed to contain 37,748 gsf at an estimated construction cost of \$4,900,000. It will include production areas featuring a food and extrusion pilot plant, a value-added pilot plant and a fermentation pilot laboratory. It also includes research laboratories, classrooms, administrative areas and support spaces.

The infrastructure components will feature the design and staged construction of the underground utilities systems; their connections to the major utilities on campus; stormwater retention and runoff; and parking and road improvements, as well as any other site improvement required for the complex not included in the design of the other buildings. The estimated construction cost of this work is \$700,000. This work will be contracted separately from the professional services for the BIVAP facility.

For information regarding the scope of services, contact Ned Gatewood, Associate University Architect (ngatewd@ksu.edu), or Gerald Carter, Director of Facilities Planning/University Architect (grcaia@ksu.edu), Kansas State University, (785) 532-6377. A program for the BIVAP facility is available for review in hard or digital formats.

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. June 1.

Thaine Hoffman, AIA
Director, Division of
Architectural Services

Doc. No. 026594

State of Kansas

Social and Rehabilitation Services

Request for Proposals

The Department of Social and Rehabilitation Services announces the release of a Request for Proposals by the Topeka Area Office, Children and Family Services, to provide services to children and families for the prevention of out-of-home placement. New and innovative methods and services are requested to either prevent initial placement out-of-home or to decrease the number of children currently in out-of-home placement.

Vendors interested in receiving a Request for Proposals should contact Donna Doss at the Topeka SRS Area Office, P.O. Box 1424, Topeka, 66601, (785) 296-7066 or fax (785) 296-8655. Complete proposals must be received by 2 p.m. June 18.

Janet Schalansky
Secretary of Social and
Rehabilitation Services

Doc. No. 026602

State of Kansas

Attorney General

Notice of Available Grant Funding

Grant funds are available from the Governor's Discretionary Portion of the Federal Safe and Drug-Free Schools and Communities Act for federal fiscal year October 1, 2001, through September 30, 2002. The purpose of this grant program is to fund units of state or local government, schools and private not-for-profit organizations that provide drug and violence prevention programs and activities and law enforcement education partnerships.

Priority will be given to programs and activities that serve children and youth who are not normally served by state or local educational agencies or populations that need special services or additional resources, such as preschoolers, youth in juvenile detention facilities, runaway or homeless children and youth, pregnant and parenting teenagers, and school dropouts. A minimum of 10 percent of each federal fiscal year grant will be allocated to law enforcement.

Grant applications can be obtained from the office of the Kansas Attorney General, 2nd Floor, Memorial Hall, 120 S.W. 10th Ave., Topeka, 66612-1597, (785) 368-7063 or 1-800-828-9745. Applications also may be accessed via the Internet at www.ink.org/public/ksag. This is to obtain a printed copy only. Applications cannot be submitted online.

All grant applications are to be postmarked by Monday, June 25. No applications will be accepted after that date.

Carla J. Stovall
Attorney General

Doc. No. 026590

State of Kansas

Kansas Development Finance Authority

Notice of Hearing

A public hearing will be conducted at 9 a.m. Thursday, May 31, in the offices of the Kansas Development Finance Authority, Suite 1000, Jayhawk Tower, 700 S.W. Jackson, Topeka, on the proposal for the Kansas Development Finance Authority to issue its Agricultural Development Revenue Bond for the project numbered below in the respective maximum principal amount. The bond will be issued to assist the respective borrower named below (who will be the owner and operator of the project) to finance the cost in the amount of the bond of acquiring the project or for the purpose of refunding a bond previously issued to finance the project. The project shall be located as shown:

Project No. 000493—Maximum Principal Amount: \$174,131.98. Owner/Operator: Jason E. and Malinda L. Allen. Description: Acquisition of 640 acres of agricultural land and related improvements and equipment to be used by the owner/operator for farming purposes. The project is located at the Southeast Quarter of Section 23, Township 20, Range 32 and the North Half and the Southeast Quarter of Section 25, Township 20, Range 32, Scott County, Kansas, approximately 15 miles south and 4 miles east of Scott City on the Finney/Scott county line.

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

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

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

Jack H. Brier
President

Doc. No. 026607

State of Kansas

Kansas State University

Notice to Bidders

Sealed bids for the items listed below will be received by the Kansas State University Purchasing Office, Manhattan, until 2 p.m. on the date indicated and then will be publicly opened. Interested bidders may call (785) 532-6214 or fax (785) 532-5577 for additional information:

Friday, June 1, 2001

#40044

Printed materials

William H. Sesler
Director of Purchasing

Doc. No. 026603

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 Independence to discharge treated domestic wastewater into the Verdigris River. The proposed permit is based upon an average discharge flow of 3.0 MGD into the Verdigris River. This wastewater treatment facility uses biological treatment by aeration and secondary clarification. The facility will include headworks, an activated sludge treatment system, UV disinfection, and a sludge treatment and storage facility.

The facility receives domestic wastewater from residential and commercial areas and industrial wastewater from local manufacturers. The proposed permit includes limits for biochemical oxygen demand, total suspended solids, ammonia and pH. Monitoring for fecal coliform, total chlorides, dissolved oxygen and effluent flow also will be required. The chronic whole effluent toxicity and heavy metals testing will be required quarterly for the first year and annually thereafter. Included in this permit is a schedule of compliance requiring the permittee to make necessary improvements to achieve compliance with its NPDES 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 above address by June 16.

Clyde D. Graeber
Secretary of Health
and Environment

Doc. No. 026600

State of Kansas

Board of Emergency Medical Services**Notice of Meeting**

The Board of Emergency Medical Services will meet at 9 a.m. Friday, June 1, at the Pozez Education Center, Stormont-Vail Medical Center, 1500 S.W. 10th Ave., Topeka. Committee meetings will begin at 10 a.m. Thursday, May 31.

Agenda items include office update, committee reports, EMSC grant update, 2001 legislative session update, Trauma Registry Committee update, and FY 2001 and FY 2002 budget updates.

All meetings of the board are open to the public. For more information, contact the administrator at 109 S.W. 6th, Topeka, 66603, (785) 296-6237

David Lake
Administrator

Doc. No. 026605

State of Kansas

Kansas Arts Commission**Notice of Deadline Extension for 2001 Governor's Arts Awards Nominations**

The Kansas Arts Commission has extended the nomination deadline for the 2001 Governor's Arts Awards until 5 p.m. Friday, June 1. Mailed nominations should bear a U.S. Postal Service postmark that is not later than the deadline date. Metered mail is not acceptable as a postmark. Hand-delivered nominations, or nominations that are delivered by express mail or overnight delivery, will not be accepted after 5 p.m. June 1.

Any Kansas citizen or organization may submit a documented nomination in one of six categories: Individual Artist, Arts Organization, Art Educator, Arts Advocate, Individual Patron or Patron Organization. Individual artists may be in the visual, performing, literary, folk or media arts. Nominees must be Kansas citizens or Kansas-based organizations with records of outstanding contributions to the excellence, growth and support or availability of the arts in Kansas. Not eligible are prior honorees, current members of the commission or its staff, and art projects or programs.

All support materials—including but not limited to photographs, slides, video tapes, audio tapes, letters, clippings, manuscripts or publications—become the property of the commission and will not be returned.

Award recipients will be selected from the eligible nominees by a panel including members of the Kansas Arts Commission, a representative of the Governor, and representatives from various arts disciplines and organizations.

All original nominations must be submitted on the official form. Handwritten nominations will not be considered. If more than one nomination is received for the same person or organization, only the first one received will be accepted.

The 2001 Governor's Arts Awards nomination materials were published in the commission's FY 2002 grant guidelines booklet and also may be downloaded from the commission's Web site at <http://arts.state.ks.us>.

For more information or to request nomination materials, contact Conchita Reyes at the Kansas Arts Commis-

sion office, 700 SW Jackson, Suite 1004, Topeka, 66603-3761, e-mail conchita@arts.state.ks.us, (785) 296-4090, fax (785) 296-4989. Persons with special communication needs may utilize the Kansas Relay Service at 1-800-766-3777.

David M. Wilson
Executive Director

Doc. No. 026592

State of Kansas

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

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality construction permit. Northern Natural Gas Company, Stevens County #6 Compressor Station, has applied for an air quality construction permit in accordance with the provisions of K.A.R. 28-19-300 to replace compressor engine number 4. Emissions of oxides of nitrogen and carbon monoxide were evaluated during the permit review process.

Northern Natural Gas Company, Stevens County #6 Compressor Station, Liberal, owns and operates the stationary source located at Section 14, Township 32 South, Range 36 West, Hugoton, Stevens County, at which the compressor engine is to be exchanged in a major PSD source.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during review of the permit application is available for public inspection for a period of 30 days from the date of publication during normal business hours at the KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, and at the KDHE South Central District Office, 130 S. Market, sixth floor, Wichita. To obtain or review the proposed permit and supporting documentation, contact Amer Safadi, (785) 296-1993, at the KDHE central office, or Dave Butler, (316) 337-6020, at the KDHE South Central District Office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Amer Safadi, KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, 66620. In order to be considered in formulating a final permit decision, written comments must be received by the close of business June 18.

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 June 18 in order for the Secretary of Health and Environment to consider the request.

Clyde D. Graeber
Secretary of Health and Environment

Doc. No. 026595

State of Kansas

Legislature

Legislative Bills and Resolutions Introduced

The following numbers and titles of bills and resolutions were introduced May 3-7 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.

House Resolutions

HR 6022, A resolution congratulating and commending the legislative interns for the Kansas House of Representatives during the 2001 legislative session.

Senate Concurrent Resolutions

SCR 1612, A concurrent resolution relating to the 2001 regular session of the legislature and providing for an adjournment thereof.

Senate Resolutions

SR 1858, A resolution congratulating and commending Dr. Karen Swisher.

SR 1859, A resolution urging the President and the Congress of the United States to increase funding for special education from an average federal share of 15% nationwide to the 40% level authorized by the Individuals with Disabilities Education Act.

SR 1860, A resolution in support of Kevin V. Saunders.

Doc. No. 026586

State of Kansas

Department of Transportation

Notice of Public Auction

The Kansas Secretary of Transportation will offer for sale at public auction at 10 a.m. June 19 at site the following tract of land located at Weskan, Kansas, located in Wallace County, described as follows:

1.84 acres more or less in the North Half of Section 3, Township 14 South, Range 42 West, Wallace County, Kansas (Weskan Safety Rest Area). A complete legal description is available upon request. The "Blue Star Memorial" and the "Historical Marker" will be removed by sale date.

Inspection of Property:

From 10 to 11 a.m. June 14 and 30 minutes prior to the sale.

Terms of Sale:

Certified check for 10 percent of the purchase price the day of the sale, payable to the Kansas Department of Transportation. The balance of the purchase price will be paid by certified check on or before July 6, 2001. The appraised value is \$2,250, and the minimum acceptable bid is \$1,500. The successful bidder will receive a bill of sale on the day of the sale and a quitclaim deed when balance is paid. If the balance of the purchase price is not paid on or before July 6, 2001, the 10 percent down payment will be forfeited to the seller.

The Kansas Department of Transportation ensures the acceptance of any bid pursuant to this notice will be without discrimination on the grounds of sex, race, color, religion, physical handicap or national origin.

In the event of inclement weather the auction will be held at 10:30 a.m. at the Sharon Springs KDOT Sub-area office, East US-40, Sharon Springs.

The seller reserves the right to reject any and all bids and is not responsible for accidents.

For additional terms and information, contact the District Three KDOT Office in Norton at (785) 877-3315.

E. Dean Carlson
Secretary of Transportation

Doc. No. 026609

State of Kansas

Department of Health
and Environment

Request for Comments

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality construction permit. Northern Natural Gas Company, Finney County #3 Compressor Station, has applied for an air quality construction permit in accordance with the provisions of K.A.R. 28-19-300 to replace compressor engine number 3. Emissions of oxides of nitrogen and carbon monoxide were evaluated during the permit review process.

Northern Natural Gas Company, Finney Co. #3 Compressor Station, Liberal, owns and operates the stationary source located at Section 1, Township 23 South, Range 32 West, Holcomb, Finney County, at which compressor engine number 3 will be exchanged in a major PSD source.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during review of the permit application is available for public inspection for a period of 30 days from the date of publication during normal business hours at the KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, and at the KDHE South Central District Office, 130 S. Market, sixth floor, Wichita. To obtain or review the proposed permit and supporting documentation, contact Amer Safadi, (785) 296-1993, at the KDHE central office, or Dave Butler, (316) 337-6020, at the KDHE South Central District Office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Amer Safadi, KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, 66620. In order to be considered in formulating a final permit decision, written comments must be received by the close of business June 18.

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 June 18 in order for the Secretary of Health and Environment to consider the request.

Clyde D. Graeber
Secretary of Health
and Environment

Doc. No. 026597

State of Kansas

Department of Health
and EnvironmentNotice of Hearing on Proposed
Administrative Regulations

The Kansas Department of Health and Environment, Division of Environment, Bureau of Water, will conduct a public hearing at 1 p.m. Tuesday, July 24, in the second floor auditorium, Memorial Hall, 120 S.W. 10th Ave., Topeka, to consider proposed revisions to the Kansas surface water quality standards, K.A.R. 28-16-28b through K.A.R. 28-16-28e, and wastewater permitting regulations, K.A.R. 28-16-58 and K.A.R. 28-16-60.

General Comments

On March 26, 2001, KDHE entered into a Memorandum of Understanding (MOU) with the EPA designed to establish a schedule for actions to be taken by KDHE to resolve outstanding disapproved portions of the 1994 Kansas Surface Water Quality Standards (KSWQS). The proposed amendments are primarily in response to the MOU and the disapproved portions of the 1994 KSWQS. The remaining proposed amendments address previous typographic errors and items disapproved by EPA in the 1999 KSWQS. A short summary of the proposed amendments is as follows:

K.A.R. 28-16-28b is the definition section of the surface water quality standards. New definitions for "critical low flow" and "Kansas Antidegradation Policy" have been added, and the definitions of "surface waters" and "Kansas implementation procedures: surface water quality standards" have been revised.

K.A.R. 28-16-28c is the general provisions section of the surface water quality standards. Changes to this section include establishment of an independent *Kansas Antidegradation Policy*; incorporation of critical low flow when establishing mixing zones; prohibition of discharges into classified ponds; establishing a low flow exclusion for numeric criteria for classified streams; removal of a high flow exclusion for fecal coliform bacteria for classified streams; and clarification of language associated with effluent-created stream flow.

K.A.R. 28-16-28d is the surface water use designation and classification section of the surface water quality standards. Changes to this section include a definition of classified ponds and the removal of default secondary contact recreation use and aquatic life support use designations.

K.A.R. 28-16-28e is the surface water quality criteria section of the surface water quality standards. Changes to this section include critical low flow exclusion from numeric criteria; removal of the fecal coliform bacteria single sample 900 organism per 100 ml exclusion; addition of numeric criteria for 2-chloronaphthalene, acenaphthene, N-nitrosodi-n-propylamine, and 1,2,4-trichlorobenzene; and modification of numeric criteria for chloride.

K.A.R. 28-16-58 are general definitions associated with wastewater facility permitting. The definitions have been updated to reflect changes in the definitions, and the def-

inition for "Kansas Implementation Procedures: Wastewater Permitting" has been added.

K.A.R. 28-16-60 is the development of draft permits. The section has been updated to reflect the use of the "Kansas Implementation Procedures: Wastewater Permitting" in wastewater permitting decisions.

There will be minimal direct environmental benefit from these regulations. Some additional protection of Tier 2 waters may occur due to the revision of the Antidegradation Policy.

The economic impact associated with these regulations is expected to be minimal for the regulated community. The department has estimated \$100,000 per year will be required to perform recreational use attainability analyses to meet the MOU. It is anticipated this cost will be borne with federal grant money.

The time period between the publication of this notice and the scheduled hearing constitutes a 60-day public comment period for the purpose of receiving written public comments on the proposed regulatory action. All interested parties may submit written comments prior to the hearing to Jim Rudeen, Kansas Department of Health and Environment, Bureau of Water, Building 283, Forbes Field, Topeka, 66620. All interested parties will be given a reasonable opportunity to present their views orally on the proposed regulatory action during the hearings, as well as to submit their written comments at that time. In order to give all parties an opportunity to present their views, it may be necessary to require each participant to limit any oral presentation.

Copies of the proposed amendments and the economic impact and environmental benefit statements may be obtained from the Kansas Department of Health and Environment, Bureau of Water, by contacting Jeanne Woodard at (785) 296-5500. Questions pertaining to these proposed amendments should be directed to Jim Rudeen, (785) 296-5508. The draft regulations are available on KDHE's homepage at www.kdhe.state.ks.us/water in a PDF format. The draft regulations also are available via e-mail in a PDF format. E-mail requests should be sent to jrudeen@kdhe.state.ks.us.

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

Clyde D. Graeber
Secretary of Health
and Environment

Doc. No. 026599

**State of Kansas
Advisory Committee on Trauma
Notice of Meeting**

The Advisory Committee on Trauma will meet from 10 a.m. to 3 p.m. Wednesday, May 30, at the Kansas Medical Society, 623 S.W. 10th Ave., Topeka. For further information, contact the KDHE Office of Local and Rural Health, (785) 296-1200.

Clyde D. Graeber
Secretary of Health
and Environment

Doc. No. 026589

**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-01-135/136
Pending Permits for Confined Feeding Facilities**

Name and Address of Applicant	Legal Description	Receiving Water
Theron Culwell Route 2, Box 120 St. Francis, KS 67756	NW/4 of Section 31, T5S, R39W, Cheyenne County	Upper Republican River Basin

Kansas Permit No. A-URCN-B005

This is a permit revision for an existing facility to include an additional pen and modifications to the water pollution controls. There has been no change in head capacity. The permit is for 999 head (999 animal units) of beef cattle weighing greater than 700 pounds.

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: Permeability tests shall be conducted on the earthen wastewater retention structure(s). Should any structure not meet the permeability requirements, additional sealing will be required. Dewatering equipment shall be obtained within six months after issuance of the permit. 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
Lazy H Ranch Dave Hubbard Box 62 McDonald, KS 67745	NE/4 of Section 29, T3S, R36W, Rawlins County	Upper Republican River Basin

Kansas Permit No. A-URRA-B003

This is a permit revision for an existing facility to include the construction of a new earthen retention structure and two sedimentation basins. There has been no change in head capacity. The permit is for 500 head (250 animal units) of beef cattle weighing 700 pounds or less and 450 head (450 animal units) of beef cattle weighing greater than 700 pounds, for a total maximum of 950 head (700 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 approved by the department shall be adhered to as a condition of the permit. Dewatering equipment shall be obtained within six months after issuance of the permit.

Public Notice No. KS-01-060

Name and Address of Applicant	Waterway	Type of Discharge
Independence, City of 120 N. 6th St. Independence, KS 67301	Verdigris River	Treated Domestic Wastewater

Kansas Permit No. M-VE23-IO01

Federal Permit No. KS0042625

Legal: SW¼, S29, T32S, R16E, Montgomery County

Facility Description: The proposed action is to modify and reissue an existing permit for operation of an existing wastewater treatment facility treating primarily domestic wastewater. The proposed permit includes limits for biochemical oxygen demand, total suspended solids, ammonia and pH. Monitoring for fecal coliform, total chlorides, dissolved oxygen 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.

Public Notice No. KS-ND-01-005

Name and Address of Applicant	Legal Location	Type of Discharge
Cairo Cooperative Equity Exchange P.O. Box 45 Cunningham, KS 67035	NE¼ S30, T26S, R11W, Pratt County	Nonoverflow

Kansas Permit No. I-AR74-NP01

Kansas Permit No. I-AR74-NP01

Facility Description: The proposed action is to issue a new permit for the operation of a new wastewater treatment facility treating primarily process wastewater. A nitrate contamination migration impacting Preston Public Water Supply #2 well is proposed to be controlled by pumping between 10 to 20 gpm from an extraction/monitoring well, which Cairo Cooperative proposes to use in its chemical application business and beneficially use the excess water to irrigate alfalfa crops during growing season. Discharge of wastewater from this treatment facility to the surface waters of the State of Kansas is prohibited by this permit. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f).

Persons wishing to comment on or object to the draft permits and/or permit applications must submit their comments in writing to the Kansas Department of Health and Environment if they wish to have the comments or

objections considered in the decision making process. Comments or objections should be submitted to the attention of Shonda Domme 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 June 16 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate Kansas permit number (KS-AG-01-135/136, KS-01-060, KS-ND-01-005) 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

Application information and components of plans and specifications for all new facilities and for expansions of existing swine facilities may be reviewed on the Internet at <http://www.kdhe.state.ks.us/feedlots/stindex.html>.

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

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 5-14-01 through 5-20-01	
Term	Rate
1-89 days	4.46%
3 months	3.59%
6 months	3.79%
1 year	4.01%
18 months	4.20%
2 years	4.38%

Derl S. Treff
Director of Investments

Doc. No. 026585

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

Tuesday, May 29, 2001

- 03307
State Corporation Commission—Abandoned Well Plugging, Hoke, Graham and Dumler
- 03312
Department of Transportation—Freon Recycling/Recovery and Charging Unit, Norton and Chanute
- 03333
Adjutant General's Department—Furnish and Install Fire Alarm and Electrical System Enhancements, Fort Riley

Wednesday, May 30, 2001

- 03291
Statewide—Water Softener Salt
- 03299
Statewide—Seasonal Clothing
- 03309
State Corporation Commission—Abandoned Well Plugging, Odaffer Lease Project
- 03352
Fort Hays State University—Videoconferencing Equipment

Thursday, May 31, 2001

- 03310
State Corporation Commission—Abandoned Well Plugging, G. Sellens Project

(continued)

Doc. No. 026596

Friday, June 1, 2001

03311

State Corporation Commission—Abandoned Well Plugging, Nicholson Lease

03320

Kansas State University—Elevator Upgrade

03353

Department of Transportation—Wheel Tractor, Various Locations

03355

Department of Administration, Division of Information Systems and Communications—Post-Processing Equipment

03363

Ellsworth Correctional Facility—Intrusion Detection System

Tuesday, June 5, 2001

A-9043

Larned State Hospital—Reroof Power Plant

Thursday, June 7, 2001

A-9006(A)

Wichita State University—Fire Alarm Remodel, Jardine Hall

A-9027

Department of Transportation—Reroof Area Shop, Wichita Hillside

A-9225

Pittsburg State University—Brown Lot Asphalt Overlay and Gorilla Village Development

03341

University of Kansas—Cleaning Chemicals and Supplies

Tuesday, June 12, 2001

A-9156

Topeka Correctional Facility—Kitchen and Dining Renovation, Dining Room/Kitchen, Supply and Boiler/Maintenance Buildings (Pre-bid at 8:30 a.m. May 30 at the Topeka Correctional Facility Dining Room)

03335

Pittsburg State University—Nortel PBX Fiber Remote Upgrade

03216

Kansas Bureau of Investigation—UPS System and Maintenance Service

Wednesday, June 13, 2001

03198

Kansas State University—Palm Pilots (Handheld Computers)

Request for Proposals

Friday, June 1, 2001

03340

4-Wheel Drive Loader for the Department of Transportation, Various Locations

Thursday, June 7, 2001

03288

Audit Services (Master Contract List) for the Department of Social and Rehabilitation Services

Wednesday, June 13, 2001

03182

Web Site Development for Fort Hays State University

John T. Houlihan
Director of Purchases

Doc. No. 026608

(Published in the Kansas Register May 17, 2001.)

Summary Notice of Bond Sale
Unified School District No. 500
Wyandotte County, Kansas
\$40,000,000

General Obligation School Bonds, Series 2001

(General obligation bonds payable from unlimited ad valorem taxes)

Sealed Bids

Subject to the notice of bond sale and preliminary official statement dated May 21, 2001, sealed, facsimile and electronic bids will be received (1) in the case of sealed and facsimile bids, by Dr. Thomas P. Kurucz, Assistant Superintendent for Business Services, Unified School District No. 500, Wyandotte County, Kansas (the issuer), at the address hereinafter set forth, and (2) in the case of electronic bids through PARITY electronic bid submission system, until 10 a.m. Wednesday, May 30, 2001, for the purchase of \$40,000,000 principal amount of General Obligation School Bonds, Series 2001. No bid of less than the entire par value of the bonds and accrued interest thereon to the date of delivery will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will initially be registered in the name of Cede & Co., as nominee of the Depository Trust Company, New York, New York, to which payments of principal of and interest on the 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 bonds will be dated June 1, 2001, and will become due on September 1 in the years as follows:

Year	Principal Amount
2002	\$4,000,000*
2003	1,500,000*
2004	1,050,000*
2005	1,150,000*
2006	1,200,000*
2007	1,300,000*
2008	1,400,000*
2009	1,450,000*
2010	1,550,000*
2011	1,650,000*
2012	1,750,000*

2013	1,900,000*
2014	2,000,000*
2015	2,150,000*
2016	2,250,000*
2017	2,400,000*
2018	2,550,000*
2019	2,750,000*
2020	2,900,000*
2021	3,100,000*

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

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on March 1 and September 1 in each year, beginning March 1, 2002.

Paying Agent and Bond Registrar

The UMB Bank, N.A., Overland Park, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a cashier's or certified check or a financial surety bond in the amount of \$800,000 (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 within 30 days after the date of sale.

Assessed Valuation and Indebtedness

The total assessed valuation of taxable tangible property of the issuer for the year 2001 is \$635,480,909. The total general obligation indebtedness of the issuer as of the date of the bonds, including the bonds being sold, is \$40,000,000.

Approval of Bonds

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

Additional Information

Additional information regarding the bonds may be obtained from the financial advisor, U.S. Bancorp Piper Jaffray Inc., 4600 Madison, Suite 1200, Kansas City, MO 64112, Attention: Greg Vahrenberg, (816) 360-3074.

Dated May 17, 2001.

Unified School District No. 500
 Wyandotte County, Kansas
 By Dr. Thomas P. Kurucz
 Assistant Superintendent for
 Business Services
 635 Minnesota Ave.
 Kansas City, KS 66101

* Subject to change.

Doc. No. 026604

State of Kansas

Racing and Gaming Commission

Permanent Administrative
 Regulations

Article 4.—OCCUPATION AND
 CONCESSIONAIRE LICENSES

112-4-1. Occupation licenses. (a) Before engaging in the following occupations at a racetrack facility, each person shall pay the required fee and secure the appropriate license or licenses from the commission:

- (1) Administration-facility;
- (2) administration-organization;
- (3) administrative support-facility;
- (4) administrative support-organization;
- (5) amateur jockey;
- (6) apprentice jockey;
- (7) assistant trainer-horse/greyhound;
- (8) authorized agent;
- (9) backup greyhound racetrack official;
- (10) backup horse racetrack official;
- (11) blacksmith/plater/farrier;
- (12) breed registry;
- (13) concession employee;
- (14) concession manager/operator;
- (15) driver;
- (16) exercise person;
- (17) greyhound racetrack official;
- (18) groom/hot walker;
- (19) horse racetrack official;
- (20) horseman/kennel representative;
- (21) jockey;
- (22) jockey agent;
- (23) jockey guild representative;
- (24) kennel helper;
- (25) kennel owner;
- (26) kennel owner/trainer;
- (27) medical attendant;
- (28) owner-horse/greyhound;
- (29) owner/assistant trainer-horse/greyhound;
- (30) owner/trainer/driver-horse;
- (31) owner/trainer-horse/greyhound;
- (32) owner by open claim-horse;
- (33) photo finish operator;
- (34) pony person;
- (35) practicing veterinarian;
- (36) practicing veterinary assistant;
- (37) racing department staff;
- (38) racing judge;
- (39) selection sheet operator;
- (40) service provider;
- (41) steward;
- (42) totalisator employee;
- (43) trainee-racing official;
- (44) trainer-horse/greyhound;
- (45) video operator; and
- (46) any other personnel designated by the commission.

(continued)

(b) Each applicant for an occupation license shall apply in writing on the application form approved and furnished by the commission.

(c) Each applicant for an occupation license acting as an employer required to carry workers compensation insurance pursuant to the workers compensation act of the state of Kansas, K.S.A. 44-501 et seq., and amendments thereto, shall submit proof of this insurance to the commission within 10 working days of the applicant's filing an application for an occupation license.

(d) Each person who is appointed by an owner or trainer to act as an authorized agent shall secure an occupation license. Each owner, trainer, or authorized agent shall file each authorized agent agreement form with the commission. Each authorized agent shall perform for the owner or trainer only the duties that are the subject of the authorized agent agreement form. Each authorized agent shall notify the commission in writing when the authorized agent agreement is terminated.

(e) An applicant for an occupation license shall not knowingly provide false information on any occupation license application form.

(f) An applicant for an occupation license shall not fail to disclose any material fact on any occupation license application form.

(g) No person shall alter or attempt to alter any information contained on an occupation license badge.

(h) Each person who loses an occupation license shall immediately perform the following:

(1) Notify the commission office at the racetrack facility;

(2) secure a duplicate license; and

(3) pay the required fee.

(i) An applicant shall pay each required fee when the occupation license is issued. Occupational licenses issued by the commission shall be for one-year or three-year periods.

(1) Each one-year or annual license shall be valid for a period commencing on January 1 and terminating on December 31 of the calendar year for which the license is issued.

(2) Each three-year or triennial license shall be valid for a period commencing on January 1 of the year in which the license is issued and terminating on December 31 of the final year.

(j) A computer check of license records from other racing jurisdictions shall be run annually on all licensees by the commission.

(k) Any applicant may be required to submit with the application at least two complete sets of fingerprint cards approved by the commission. If the fingerprints are not acceptable for processing, each applicant shall be required to resubmit fingerprint cards.

(l) Each applicant for an occupation license shall be at least 16 years of age. This provision shall not preclude dependent children under the age of 16 from working for a parent or guardian if the parent or guardian is licensed as a kennel owner, trainer, or assistant trainer and the parent or guardian has obtained approval from the organization licensee. Each licensed trainer at a horse or greyhound racetrack facility and each assistant trainer at any horse racetrack facility shall be at least 18 years of

age. Each racing official, security employee, and mutual employee shall be at least 18 years of age.

(m) Each employer at a racetrack facility shall ensure that each employee is properly licensed and shall immediately notify the commission office at the racetrack facility and the organization licensee when a licensee's employment status changes or when an employee is terminated. Each employer shall make an effort to secure the employee's occupation license and, if the license is secured, shall deliver the license to the commission office at the racetrack facility. (Authorized by K.S.A. 2000 Supp. 74-8804; implementing K.S.A. 2000 Supp. 74-8804 and 74-8816; effective, T-112-1-19-89, Jan. 19, 1989; effective April 10, 1989; amended, T-112-8-22-89, Aug. 22, 1989; amended Oct. 9, 1989; amended, T-112-12-30-91, Dec. 30, 1991; amended Feb. 24, 1992; amended, T-112-8-13-92, Aug. 13, 1992; amended, T-112-12-10-92, Dec. 10, 1992; amended Feb. 15, 1993; amended, T-112-7-22-93, July 22, 1993; amended Oct. 25, 1993; amended April 3, 1995; amended March 8, 1996; amended July 25, 1997; amended May 1, 1998; amended Aug. 25, 2000; amended June 1, 2001.)

Tracy Diel

Acting Executive Director

Doc. No. 026591

State of Kansas

Department of Wildlife and Parks

Permanent Administrative Regulations

Article 3.—SMALL GAME

115-3-1. Game birds; legal equipment, taking methods, and possession. (a) Legal hunting equipment for game birds shall consist of the following:

(1) Shotguns and muzzleloading shotguns not larger than 10 gauge and using only shot;

(2) archery equipment;

(3) falconry equipment; and

(4) other equipment or methods as allowed by permit.

(b) The use of dogs, horses, and mules shall be permitted while hunting, but no person shall shoot while mounted on a horse or mule.

(c) Hunting hours shall be from ½ hour before sunrise to sunset.

(d) Game birds shall be shot only while the bird is in flight.

(e) Any type of apparel may be worn while taking game birds.

(f) Legally taken game birds may be possessed without limit in time and may be given to another if accompanied by a dated written notice that includes the donor's printed name, signature, address, and permit or license number. The person receiving the meat shall retain the notice until the meat is consumed, given to another, or otherwise disposed of. It shall not be deemed unlawful for a person to relinquish possession of a game bird for the purpose of dressing the bird.

(g) Pheasants in an individual's possession for the purpose of transportation shall retain intact a foot, plumage,

or some part by which the sex can be readily established. (Authorized by and implementing K.S.A. 32-807 and K.S.A. 32-1002; effective, T-115-7-27-89, July 27, 1989; effective Sept. 18, 1989; amended June 1, 2001.)

115-3-2. Rabbits, hares, and squirrels; legal equipment, taking methods, and possession. (a) Legal hunting equipment for rabbits, hares, and squirrels shall consist of the following:

(1) Firearms, except fully automatic rifles and handguns and except shotguns and muzzleloading shotguns larger than 10 gauge or using other than shot ammunition;

(2) pellet and BB guns;

(3) archery equipment;

(4) crossbows;

(5) falconry equipment;

(6) projectiles hand-thrown or propelled by a sling-shot;

(7) box traps for rabbits only; and

(8) other equipment or methods as allowed by permit.

(b) The use of dogs, horses, and mules shall be permitted while hunting, but no person shall shoot while mounted on a horse or mule.

(c) Legal hours for the hunting and taking of rabbits, hares, and squirrels shall be from ½ hour before sunrise to sunset during established hunting seasons, except that legal hours for the running of rabbits shall be 24 hours per day during established running seasons.

(d) Management units for the running of rabbits shall be as follows.

(1) The eastern management unit shall be that part of Kansas east of and including Smith, Osborne, Russell, Ellsworth, Rice, Reno, Pratt, and Barber counties.

(2) The western management unit shall be that part of Kansas west of the eastern unit.

(e) Any type of apparel may be worn while hunting or running rabbits.

(f) Legally taken rabbits, hares, and squirrels may be possessed without limit in time and may be given to another if accompanied by a dated written notice that includes the donor's printed name, signature, address, and permit or license number. The person receiving the meat shall retain the notice until the meat is consumed, given to another, or otherwise disposed of. (Authorized by and implementing K.S.A. 32-807 and K.S.A. 32-1002; effective, T-115-7-27-89, July 27, 1989; effective Sept. 18, 1989; amended, T-115-12-28-89, Dec. 28, 1989; amended Jan. 22, 1990; amended Sept. 19, 1997; amended June 1, 2001.)

Article 4.—BIG GAME

115-4-1. (Authorized by K.S.A. 32-807 and K.S.A. 1999 Supp. 32-937; implementing K.S.A. 32-807, K.S.A. 1999 Supp. 32-937, K.S.A. 32-1001, and K.S.A. 32-1002; effective Jan. 22, 1990; amended May 27, 1991; amended June 1, 1993; amended May 10, 1996; amended June 6, 1997; amended April 24, 1998; amended July 21, 2000; revoked June 1, 2001.)

115-4-2. Big game; general provisions. (a) Possession.

(1) Each permittee shall sign, date, and attach the carcass tag to the carcass immediately following the kill and before moving the carcass from the site of the kill. Except for a turkey or any other big game animal taken with an "either sex" permit, the head of the big game animal shall accompany the carcass while in transit from the site of the kill to the permittee's residence or to a place of processing or preservation. The carcass tag shall remain attached to the carcass until the animal is processed for consumption. The permittee shall retain the carcass tag until the animal is consumed, given to another, or otherwise disposed of.

(2) Any legally acquired big game meat may be given to and possessed by another, if a dated written notice that includes the donor's printed name, signature, address, and permit number accompanies the meat. The person receiving the meat shall retain the notice until the meat is consumed, given to another, or otherwise disposed of.

(3) Any person may possess a salvaged big game carcass if a department salvage tag issued to the person obtaining the carcass is affixed to the carcass. The salvage tag shall be retained as provided in paragraph (a)(1). Big game meat may be donated as specified in paragraph (a)(2) using the salvage tag number. Each salvage tag report prepared by the department agent issuing the tag shall be signed by the individual receiving the salvaged big game carcass. Each salvage tag shall include the following information:

(A) The name and address of the person to whom the tag is issued;

(B) the salvage tag number;

(C) the species and sex of each animal for which the tag is issued;

(D) the location and cause of death of each animal; and

(E) the date of issuance and the signature of the department agent issuing the salvage tag.

(b) Big game permits and game tags.

(1) A permit or game tag purchased during the open season shall not be valid until the next calendar day.

(2) Big game permits and game tags shall not be transferred to another person, unless otherwise authorized by law or regulation.

(3) Removal of the carcass tag from the permit or game tag shall invalidate the permit or game tag for hunting.

(4) In addition to other penalties prescribed by law, each big game permit or game tag shall be invalid from the date of issuance if obtained by an individual under any of these conditions:

(A) Through false representation;

(B) through misrepresentation; or

(C) in excess of the number of permits or game tags authorized by regulations for that big game species.

(c) Subject to the hunting license requirements of K.S.A. 32-919, and amendments thereto, and license requirements of regulations adopted thereunder, and to the provisions of paragraphs (c)(1), (c)(2), and (c)(3), any individual may assist any holder of a big game permit or game tag during the permittee's big game hunting activity. This assistance may include herding or driving.

(1) An individual assisting the holder of a big game permit or game tag shall not perform the actual shooting

(continued)

of big game for the permittee, unless authorized by K.S.A. 115-18-15. However, a permittee who is, because of disability, unable to pursue a wounded big game animal may designate any individual to assist in pursuing and dispatching a big game animal wounded by the disabled permittee.

(2) The designated individual shall carry the disabled permittee's big game permit or game tag and shall attach the carcass tag to the carcass immediately after the kill and before leaving the site of the kill.

(3) The designated individual shall use only the type of equipment authorized for use by the disabled permittee. (Authorized by K.S.A. 32-807 and K.S.A. 32-937; implementing K.S.A. 32-807, K.S.A. 32-937, K.S.A. 32-1001, K.S.A. 32-1002, and K.S.A. 32-1004; effective June 1, 2001).

115-4-3. (Authorized by K.S.A. 32-807 and K.S.A. 1999 Supp. 32-937; implementing K.S.A. 32-807, K.S.A. 1999 Supp. 32-937, K.S.A. 32-1001, and K.S.A. 32-1002; effective April 30, 1990; amended May 27, 1991; amended June 8, 1992; amended June 1, 1993; amended May 30, 1995; amended May 10, 1996; amended June 6, 1997; amended July 21, 2000; revoked June 1, 2001.)

115-4-4. Big game; legal equipment and taking methods. (a) Hunting equipment for the taking of big game during a big game archery season shall consist of the following:

(1) Archery equipment.

(A) Each bow shall be hand-drawn.

(B) No bow shall have a mechanical device that locks the bow at full or partial draw.

(C) Each bow shall be designed to shoot only one arrow at a time.

(D) No bow shall have any electronic or chemical device attached to the bow or arrow, with the exception of lighted pin, dot, or holographic sights.

(E) Each arrow used for hunting shall be equipped with a nonbarbed broadhead point with all-metal cutting edges.

(F) Each arrow used for hunting shall be at least 20 inches in length.

(G) Optical scopes or sights that project no visible light toward the target and do not electronically amplify visible or infrared light may be used.

(H) Range-finding devices may be used or attached to the bow if the system does not project visible light toward the target.

(I) No bow with less than 50 pounds of draw weight shall be used to archery hunt for elk.

(2) Crossbows as authorized under K.A.R. 115-18-7.

(b) Hunting equipment for the taking of big game during a big game firearm season shall consist of the following:

(1) Firearms season equipment authorized for all big game species:

(A) Archery equipment as authorized in subsection (a);

(B) optical scopes or sights that project no visible light toward the target and do not electronically amplify visible or infrared light; and

(C) range-finding devices, if the system does not project visible light toward the target.

(2) Firearms season equipment authorized for deer and antelope:

(A) Centerfire rifles that are not fully automatic and that fire a bullet larger than .23 inches in diameter, while using only soft point, hollow point, or other expanding bullets;

(B) muzzleloading rifles and muskets that can be loaded only through the front of the firing chamber with separate components and that fire a bullet of .39 inches in diameter or larger;

(C) centerfire handguns that are not fully automatic, fire a bullet larger than .23 inches in diameter, and use a cartridge case 1.280 inches or more in length, while using only soft point, hollow point, or other expanding bullets;

(D) single barrel muzzleloading pistols .45 caliber or larger that have a barrel length of 10 inches or greater and can be loaded only through the front of the barrel with separate components. Only conical lead or sabot bullets weighing 210 grains or greater shall be used with muzzleloading pistols; and

(E) shotguns using only slugs of 20 gauge or larger.

(3) Firearms season equipment authorized for elk:

(A) Centerfire rifles as authorized in paragraph (b)(2)(A), but only if firing a bullet larger than .25 inches in diameter and using a cartridge greater than 2.5 inches in length; and

(B) muzzleloading rifles and muskets as authorized in paragraph (b)(2)(B), but only if firing a bullet of .49 inches in diameter or larger.

(4) Firearms season equipment authorized for turkey: shotguns and muzzleloading shotguns not less than 20 gauge and using only size two shot through size nine shot.

(c) Hunting equipment for the taking of big game during a big game muzzleloader-only firearm season shall consist of the following:

(1) Muzzleloader-only season equipment authorized for deer and antelope:

(A) Muzzleloading rifles and muskets as authorized in paragraph (b)(2)(B), but only if using only iron or peep sights; and

(B) muzzleloading pistols as authorized in paragraph (b)(2)(D), but only if using only iron or peep sights.

(2) Muzzleloader-only season equipment authorized for elk:

(A) Muzzleloading rifles and muskets as authorized in paragraph (b)(3)(B), but only if using only iron or peep sights; and

(B) archery equipment as authorized in subsection (a).

(d) Accessory equipment.

(1) Each individual hunting deer or elk during a firearms deer or elk season and each individual assisting an individual hunting deer or elk as authorized by K.A.R. 115-4-12 or K.A.R. 115-18-15 during a firearms deer or elk season shall wear clothing of a bright orange color having a predominant light wavelength of 595-605 nanometers, commonly referred to as daylight fluorescent orange, hunter orange, blaze orange, or safety orange. This bright orange color shall be worn as follows:

(A) A hat with the exterior of not less than 50 percent of the bright orange color, an equal portion of which is visible from all directions; and

(B) a minimum of 100 square inches of the bright orange color that is on the front of the torso and is visible from the front, and a minimum of 100 square inches that is on the rear of the torso and is visible from the rear.

(2) Nonelectric calls, lures, and decoys, except live decoys, shall be legal while hunting big game.

(3) Any individual may use blinds and stands while hunting big game.

(e) Big game permittees shall possess hunting equipment only as authorized by this regulation and by the big game permit or game tag while hunting.

(f) Shooting hours.

(1) Shooting hours for deer, antelope, and elk during each day of any deer, antelope, or elk hunting season shall be from one-half hour before sunrise to one-half hour after sunset.

(2) Shooting hours for turkey during each day of any turkey hunting season shall be from one-half hour before sunrise to sunset.

(g) Each individual hunting turkey shall shoot or attempt to shoot a turkey only while the turkey is on the ground or in flight.

(h) Horses and mules may be used while hunting big game, except that horses and mules shall not be used for herding or driving elk. (Authorized by K.S.A. 32-807 and K.S.A. 32-937; implementing K.S.A. 32-807, K.S.A. 32-937, K.S.A. 32-1002, and K.S.A. 32-1015; effective June 1, 2001.)

115-4-5. (Authorized by K.S.A. 32-807 and K.S.A. 1999 Supp. 32-937; implementing K.S.A. 32-807, K.S.A. 1999 Supp. 32-937, K.S.A. 32-1001, and K.S.A. 32-1002; effective April 30, 1990; amended May 27, 1991; amended June 8, 1992; amended June 1, 1993; amended May 30, 1995; amended May 10, 1996; amended June 6, 1997; amended July 21, 2000; revoked June 1, 2001.)

115-4-7. (Authorized by K.S.A. 32-807 and K.S.A. 1999 Supp. 32-937; implementing K.S.A. 32-807, K.S.A. 1999 Supp. 32-937, K.S.A. 32-1001, and K.S.A. 32-1002; effective April 30, 1990; amended May 27, 1991; amended June 8, 1992; amended June 1, 1993; amended June 13, 1994; amended May 30, 1995; amended May 10, 1996; amended June 6, 1997; amended April 24, 1998; amended July 21, 2000; revoked June 1, 2001.)

115-4-8. (Authorized by K.S.A. 32-807; implementing K.S.A. 32-807 and K.S.A. 32-1015; effective, T-115-9-26-89, Sept. 26, 1989; effective Oct. 30, 1989; amended May 30, 1995; revoked June 1, 2001.)

115-4-9. (Authorized by K.S.A. 1989 Supp. 32-807; implementing K.S.A. 1989 Supp. 32-807, K.S.A. 1989 Supp. 32-1002 and K.S.A. 1989 Supp. 32-1004; effective Sept. 10, 1990; revoked June 1, 2001.)

115-4-10. (Authorized by and implementing K.S.A. 1989 Supp. 32-807; effective, T-115-9-26-89, Sept. 26, 1989; effective Oct. 30, 1989; amended Sept. 10, 1990; revoked June 1, 2001.)

115-4-11. Big game permit applications. (a) General application provisions.

(1) Unless otherwise authorized by law or regulation, an individual shall not apply for or obtain more than one big game permit for each big game species.

(2) Unless otherwise authorized by law or regulation, each big game permit application shall be signed by the individual applying for the permit.

(3) Subject to any priority draw system established by this regulation, if the number of permit applications of a specific species and type received by the designated application deadline exceeds the number of available permits of that species and type, a random drawing to issue permits of that species and type shall be conducted by the secretary.

(4) A permit valid only on a landowner's or tenant's own property or a permit legally transferred by a landowner or tenant to another person shall not be tabulated in a priority draw system if the permit would otherwise reduce that applicant's odds of receiving a big game permit through that draw system.

(b) Deer permit applications.

(1) In awarding firearm white-tailed deer permits in units having a limited number of permits, the first priority shall be given to those applicants who did not receive, in the previous year, a firearm white-tailed deer permit that allowed the taking of any antlered deer. All other firearm white-tailed deer permit applicants shall be given equal priority.

(2) In awarding resident any-deer permits, the first priority shall be given to those individuals who have earned the highest number of preference points. Preference points shall be awarded as follows:

(A) One point shall be awarded to an individual for each year the individual is unsuccessful in obtaining an any-deer permit that allows the taking of an antlered deer.

(B) If the individual fails to make at least one application within a period of five consecutive years, all earned points shall be lost.

(C) If an applicant obtains an any-deer permit that allows the taking of an antlered deer, all earned points shall be lost.

(D) If the number of applicants with the most preference points exceeds the number of permits for specified units or permit types, then a drawing shall be held to determine the successful applicants.

(c) Antelope permit applications. In awarding firearm antelope permits, the first priority shall be given to those individuals who have earned the highest number of preference points. Preference points shall be awarded as follows:

(1) One point shall be awarded to an individual for each year the individual is unsuccessful in obtaining an antelope permit.

(2) If the individual fails to make at least one application within a period of five consecutive years, all earned points shall be lost.

(3) If an applicant obtains either a firearm or archery permit, all earned points shall be lost.

(4) If the number of applicants with the most preference points exceeds the number of permits for specified units or permit types, then a drawing shall be held to determine the successful applicants.

(d) Elk permit applications. An individual receiving a limited-quota elk permit shall not be eligible to apply for

(continued)

or receive an elk permit in subsequent seasons, with the following exceptions:

(1) An individual receiving an any-elk or a bull-only elk permit may apply for and receive an antlerless-only elk permit in subsequent seasons.

(2) An individual receiving a limited-quota, antlerless-only elk hunting permit shall not be eligible to apply for or receive a limited-quota, antlerless-only elk permit for a five-year period thereafter. Subject to subsection (d), however, this individual may apply for and receive an any-elk or bull-only elk permit without a waiting period.

(e) Turkey permit applications. When awarding turkey permits in units having a limited number of permits, the first priority shall be given to those individuals who did not receive a permit in a limited turkey unit during the previous year. All other applicants shall be given equal priority. (Authorized by K.S.A. 32-807 and K.S.A. 32-937; implementing K.S.A. 32-937; effective Sept. 10, 1990; amended May 27, 1991; amended June 1, 2001.)

115-4-12. (Authorized by K.S.A. 32-807 and K.S.A. 32-937 as amended by L. 1994, Chapter 245, sec. 1; implementing K.S.A. 32-807, K.S.A. 32-937 as amended by L. 1994, Chapter 245, sec. 1 and K.S.A. 32-1002; effective May 27, 1991; amended Oct. 17, 1994; revoked June 1, 2001.)

115-4-13. Deer permits; descriptions and restrictions. Except as otherwise specified or further restricted by law or regulation, the following deer permit descriptions, provisions, and restrictions shall be in effect.

(a) White-tailed deer permits.

(1) Firearm white-tailed deer permit. This permit shall be valid for the hunting of white-tailed deer during the established muzzleloader-only and firearms deer seasons within a prescribed management unit, using equipment that is legal during the established season.

(2) Antlerless white-tailed deer permit. This permit shall be valid for the hunting of antlerless white-tailed deer statewide during the established muzzleloader-only, archery, and firearms deer seasons using equipment that is legal during the established season.

(3) Antlerless white-tailed deer game tag. This permit shall be valid for the hunting of antlerless white-tailed deer during the established muzzleloader-only, archery, and firearms deer seasons within a prescribed management unit or units, using equipment that is legal during the established season. This permit shall not be valid on department lands and waters.

(b) Any-deer permits.

(1) Archery any-deer permit. This permit shall be valid for the hunting of any deer during the established archery deer season within a prescribed management unit or units, using equipment that is legal during the archery deer season.

(2) Firearm any-deer permit. This permit shall be valid for the hunting of any deer during the established firearms deer season within a prescribed management unit, using equipment that is legal during the firearms deer season.

(3) Muzzleloader any-deer permit. This permit shall be valid for the hunting of any deer during the established muzzleloader-only and firearms deer seasons within a prescribed management unit, using muzzleloader equip-

ment that is legal during the muzzleloader-only or firearms deer season.

(4) Leftover any-deer permit. Leftover any-deer permits shall be those firearm and muzzleloader any-deer permits that remain unissued after the first drawing process is completed. This permit shall be valid for the hunting of any deer within a prescribed management unit during the established muzzleloader-only, archery, and firearms deer seasons using equipment that is legal during the established season.

(c) Hunt-on-your-own-land deer permits. Each hunt-on-your-own-land permit shall be valid for any deer, unless otherwise specified in regulation.

(1) Resident hunt-on-your-own-land deer permit. This permit shall be available to individuals who qualify as resident landowners or as tenants or as family members domiciled with the landowner or with the tenant. This permit shall be valid during the muzzleloader-only, archery, and firearms deer seasons, using equipment that is legal during the established season. It shall be valid only on lands owned or operated by the landowner or tenant.

(2) Special hunt-on-your-own-land deer permit. This permit shall be available to individuals who qualify as resident landowners or as tenants or as family members domiciled with the landowner or with the tenant. This permit shall be valid during the muzzleloader-only, archery, and firearms deer seasons, using equipment that is legal during the established season. This permit shall be valid only on lands owned or operated by the landowner or tenant. This permit shall be transferable to family members who are lineal or collateral ascendants or descendants of the landowner or of the tenant. These family members shall include the spouses of lineal or collateral ascendants or descendants of the landowner or of the tenant.

(3) Nonresident hunt-on-your-own-land deer permit. This permit shall be available to nonresident individuals who qualify as Kansas landowners. This permit shall be valid during the muzzleloader-only, archery, and firearms deer seasons, using equipment that is legal during the established season. This permit shall be valid only on lands owned or operated by the nonresident landowner or tenant.

(d) Nonresident deer permits. If nonresident deer permits are issued, each nonresident permit shall be valid for the same season and for the same management unit as those for which the equivalent resident deer permits are valid.

(e) Each deer permit or game tag shall be valid only for the species of deer specified and only for the antler category of deer specified by regulation or on the permit or game tag.

(1) An either-sex deer permit shall be valid for deer of either sex.

(2) An antlerless deer permit or game tag shall be valid only for a deer without a visible antler plainly protruding from the skull.

(3) An any-deer permit shall be valid for a white-tailed deer of either sex or a mule deer of either sex, except that an antlerless any-deer permit shall be valid only for a deer of either species without a visible antler plainly protruding from the skull. (Authorized by K.S.A. 32-807 and K.S.A. 32-937; implementing K.S.A. 32-807, K.S.A. 32-937,

and K.S.A. 32-1002; effective Jan. 30, 1995; amended June 6, 1997; amended July 30, 1999; amended June 1, 2001.)

Steve Williams
Secretary of Wildlife
and Parks

Doc. No. 026601

State of Kansas

State Corporation Commission

Permanent Administrative Regulations

Article 3.—PRODUCTION AND CONSERVATION OF OIL AND GAS

82-3-133. Penalties for unlawful production. (a) The production of oil or gas in violation of the provisions of a basic proration order, or otherwise in violation of the statutes or the rules and regulations of the commission, shall be deemed unlawful and shall be presumed to violate correlative rights and to constitute waste.

(b) Upon the commission's receipt of a complaint or on its own motion, and upon a determination that a well has unlawfully produced, the operator of that well may be ordered by the commission to shut in the well. The well shall remain shut in until the unlawful production is made up. The violating operator may make application for an exception to the order by showing that the unlawful production was necessary to protect correlative rights or to prevent waste. The exception may be granted by the commission after proper notice and hearing.

(c) Upon a determination by the commission that a well has produced unlawfully, the following may be ordered:

(1) The surface equipment of the unlawfully produced well to be sealed or padlocked for any period of time that the commission may determine;

(2) production of the unlawfully produced well at a reduced rate to ensure the protection of correlative rights and the prevention of waste;

(3) a penalty of \$500; or

(4) any combination of the orders enumerated in paragraphs (c)(1), (2), and (3).

(d) Any action taken by the commission under this regulation shall be in accordance with the Kansas administrative procedure act. (Authorized by K.S.A. 2000 Supp. 55-164, K.S.A. 55-152; implementing K.S.A. 2000 Supp. 55-603, K.S.A. 55-605, K.S.A. 55-703; effective, T-83-44, Dec. 8, 1982; effective May 1, 1983; amended April 23, 1990; amended June 1, 2001.)

82-3-133a. Balancing overages and underages in nonprorated areas; penalty. For purposes of determining whether a particular oil or gas well subject to statewide field rules and regulations is overproduced or underproduced, the following requirements shall apply:

(a) Operators shall retain records of production volumes for each individual oil and gas well subject to the statewide rules and regulations each month. These records shall show any underage or overage under the applicable statewide rules and regulations. Notwithstanding any other applicable record retention requirements,

for purposes of this regulation, these records shall be retained for a minimum of five years.

(b) Production volumes for oil wells shall be balanced on a quarterly basis. Any overage for oil wells shall be made up in the calendar quarter following the quarter in which it was accrued. Accrued underage shall be used in the quarter after it is accrued, or it shall be canceled.

(c) Production volumes for gas wells shall be balanced on the semiannual basis of April through September and October through March. Any overage shall be made up in the six-month period following the six-month period in which it was accrued. Accrued underage shall be used in the six-month period after it is accrued, or it shall be canceled.

(d) Records kept for the subsequent year shall show the amounts that were made up during the time period denoted in subsection (b) or (c), and these amounts shall not be counted against the production allowable in the subsequent year.

(e) Any underage that is not made up within the time designated in subsections (b) and (c) shall be canceled and may not be reinstated except through application to the commission and for good cause shown.

(f) Any overage that is not made up within the time designated in subsections (b) and (c) may be eliminated or reduced, at the discretion of the commission, through application to the commission for retroactive assignment of allowable and for good cause shown.

(g) Any overage that is not made up within the time designated in subsections (b) and (c) shall subject the well and operator to the penalties for overproduction. (Authorized by K.S.A. 2000 Supp. 55-164, K.S.A. 55-152; implementing K.S.A. 2000 Supp. 55-603, K.S.A. 55-605, K.S.A. 55-703; effective June 1, 2001.)

82-3-201. Oil production in prorated areas: balancing of underages. Whenever an oil well producing in a prorated area fails to produce its allowable, this shortage or underage shall be carried forward for two months upon the monthly proration report of the commission. The well shall be permitted to produce the underage in addition to its designated allowable. If the commission determines, however, that a proration unit is incapable of producing its allowable, the accrued underages shall be cancelled. Whenever shortages are attributable to the lack of transportation facilities, these shortages shall not be accrued for more than 60 days from the date of the initial productivity test, except as otherwise ordered by the commission. (Authorized by and implementing K.S.A. 1999 Supp. 55-604; effective, T-83-44, Dec. 8, 1982; effective May 1, 1983; amended May 1, 1986; amended April 23, 1990; amended June 1, 2001.)

82-3-206. Assessment. In order to pay the conservation division expenses and administration costs not otherwise provided for, an oil conservation assessment shall be made as follows:

(a) A charge of 54.70 mills on each barrel of crude oil or petroleum marketed or used each month shall be assessed to each producer. The charge and assessment shall apply only to the first purchase of oil from the producer.

(b) Each month, the first purchaser of the production shall perform the following:

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(1) Deduct the assessment per barrel of oil marketed or used from the lease before paying for production;

(2) remit the assessment in a single check to the conservation division when making regular oil payments; and

(3) account for the deductions on the regular payment statements to producers and royalty owners or other interested persons. (Authorized by K.S.A. 2000 Supp. 55-604; implementing K.S.A. 55-176, 55-609; effective, T-83-44, Dec. 8, 1982; effective May 1, 1983; amended May 1, 1986; amended April 23, 1990; amended Dec. 6, 1993; amended Nov. 15, 1996; amended June 1, 2001.)

82-3-300. Assignment of gas allowables in prorated pools; notice. (a) A gas well in a prorated common source of supply that is in conformance with all provisions of the applicable basic proration order shall be granted an allowable by the commission on the date of filing the latest of the following:

(1) A form as prescribed by the commission requesting an allowable for a gas well in a prorated pool;

(2) an acreage plat verifying the location of the well and a description of the acreage to be attributed to the well;

(3) the results of the state-supervised test as required by the applicable basic proration order; and

(4) in the case of a replacement well, either of the following:

(A) Documentation that the operator has plugged the original well, caused the productive perforations to be squeezed, or otherwise isolated the productive zone; or

(B) an affidavit filed with the commission stating that the well is disconnected and surface equipment is sealed in preparation to be plugged or returned to other use within one year of the date of being sealed.

(b) In the case of a replacement well, any accumulated overage or underage shall be transferred to the replacement well.

(c) A gas well in a prorated common source of supply that requires exceptions to any provision of the applicable basic proration order may be granted an allowable by the commission only after an application has been filed with the conservation division. Each application shall show the following:

(1) The exact location of the well and the acreage attributed to the well;

(2) the common source of supply from which the well is producing;

(3) the name and address of the purchaser, if known;

(4) a statement of the exception being requested and the reasons the exception should be granted;

(5) a plat showing the location and approximate depths of all wells and dry holes that have been drilled within one mile from the acreage to be attributed;

(6) the applicant's license number;

(7) the names and addresses of each person owning a royalty or working interest in the acreage to be attributed, and a certificate of mailing indicating the date on which service of a copy of the application was made to each person;

(8) the names and addresses of all operators of producing acreage abutting or adjoining the acreage to be

attributed, and a certificate of mailing indicating the date on which service of a copy of the application was made to each operator;

(9) the names and addresses of all lessees of record of nonproducing acreage abutting or adjoining the acreage to be attributed, and a certificate of mailing indicating the date on which service of a copy of the application was made to each lessee;

(10) the names and addresses of all owners of record of the minerals in, or royalty of unleased acreage abutting or adjoining, the acreage to be attributed, and a certificate of mailing indicating the date on which service of a copy of the application was made to each owner;

(11) the names and addresses of all persons owning the royalty or leasehold interests in acreage abutting or adjoining the acreage to be attributed that is operated by the applicant or on which the applicant has a lease or an interest in the lease, and a certificate of mailing indicating the date on which service of a copy of the application was made to each person;

(12) a statement advising each person listed in paragraphs (7) through (11) of this subsection that the person has 15 days in which to file a protest to the application with the conservation division pursuant to the provisions of K.A.R. 82-3-135b; and

(13) any other information that the commission may require.

(d) Notice of the application. In addition to mailing a copy of the application to each of the persons described in subsection (b), notice of the application shall be published in at least one issue of the official county newspaper of each county in which lands affected by the application are located and in the "Wichita Eagle" newspaper.

(e) Protest. After notice of the application is published pursuant to subsection (c) and mailed to the persons described in subsection (b), the application shall be held in abeyance for 15 days from the date of publication or mailing, whichever is later, pending the filing of any protest pursuant to K.A.R. 82-3-135b. If a valid protest is filed or if, on the commission's own motion, it is deemed that there should be a hearing on the application, a hearing shall be held. The applicant shall publish notice of the hearing pursuant to K.A.R. 82-3-135. (Authorized by K.S.A. 55-704; implementing K.S.A. 55-705b, K.S.A. 55-706; effective, T-83-44, Dec. 8, 1982; effective May 1, 1983; amended May 1, 1988; amended April 23, 1990; amended March 20, 1995; amended June 1, 2001.)

82-3-306. Report of gas produced. (a) Each party who owns, maintains, or operates the metering device used to record gas produced from each well in any prorated gas field shall file a monthly volume report showing the amount of gas actually metered on each well. The volume report shall be filed with the conservation division on or before the 20th day of the succeeding month in which the production occurred. Extensions of the time period within which the volume report shall be filed may be granted by the director. The form or electronic format used for reporting the volume shall be furnished or approved by the commission.

(b) Each party who owns, maintains, or operates the metering device used to record gas produced from each

lease or well in any gas field under statewide general rules and regulations may be directed by the commission to file a volume report showing the amount of gas actually metered on each lease or well for a specified time period. The form or electronic format used for reporting the volume shall be furnished or approved by the commission. (Authorized by and implementing K.S.A. 55-704; effective, T-83-44, Dec. 8, 1982; effective May 1, 1983; amended May 1, 1988; amended April 23, 1990; amended June 1, 2001.)

82-3-307. Gas conservation assessment. In order to pay the conservation division expenses and other costs in connection with the administration of the gas conservation regulations not otherwise provided for, an assessment shall be made as follows.

(a) A charge of 9.13 mills shall be assessed on each 1,000 cubic feet of gas sold or marketed each month. The assessment shall apply only to the first purchaser of gas.

(b) Each month, the first purchaser of the production shall perform the following:

(1) Before paying for the production, deduct an amount equal to the assessment for every 1,000 cubic feet of gas produced and removed from the lease;

(2) remit the amounts deducted, in a single check if the purchaser desires, to the conservation division at the same time, and for the same period, as the purchaser makes regular gas payments; and

(3) show all deductions on the regular payment statements to producers and royalty owners or other interested parties.

(c) The assessment established by the commission shall not apply to gas that is being returned to the ground for repressuring purposes within the field, but shall apply to gas that is produced and removed from the lease and returned to the ground for storage purposes. (Authorized by K.S.A. 55-704; implementing K.S.A. 55-711; effective, T-83-44, Dec. 8, 1982; effective May 1, 1983; amended April 23, 1990; amended Aug. 19, 1991; amended Dec. 6, 1993; amended Nov. 15, 1996; amended June 1, 2001.)

82-3-310. Natural gas pipeline maps. Upon the request of the conservation division, each operator shall file natural gas pipeline maps of a size and scale prescribed by the commission, indicating the location, size, and extensions of the pipeline, and any portions abandoned or not used. (Authorized by K.S.A. 55-704; implementing K.S.A. 55-703; effective, T-83-44, Dec. 8, 1982; effective May 1, 1983; amended June 1, 2001.)

82-3-312. Gas allowables and drilling unit. In the absence of basic proration orders issued by the commission, the following provisions shall apply to all gas wells.

(a) Standard daily allowable. The standard daily allowable for a gas well shall be limited to 50 percent of the well's actual open flow potential. All tested gas wells shall be entitled to a minimum allowable of 150 mcf per day. The actual open flow potential of each well shall be measured as specified in K.A.R. 82-3-303.

(b) Standard drilling unit. A standard drilling unit shall be 10 acres. Except as otherwise provided by K.A.R. 82-3-108(c), the well for that unit shall be located at least 330 feet from any lease or unit boundary.

(c) Acreage-attribution unit. Unless a well location exception is granted, any gas well located nearer than 330 feet to any lease or unit boundary line shall have acreage attributed to it by the establishment of an acreage-attribution unit. The width of each unit shall be defined as being twice the distance from the well to the nearest lease or unit boundary line. The length of the unit shall be defined to be the same as the width.

(d) Acreage attributable. If any gas well is located nearer than 330 feet to any lease or unit boundary line, the standard daily allowable or minimum allowable shall be reduced in the same proportion that the acreage attribution to the well bears to 10 acres.

(e) Exceptions may be granted, and adjustments to the allowables may be made by the commission to protect correlative rights, prevent waste, and give the full allowable if any of these conditions exists:

(1) Location exceptions have been granted for man-made structures or topographic features.

(2) No interference with the drainage of adjacent wells can be shown by competent evidence.

(3) Actual interference is less than the reduced allowable. (Authorized by K.S.A. 55-704; implementing K.S.A. 55-703; effective May 1, 1985; amended May 1, 1986; amended May 1, 1988; amended April 23, 1990; amended Aug. 29, 1997; amended June 1, 2001.)

Jeffrey S. Wagaman
Executive Director

Doc. No. 026598

State of Kansas

Board of Healing Arts

Permanent Administrative Regulations

Article 27.—LIGHT-BASED MEDICAL TREATMENT

100-27-1. Supervision of light-based medical treatment. (a) "Light-based medical device" means any instrument that produces or amplifies electromagnetic radiation at wavelengths equal to or greater than 180 nanometers, but less than or equal to 1.0×10^6 nanometers, for the purpose of affecting the structure or function of any part of the living human body.

(b) A person licensed to practice medicine and surgery or osteopathic medicine and surgery shall not authorize another person to perform a professional service using a light-based medical device unless there is a written practice protocol signed by the licensee and the person performing the treatment that requires all of the following:

(1) The person receiving the treatment is required to give consent to the treatment, after being informed of the nature and purpose of the treatment, risks and expected consequences of treatment, alternatives to light-based medical treatment, and identification of the treatment as a medical and surgical procedure;

(2) the person performing the treatment is required to inform the person receiving the treatment of the licensee's identity, emergency telephone number, and practice lo-

(continued)

cation, if different from the location at which the treatment is performed;

(3) each treatment is required to be performed only at a location that the licensee maintains for the practice of the healing arts or while the licensee is physically present in the same building;

(4) each treatment provided while the licensee is not physically present is required to be performed within written operating parameters;

(5) creation of an adequate patient record is required;

(6) the licensee is required to review the patient record and authenticate this review within 14 days following the treatment; and

(7) the person performing the treatment is prohibited from delegating use of the light-based medical device to another person.

(c) This regulation shall not apply to an order by a licensee to any appropriate person for the application of light-based medical devices for phototherapy in treatment of hyperbilirubinemia in neonates.

(d) This regulation shall not apply to a person licensed under the healing arts act to practice chiropractic who engages in light-based physiotherapy. (Authorized by K.S.A. 65-2865; implementing K.S.A. 1999 Supp. 65-28,127, as amended by L. 2000, ch. 162, sec. 20; effective June 1, 2001.)

Article 28a.—PHYSICIAN ASSISTANTS

100-28a-1. Fees. The following fees shall be collected by the board:

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|---|----------|
| (a) Application for license | \$130.00 |
| (b) license renewal..... | \$100.00 |
| (c) late license renewal..... | \$15.00 |
| (d) license reinstatement | \$30.00 |
| (e) copy of license certificate..... | \$15.00 |
| (f) certified statement of licensure..... | \$15.00 |
| (g) temporary license | \$25.00 |

(Authorized by and implementing K.S.A. 2000 Supp. 65-28a03; effective, T-100-2-13-01, Feb. 13, 2001; effective June 1, 2001.)

100-28a-2. Application. (a) Each application for licensure as a physician assistant shall be submitted on a form provided by the board. The form shall contain the following information:

- (1) The applicant's full name;
- (2) the applicant's home address and, if different, the applicant's mailing address;
- (3) the applicant's date and place of birth;
- (4) employment information for the five years immediately before the date of application;
- (5) the issue date; state, territory, the District of Columbia, or other country of issuance; and the identifying number on any license, registration, or certification issued to the applicant to practice any health care profession; and
- (6) documentation of any prior acts constituting unprofessional conduct as defined in K.A.R. 100-28a-8.

(b) Each applicant shall submit the following with the application:

- (1) The fee required by K.A.R. 100-28a-1;
- (2) an official transcript from an educational program approved by the board as specified in K.A.R. 100-28a-3;

(3) a notarized copy of a diploma from an approved educational program;

(4) a verification from each state or jurisdiction where the applicant has been issued any license, registration, or certification to practice any health care profession;

(5) a photograph of the applicant; and

(6) evidence provided directly to the board from the testing entity of the results of a written examination required and approved by the board as specified in K.A.R. 100-28a-4.

(c) The applicant shall sign the application, under oath. (Authorized by and implementing K.S.A. 2000 Supp. 65-28a03; implementing K.S.A. 2000 Supp. 65-28a04; effective, T-100-2-13-01, Feb. 13, 2001; effective June 1, 2001.)

100-28a-3. Education and training. (a) Each educational program for physician assistants accredited by the accreditation review committee on education for the physician assistant, inc., or by a predecessor agency, and all other educational programs that are determined by the board to have a standard of education substantially equivalent to the accreditation criteria of the committee shall be approved by the board.

(b) Each applicant who has acquired experience as a physician assistant while serving in the armed forces of the United States shall provide proof that the applicant is competent to perform all of the following:

- (1) Screen patients to determine need for medical attention;
- (2) review patient records to determine health status;
- (3) take a patient history;
- (4) perform a physical examination;
- (5) perform a developmental screening examination on children;
- (6) record pertinent patient data;
- (7) make decisions regarding data gathering and appropriate management and treatment of patients being seen for the initial evaluation of a problem or the follow-up evaluation of a previously diagnosed and stabilized condition;
- (8) prepare patient summaries;
- (9) initiate requests for commonly performed initial laboratory studies;
- (10) collect specimens for and carry out commonly performed blood, urine, and stool analyses and cultures;
- (11) identify normal and abnormal findings on history, physical examination and commonly performed laboratory studies;
- (12) initiate appropriate evaluation and emergency management for emergency situations, including cardiac arrest, respiratory distress, injuries, burns and hemorrhage;
- (13) counsel and instruct patients; and
- (14) administer commonly performed clinical procedures that shall include all of the following:
 - (A) Venipuncture;
 - (B) intradermal tests;
 - (C) electrocardiogram;
 - (D) care and suturing of minor lacerations;
 - (E) casting and splinting;
 - (F) control of external hemorrhage;
 - (G) application of dressings and bandages;

(H) administration of medications and intravenous fluids, and transfusion of blood or blood components;

(I) removal of superficial foreign bodies;

(J) cardiopulmonary resuscitation;

(K) audiometry screening;

(L) visual screening; and

(M) aseptic and isolation techniques. (Authorized by K.S.A. 2000 Supp. 65-28a03; implementing K.S.A. 2000 Supp. 65-28a04; effective, T-100-2-13-01, Feb. 13, 2001; effective June 1, 2001.)

100-28a-4. Examination. (a) The examination approved by the board for licensure as a physician assistant shall be the physician assistant national certifying examination prepared and administered by the national commission on certification of physician assistants.

(b) To pass the approved examination, each applicant shall achieve at least the minimum passing score of 350.

(c) Each applicant who has passed the approved examination for a license and has not been in active practice as a physician assistant for more than one year, but less than five years from the date the application was submitted, shall provide one of the following:

(1) Evidence of completion of a minimum of 50 continuing education credit hours; or

(2) proof that the applicant has passed an examination approved by the board within 12 months before the date the application was submitted, or has successfully completed a continuing education program, or other individually tailored program approved by the board.

(d) Each applicant who has passed the examination for a license and has not been in active practice as a physician assistant for five years or more from the date the application was submitted shall provide proof that the applicant has passed an examination approved by the board within 12 months before the date the application was submitted, or has successfully completed a continuing education program or other individually tailored program approved by the board. (Authorized by K.S.A. 2000 Supp. 65-28a03; implementing K.S.A. Supp. 65-28a03 and 65-28a04; effective, T-100-2-13-01, Feb. 13, 2001; effective June 1, 2001.)

100-28a-5. Continuing education. (a) On and after February 1, 2001, each physician assistant shall submit with a renewal application one of the following:

(1) Evidence of satisfactory completion of a minimum of 50 continuing education credit hours during the preceding year. A minimum of 20 continuing education credit hours shall be acquired from category I if 50 hours are submitted with the renewal application; or

(2) 100 continuing education credit hours during the preceding two-year period. A minimum of 40 continuing education credit hours shall be acquired from category I if 100 continuing education credit hours are submitted with the renewal application.

(b) A continuing education credit hour shall be 50 minutes of instruction or its equivalent. Meals and exhibit breaks shall not be included in the calculation of continuing education credit hours.

(c) Any applicant that does not meet the requirements for license renewal in subsection (a) may request an extension from the board. The request shall include a plan

for completion of the continuing education requirements within the requested extension period. An extension of up to six months may be granted by the board if documented circumstances make it impossible or extremely difficult for the individual to reasonably obtain the required continuing education hours.

(d) Any physician assistant initially licensed within one year of a renewal registration date shall be exempt from the continuing education required by subsection (a) for that first renewal period.

(e) The categories of continuing education credit shall be the following:

(1) Category I: attendance at an educational presentation approved by the board. Courses accepted by the American academy of physician assistants shall be approved by the board; and

(2) category II: participating in or attending an educational activity that does not meet the criterion specified in paragraph (e)(1) but that is approved by the board. Category II continuing education may include self-study or group activities.

(f) Evidence of satisfactory completion of continuing education shall be submitted to the board as follows:

(1) Documented evidence of attendance at or participation in category I and II activities; and

(2) verification, on a form provided by the board, of self-study from reading professional literature or other self-study activities. (Authorized by K.S.A. 2000 Supp. 65-28a03; implementing K.S.A. 2000 Supp. 65-28a04; effective, T-100-2-13-01, Feb. 13, 2001; effective June 1, 2001.)

100-28a-6. Scope of practice. A physician assistant may perform acts that constitute the practice of medicine and surgery in the following instances:

(a) If directly ordered, authorized, and coordinated by the responsible or designated physician through the physician's immediate or physical presence;

(b) if directly ordered, authorized, and coordinated by the responsible or designated physician through radio, telephone, or other form of telecommunication;

(c) if authorized on the form provided by, and presented to, the board by the responsible physician pursuant to K.S.A. 2000 Supp. 65-28a03 and amendments thereto; or

(d) if an emergency exists. (Authorized by K.S.A. 2000 Supp. 65-28a03; implementing K.S.A. 2000 Supp. 65-28a08; effective, T-100-2-13-01, Feb. 13, 2001; effective June 1, 2001.)

100-28a-7. Professional incompetency; defined. "Professional incompetency" means any of the following:

(a) One or more instances involving failure to adhere to the applicable standard of care to a degree that constitutes gross negligence, as determined by the board;

(b) repeated instances involving failure to adhere to the applicable standard of care to a degree that constitutes ordinary negligence, as determined by the board; or

(c) a pattern of practice or other behavior that demonstrates a manifest incapacity or incompetence to perform professional services as a physician assistant. (Authorized by K.S.A. 2000 Supp. 65-28a03; implementing K.S.A. 2000

(continued)

Supp. 65-28a05; effective, T-100-2-13-01, Feb. 13, 2001; effective June 1, 2001.)

100-28a-8. Unprofessional conduct; defined. "Unprofessional conduct" means any of the following: (a) Being convicted of a class A misdemeanor, whether or not related to the practice as a physician assistant;

(b) committing fraud or misrepresentation in applying for or securing an original, renewal, or reinstated license;

(c) cheating on or attempting to subvert the validity of the examination for a license;

(d) soliciting professional services through the use of fraudulent or false advertisements;

(e) willfully or repeatedly violating the physician assistant licensure act, the pharmacy act of the state of Kansas, or the uniform controlled substances act, or any regulations adopted pursuant to these acts;

(f) engaging in the practice as a physician assistant under a false or assumed name, or impersonating another practitioner;

(g) practicing as a physician assistant without reasonable skill and safety to patients because of any of the following:

(1) illness;

(2) alcoholism;

(3) excessive use of alcohol, drugs, controlled substances, chemicals; or any other type of material; or

(4) any mental or physical condition;

(h) having a license, certification, or registration revoked, suspended, limited, censured, or having any other disciplinary action taken, or an application for a license denied by the proper licensing authority of another state, territory, the District of Columbia, or other country;

(i) prescribing, selling, administering, distributing, or giving a controlled substance to any person for other than a medically accepted or lawful purpose;

(j) prescribing, dispensing, administering, or distributing a prescription drug or substance, including a controlled substance, in an excessive, improper, or inappropriate manner or quantity, or not in the course of the licensee's professional practice;

(k) prescribing, dispensing, administering, or distributing an anabolic steroid or human growth hormone for other than a valid medical purpose;

(l) prescribing, ordering, dispensing, administering, selling, supplying, or giving any amphetamines or sympathomimetic amines, except as authorized by K.S.A. 2000 Supp. 65-2837a, and amendments thereto;

(m) failing to furnish the board, or its investigators or representatives, with any information legally requested by the board;

(n) knowingly submitting any misleading, deceptive, untrue, or fraudulent representation on a claim form, bill, or statement;

(o) representing to a patient that a manifestly incurable disease, condition, or injury can be permanently cured;

(p) assisting in the care or treatment of a patient without the consent of the patient, the attending physician, or the patient's legal representative;

(q) willfully betraying confidential information;

(r) committing conduct likely to deceive, defraud, or harm the public;

(s) allowing another person or organization to use the physician assistant's license to perform professional services;

(t) committing any act of sexual abuse, misconduct, or exploitation related to the licensee's professional practice;

(u) failing to keep written medical records that accurately describe the services rendered to the patient;

(v) using any false, fraudulent, or deceptive statement in any document connected with the practice of the healing arts, including the intentional falsifying or fraudulent altering of a patient or medical care facility record;

(w) performing unnecessary tests, examinations, or services that have no legitimate medical purpose; or

(x) delegating professional responsibilities to a person if the physician assistant knows or has reason to know that the person is not qualified by education, training, or experience to perform them. (Authorized by K.S.A. 2000 Supp. 65-28a03; implementing K.S.A. 2000 Supp. 65-28a05; effective, T-100-2-13-01, Feb. 13 2001; effective June 1, 2001.)

100-28a-9. Physician request form; content. The responsible physician request form to be presented to the board pursuant to K.S.A. 2000 Supp. 65-28a03, and amendments thereto, shall contain the following information: (a) The date and signatures of the responsible physician and the physician assistant;

(b) the license numbers of the responsible physician and the physician assistant;

(c) a description of the physician's practice and the way in which the physician assistant is to be utilized;

(d) a statement that the responsible physician will always be available for communication with the physician assistant within 30 minutes of the performance of patient service by the physician assistant;

(e) a completed drug prescription protocol on a form provided by the board specifying categories of drugs, medicines, and pharmaceuticals that the physician assistant will be allowed to prescribe, and the drugs within any category that the physician assistant will not be allowed to supply, prescribe, receive, or distribute;

(f) the name and address of each practice location, including hospitals, where the physician assistant will routinely perform acts that constitute the practice of medicine and surgery;

(g) signatures of all designated physicians who routinely provide direction and supervision to the physician assistant in the temporary absence of the responsible physician, and a description of the procedures to be followed to notify a designated physician in the responsible physician's absence;

(h) an acknowledgment that failure to adequately direct and supervise the physician assistant in accordance with K.S.A. 2000 Supp. 65-28a01 through K.S.A. 65-28a09, and amendments thereto, or regulations adopted under these statutes by the board, shall constitute grounds for revocation, suspension, limitation, or censure of the responsible physician's license to practice medicine and surgery in the state of Kansas;

(i) a statement that a current copy of the form will be maintained at each practice location of the responsible physician and the physician assistant and that any

changes to the form will be provided to the board within 10 days; and

(j) an acknowledgment that the responsible physician has established and implemented a method for initial and periodic evaluation of the professional competency of the physician assistant and that evaluations will be performed at least annually. (Authorized by and implementing K.S.A. 2000 Supp. 65-28a03; effective, T-100-2-13-01, Feb. 13, 2001; effective June 1, 2001.)

100-28a-10. Supervision and direction; adequacy. Direction and supervision of the physician assistant shall be considered to be adequate if the responsible physician meets all of the following requirements: (a) At least annually, reviews and evaluates the professional competency of the physician assistant;

(b) at least annually, reviews any drug prescription protocol and determines if any modifications, restrictions, or terminations are required. Any of these changes shall be conveyed to the physician assistant and set forth in all copies of the protocol required by K.A.R. 100-28a-9 to be maintained and provided;

(c) engages in the practice of medicine and surgery in this state;

(d) insures that the physician assistant has a current license issued by the board;

(e) within 10 days, reports to the board any knowledge of disciplinary hearings, formal hearings, public or private censure, or other disciplinary action taken against the physician assistant by any state's licensure or registration authority or any professional association;

(f) within 10 days, reports to the board any litigation, threatened litigation, or claim alleging professional incompetence or professional negligence on the part of the physician assistant;

(g) at least every 14 days, reviews all records of patients treated by the physician assistant and authenticates this review in the patient record;

(h) reviews patient records and authenticates the review in each patient record within 48 hours of treatment provided by the physician assistant if the treatment provided in an emergency exceeded the authority granted to the physician assistant by the responsible physician request form required by K.A.R.100-28a-9;

(i) provides for a designated physician to provide supervision and direction on each occasion when the responsible physician is temporarily absent, is unable to be immediately contacted by telecommunication, or is otherwise unavailable at a time the physician assistant could reasonably be expected to provide professional services; and

(j) delegates to the physician assistant only those acts that constitute the practice of medicine and surgery that the responsible physician believes or has reason to believe can be competently performed by the physician assistant, based upon the physician assistant's background, training, capabilities, skill, and experience. (Authorized by K.S.A. 2000 Supp. 65-28a03; implementing K.S.A. 2000 Supp. 65-28a02; effective, T-100-2-13-01, Feb. 13, 2001; effective June 1, 2001.)

100-28a-11. Duty to communicate. The physician assistant shall communicate with the responsible or des-

ignated physician concerning a patient's condition if the physician assistant believes that the patient's condition may require any treatment that the physician assistant has not been authorized to perform. (Authorized by K.S.A. 2000 Supp. 65-28a03; implementing K.S.A. 2000 Supp. 65-28a08; effective, T-100-2-13-01, Feb. 13, 2001; effective June 1, 2001.)

100-28a-12. Designated physician. If a designated physician directs and supervises a physician assistant, the designated physician shall be deemed to have the same duties and responsibilities as those of the responsible physician. (Authorized by K.S.A. 2000 Supp. 65-28a03; implementing K.S.A. 2000 Supp. 65-28a09; effective, T-100-2-13-01, Feb. 13, 2001; effective June 1, 2001.)

100-28a-13. Prescription-only drugs. (a) A physician assistant may prescribe a prescription-only drug or administer or supply a prescription-only drug as authorized by the drug prescription protocol required by K.A.R.100-28a-9 and as authorized by this regulation.

(b) As used in this regulation, "emergency situation" shall have the meaning ascribed to it in K.A.R. 68-20-19(a)(5).

(c) A physician assistant may directly administer a prescription-only drug as follows:

(1) If directly ordered or authorized by the responsible or designated physician;

(2) if authorized by a written drug prescription protocol between the responsible physician and the physician assistant; or

(3) if an emergency situation exists.

(d)(1) A physician assistant may prescribe a schedule II controlled substance in the same manner as that in which the physician assistant may perform acts that constitute the practice of medicine and surgery as specified in K.A.R. 100-28a-6. Except as specified in paragraph (d)(2), each prescription for a schedule II controlled substance shall be in writing.

(2) A physician assistant may, by oral or telephonic communication, prescribe a schedule II controlled substance in an emergency situation. Within seven days after authorizing an emergency prescription order, the physician assistant shall cause a written prescription, completed in accordance with appropriate federal and state laws, to be delivered to the dispenser of the drug.

(e) A physician assistant may orally, telephonically, or in writing prescribe a controlled substance listed in schedule III, IV, or V, or a prescription-only drug not listed in any schedule as a controlled substance in the same manner as that in which the physician's assistant may perform acts that constitute the practice of medicine and surgery as specified in K.A.R. 100-28a-6.

(f) Each written prescription order by a physician assistant shall meet the following requirements:

(1) Contain the name, address, and telephone number of the responsible physician;

(2) contain the name, address, and telephone number of the physician assistant;

(3) be signed by the physician assistant with the letters "P.A." following the signature;

(continued)

(4) contain any DEA registration number issued to the physician assistant if a controlled substance is prescribed; and

(5) indicate whether the prescription order is being transmitted by direct order of the responsible or designated physician, pursuant to a written protocol, or because of an emergency situation.

(g) A physician assistant may supply a prescription-only drug to a patient only if all of the following conditions are met:

(1) If the drug is supplied under the same conditions as those in which a physician assistant may directly administer a prescription-only drug, as described in subsection (b) above;

(2) if the drug has been provided to the physician assistant or the physician assistant's responsible physician or employer at no cost;

(3) if the drug is commercially labeled and is supplied to the patient in the original prepackaged unit-dose container; and

(4) if the drug is supplied to the patient at no cost.

(h) A physician assistant shall not administer, supply, or prescribe a prescription-only drug for any quantity or strength in excess of the normal and customary practice of the responsible physician. (Authorized by K.S.A. 2000 Supp. 65-28a03; implementing K.S.A. 2000 Supp. 65-28a08; effective, T-100-2-13-01, Feb. 13, 2001; effective June 1, 2001.)

100-28a-14. Different practice location. (a) "Different practice location" means an office or location that is maintained or utilized by a responsible physician to regularly meet patients or to receive calls and that is not the primary practice location of the responsible physician.

(b) A physician assistant may perform acts that constitute the practice of medicine and surgery at a different practice location only if all of the following conditions are met:

(1) Before providing any services at the different practice location, the physician assistant has spent a minimum of 80 hours under the immediate or physical supervision and direction of the responsible physician.

(2) The responsible physician periodically sees and treats patients at the different practice location.

(3) Written notice is conspicuously posted that the different practice location is staffed primarily by a physician assistant. (Authorized by K.S.A. 2000 Supp. 65-28a03; implementing K.S.A. 2000 Supp. 65-28a08; effective, T-100-2-13-01, Feb. 13, 2001; effective June 1, 2001.)

100-28a-15. Licensure; expiration. (a) Except as specified in subsection (b), each physician assistant license issued by the board shall expire on December 31 of each year.

(b) A license issued or reinstated from October 1 through December 31 shall expire on December 31 of the following year. (Authorized by and implementing K.S.A. 2000 Supp. 65-28a03; effective, T-100-2-13-01, Feb. 13, 2001; effective June 1, 2001.)

100-28a-16. Reinstatement; lapsed and revoked licenses. (a) Each applicant who has not been in active practice as a physician assistant in another state or juris-

diction and who desires to reinstate a license that has been lapsed for failure to renew shall submit proof of continuing medical education as follows:

(1) If the time since the license lapsed has been one year or less, no continuing medical education shall be required in addition to that which would have been necessary had the license been renewed before expiration.

(2) If the time since the license lapsed has been more than one year but less than five years, the applicant shall provide one of the following:

(A) Evidence of completion of a minimum of 50 hours of continuing education credit within 12 months before the date the application for reinstatement was submitted; or

(B) proof that the applicant has passed an examination approved by the board within 12 months before the date the application for reinstatement was submitted, or has successfully completed a continuing education program or other individually tailored program approved by the board.

(3) If the time since the license lapsed has been five years or more, the applicant shall provide proof of passage of an examination approved by the board within 12 months before the date the application for reinstatement was submitted, or proof of successful completion of a continuing education program or other individually tailored program approved by the board.

(b) Each applicant who has been in active practice as a physician assistant in another state or jurisdiction that requires a license, registration, or certification to practice and who desires to reinstate a license that has been lapsed for failure to renew shall submit proof of the current license, registration, or certification and proof of compliance with the continuing medical education requirements of that state or jurisdiction.

(c) Each applicant seeking reinstatement of a revoked license shall successfully complete an individually tailored program approved by the board. (Authorized by and implementing K.S.A. 2000 Supp. 65-28a03; effective, T-100-2-13-01, Feb. 13, 2001; effective June 1, 2001.)

Article 60.—PHYSICIAN ASSISTANTS

100-60-1. (Authorized by and implementing K.S.A. 1999 Supp. 65-2896; effective, E-79-35, Dec. 20, 1978; effective May 1, 1979; amended, T-100-10-17-89, Oct. 17, 1989; amended Feb. 5, 1990; amended May 1, 1998; amended Sept. 29, 2000; revoked, T-100-2-13-01, Feb. 13, 2001; revoked June 1, 2001.)

100-60-2. (Authorized by K.S.A. 1978 Supp. 65-2896; effective, E-79-35, Dec. 20, 1978; effective May 1, 1979; revoked, T-100-2-13-01, Feb. 13, 2001; revoked June 1, 2001.)

100-60-4. (Authorized by and implementing K.S.A. 1991 Supp. 65-2896, 65-2896a(a)(2); effective, E-79-35, Dec. 20, 1978; effective May 1, 1979; amended Feb. 15, 1993; revoked, T-100-2-13-01, Feb. 13, 2001; revoked June 1, 2001.)

100-60-5. (Authorized by K.S.A. 1991 Supp. 65-2896; implementing K.S.A. 1991 Supp. 65-2896a; effective, E-79-35, Dec. 20, 1978; effective May 1, 1979; amended

Feb. 15, 1993; revoked, T-100-2-13-01, Feb. 13, 2001; revoked June 1, 2001.)

100-60-6. (Authorized by and implementing K.S.A. 1991 Supp. 65-2896a(c); effective, E-79-35, Dec. 20, 1978; effective May 1, 1979; amended Feb. 15, 1993; revoked, T-100-2-13-01, Feb. 13, 2001; revoked June 1, 2001.)

100-60-8. (Authorized by and implementing K.S.A. 1991 Supp. 65-2896e; effective May 1, 1988; amended Feb. 15, 1993; revoked, T-100-2-13-01, Feb. 13, 2001; revoked June 1, 2001.)

100-60-9. (Authorized by and implementing K.S.A. 65-2896a; effective May 1, 1988; amended Feb. 15, 1993; amended May 5, 2000; revoked, T-100-2-13-01, Feb. 13, 2001; revoked June 1, 2001.)

100-60-10. (Authorized by and implementing K.S.A. 65-2896e, as amended by L. 1999, Ch. 115, Sec. 13, and K.S.A. 65-2897a; effective May 1, 1988; amended Feb. 15, 1993; amended May 5, 2000; revoked, T-100-2-13-01, Feb. 13, 2001; revoked June 1, 2001.)

100-60-11. (Authorized by and implementing K.S.A. 1991 Supp. 65-2896e and 65-2897a; effective May

1, 1988; amended Feb. 15, 1993; revoked, T-100-2-13-01, Feb. 13, 2001; revoked June 1, 2001.)

100-60-12. (Authorized by K.S.A. 1991 Supp. 65-2896; implementing K.S.A. 65-2896f; effective May 1, 1988; amended Feb. 15, 1993; revoked, T-100-2-13-01, Feb. 13, 2001; revoked June 1, 2001.)

100-60-13. (Authorized by and implementing K.S.A. 65-2896e, as amended by L. 1999, Ch. 115, Sec. 13; effective May 1, 1988; amended Feb. 15, 1993; amended June 20, 1994; amended May 5, 2000; revoked, T-100-2-13-01, Feb. 13, 2001; revoked June 1, 2001.)

100-60-14. (Authorized by and implementing K.S.A. 1991 Supp. 65-2896e and 65-2897a; effective May 1, 1988; amended Feb. 15, 1993; revoked, T-100-2-13-01, Feb. 13, 2001; revoked June 1, 2001.)

100-60-15. (Authorized by and implementing K.S.A. 1988 Supp. 65-2896, as amended by L. 1989, Ch. 197, Sec. 1; effective, T-100-10-17-89, Oct. 17, 1989; amended Feb. 5, 1990; revoked, T-100-2-13-01, Feb. 13, 2001; revoked June 1, 2001.)

Lawrence T. Buening, Jr.
Executive Director

Doc. No. 026588

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 May 17, 2001.)

Senate Substitute for HOUSE BILL No. 2155

AN ACT concerning school districts; providing for waivers from duration of the school term due to disaster.

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

Section 1. (a) The state board of education may waive the requirements of law relating to the duration of the school term in any school year upon application for such waiver by a school district. The waiver may be granted by the state board of education upon: (1) Certification by a board of education that, due to disaster, conditions resulting from widespread or severe property damage caused by the disaster will exist in the school district for an inordinate period of time; and (2) a determination by the state board that the school district cannot reasonably adjust its schedule to comply with such requirements of law. The period of time school is not maintained during any school year due to conditions resulting from disaster, upon granting of the waiver by the state board of education, shall be considered a part of the school term.

(b) As used in this section, the term "disaster" means the occurrence of widespread or severe damage, injury or loss of life or property resulting from any natural or manmade cause, including but not limited to fire, flood, earthquake, tornado, wind, storm, epidemics, air contamination, blight, drought, infestation, or explosion.

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 May 17, 2001.)

SENATE BILL No. 161

AN ACT concerning school districts; authorizing boards of education to adopt policies relating to the use of credit or debit cards and to delegate the power to execute certain contracts to the superintendent of schools; amending K.S.A. 72-8201 and repealing the existing section.

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

New Section 1. (a) The board of education of any school district, pursuant to a policy developed and adopted by the board, may provide for the acquisition of credit cards in the name of the school district for use by designated officers and employees of the school district. The policy shall prescribe limitations and restrictions on the use of such credit cards and on the amounts and categories of expenses which may be paid through use of such credit cards. The policy shall provide for maintenance of a public record of all expenditures for payment of charges incurred by the school district through use of credit cards.

(b) The provisions and restrictions of the cash basis and budget laws of this state shall not apply to the provisions of this section in any manner so as to prevent the intention of this section from being made effective.

New Sec. 2. The board of education of any school district, pursuant to a policy developed and adopted by the board, may provide for the acceptance of payment in the form of a credit or debit card of fees, tuition or other charges imposed by the school district. The policy may provide for imposition of an additional fee to recover the actual amount of any costs incurred by the school district by reason of the method of payment used. The policy also may provide for establishment by the school district of secure internet sockets that will allow payment by a credit or debit card via the internet. Any transactions involving payment by credit card pursuant to this section shall not be subject to the provisions of K.S.A. 16a-2-403, and amendments thereto.

Sec. 3. K.S.A. 72-8201 is hereby amended to read as follows: 72-8201. At the time the state superintendent issues his order organizing any unified district, he shall, as a part of such order, include a provision disorganizing all of the school districts the main school building of which is in such unified district. The disorganizing parts of such order shall take effect on July 1, 1966, except as otherwise specifically provided in this act. The disorganizing parts of any organization order for a city or preunified district established prior to July 1, 1965, shall be July 1, 1965. Every organization order issued by the state superintendent

(continued)

dent pursuant to this act shall include a number assigned by him to each unified district organized by such order. Every organization order shall designate the home county of the unified district being organized. Each unified school district shall be designated by the name and style of "unified school district No. _____ (the number designated by the state superintendent board of education), _____ county (naming the home county of the unified school district), state of Kansas," and by such name may sue and be sued, execute contracts and hold such real and personal property as it may require acquire. Every unified school district shall possess the usual powers of a corporation for public purposes. *The board of education of every unified school district may delegate to the superintendent of schools the power to execute contracts on behalf of the district for the purchase of goods and services if the value of such goods or services is less than \$10,000.*

Sec. 4. K.S.A. 72-8201 is hereby repealed.

Sec. 5. This act shall take effect and be in force from and after its publication in the Kansas register.

(Published in the Kansas Register May 17, 2001.)

SENATE Substitute for Substitute for HOUSE BILL No. 2468

AN ACT concerning animal diseases; relating to quarantines; concerning garbage feeding; relating to state of disaster emergency; amending K.S.A. 47-611, 47-617, 47-623, 47-1201, 47-1211, 47-1302, 47-1303, 47-1304, 47-1307, 48-904, 48-924 and 48-925 and repealing the existing sections.

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

Section 1. K.S.A. 47-611 is hereby amended to read as follows: 47-611. (a) When the commissioner determines that a quarantine and other regulations ~~is~~ are necessary to prevent the spread among domestic animals of any contagious or infectious disease, the commissioner shall notify the governor of such determination, and the governor shall issue a proclamation announcing the boundary of such quarantine and the orders and rules and regulations prescribed by the commissioner, which proclamation shall be published in the Kansas register, except that the commissioner, if the area affected by the quarantine is limited in extent, may dispense with the proclamation of the governor and give such notice as the commissioner shall deem sufficient to make the quarantine effective.

(b) *Upon a determination by the governor that a quarantine or other regulations are necessary to prevent the spread among domestic animals of any contagious or infectious disease, the governor shall direct the commissioner to establish a quarantine pursuant to this section.*

(c) *The governor may require and direct the cooperation and assistance of any state agency in enforcing such quarantine or other regulations pursuant to subsection (a) or (b).*

(~~b~~) (d) The commissioner shall establish such quarantine immediately and shall give and enforce such directions, rules and regulations as to separating, isolating, handling and treating, feeding and caring for such diseased animals, animals exposed to the disease and animals within the quarantine which have not been immediately exposed, as the commissioner deems necessary to prevent those classes of animals from coming into contact with one another.

(~~c~~) (e) The livestock commissioner or the commissioner's designee is hereby authorized and empowered to enter any grounds and premises to carry out the provisions of this act.

Sec. 2. K.S.A. 47-617 is hereby amended to read as follows: 47-617. When any domestic animal, other than dogs and animals affected with foot-and-mouth disease, is killed by order of the commissioner, ~~said~~ the commissioner shall issue to the owner of the animal or animals the certificate showing the number and kind of animals killed, and the amount to which the holder is entitled, ~~and report the same. Such certificate shall be reported to the board of county commissioners of the county in which the animal was located, and upon presentation of such certificate to the board of county commissioners, such board shall draw its warrant on the county treasurer for the amount therein stated. Provided, That~~ In case of animals killed or disposed of that are exposed to or afflicted with the foot-and-mouth disease, the appraisal shall be conducted in accordance with the applicable rules and regulations of the bureau of animal industry of the an applicable livestock indemnity program of the United States government and one-half of such appraised values shall be paid by the state of Kansas to the owner of such animal or animals. ~~Provided further, That~~ The state of Kansas shall pay all its expenses incurred in that behalf,

and shall pay all its men and help employees necessarily employed therein; and the director of accounts and reports is hereby directed to draw his warrant on the state treasurer for one-half of the amount of such appraisalment.

Sec. 3. K.S.A. 47-623 is hereby amended to read as follows: 47-623. That (a) *It shall be unlawful for any person who shall to knowingly;*

(1) Bring into this state any domestic animal which is affected with any contagious or infectious disease or any animal which has been exposed to any contagious or infectious disease ~~shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not less than one hundred nor more than one thousand dollars;~~

(2) *except as provided in paragraph (3), expose any domestic animal in this state to any contagious or infectious disease; or*

(3) *expose any animal in this state to foot-and-mouth disease.*

(b) *Violation of subsection (a)(1) or (a)(2) is a class A nonperson misdemeanor. Violation of subsection (a)(3) is a severity level 4, nonperson felony.*

Sec. 4. K.S.A. 47-1201 is hereby amended to read as follows: 47-1201. As used in this act, except where the context clearly indicates a different meaning:

(a) "Commissioner" means the livestock commissioner of the state of Kansas.

(b) "Person" means any individual, partnership, firm, corporation or association.

(c) "Disposal plant" means a place of business or a location where the carcasses of domestic animals or packing house refuse is purchased, received or unloaded and where such carcasses or refuse ~~either (1) are processed for the purpose of obtaining the hide, skin, grease, residue, or any other byproduct from the animal or refuse, in any way whatsoever; or (2) are fed to hogs, dogs or other animals.~~

(d) "Substation" means a concentration site equipped with at least one storage building and operated and maintained for the temporary deposit or storage of the carcasses of domestic animals pending final delivery of the carcasses to the disposal plant.

(e) "Place of transfer" means a reloading site, authorized for use in direct transferring of carcasses of domestic animals from vehicles making original pickup or loading to a line vehicle for the transportation of the carcasses to the disposal plant.

(f) "Carcasses of domestic animals" means bodies, or any part or portion thereof, of dead domestic animals not slaughtered for human food.

Sec. 5. K.S.A. 47-1211 is hereby amended to read as follows: 47-1211. (a) The operator of a licensed disposal plant shall dispose of the carcasses of domestic animals or packinghouse refuse by complying with the following standards and requirements:

(1) The skinning and dismembering of carcasses of domestic animals shall be performed within the building where the carcasses are processed;

(2) the cooking vats or tanks shall be airtight, except proper escape for live steam;

(3) steam shall be so disposed of as not to be detrimental to public health or safety;

(4) the materials not cooked or entirely consumed by burning within the plant, shall be disposed of (~~a~~);

(A) By burying to such a depth that no part of such carcass shall be nearer than three (~~3~~) feet to the surface of the ground, and shall be covered with quick-lime and with at least three (~~3~~) feet of earth; or (~~b~~) ~~by feeding to hogs, dogs, or other animals on the premises contiguous to the disposal plant; or (c)~~

(B) in such manner as may be prescribed by rules and regulations adopted by the commissioner;

(5) all carcasses of domestic animals or packinghouse refuse shall be disposed of within ~~forty-eight (48)~~ 48 hours after delivery to the disposal plant;

(6) all carcasses, parts thereof, or refuse under process for marketing shall not be permitted to come in contact with any part of the building or the equipment used in connection with the unloading, skinning, dismembering and grinding of carcasses or refuse as originally received at disposal plant;

(7) the cooking of materials shall be at a temperature of 212° F. (boiling point) for a period of ~~thirty (30)~~ 30 minutes.

(b) The commissioner may issue a release for portions of carcasses of dead animals which are uncooked, or which are cooked for a period shorter than ~~thirty (30)~~ 30 minutes or at a temperature less than 212° F., or both. ~~Provided, That~~ Such release requires that the products so re-

leased shall be identified by freely slashing and covering all exposed surfaces of such products with an edible green dye or other such suitable substance as may be approved by the commissioner. ~~And provided.~~ Such products shall otherwise meet the requirements of the Kansas feeding stuffs statute, article 10 of chapter 2, Kansas Statutes Annotated.

Sec. 6. K.S.A. 47-1302 is hereby amended to read as follows: 47-1302. (a) *Except as provided in subsection (b) or (c), it shall be unlawful for any person, firm, partnership or corporation to feed garbage to animals unless.*

(b) *Any person, firm, partnership or corporation who on the effective date of this act is registered as a garbage feeding operator may continue to feed garbage to animals through October 31, 2001, if such garbage has been heated to a temperature of 212 degrees Fahrenheit (boiling point) for at least 30 minutes as provided by rules and regulations promulgated by the state livestock commissioner. This requirement shall not apply to an individual who feeds such individual's own animals only the garbage obtained from such individual's own household.*

(c) *Nothing in this section shall prohibit an individual from feeding such individual's own animals only the garbage obtained from such individual's own household.*

Sec. 7. K.S.A. 47-1303 is hereby amended to read as follows: 47-1303. (a) It shall be unlawful for the governing body of any city, or any official or employee of a city, to enter into any contract or agreement for the collection or disposal of garbage unless such contract or agreement requires a heating and processing of garbage as required in this act and as required by K.S.A. 47-1302 and amendments thereto, when fed to animals, or (2) such contract or agreement requires a disposal of garbage in accordance with rules and regulations of the state livestock commissioner, when disposed of by other means.

(b) *It shall be unlawful for any person to give, sell or transfer garbage to another person, if such person knows that such other person is commercially feeding the garbage to a cloven hoofed animal.*

Sec. 8. K.S.A. 47-1304 is hereby amended to read as follows: 47-1304. The state livestock commissioner is hereby authorized to promulgate and enforce all rules and regulations deemed necessary to carry out the provisions of the act of which this section is amendatory and of K.S.A. 47-1306 and 47-1307 and amendments to such sections K.S.A. 47-1301 through 47-1307, and amendments thereto.

Sec. 9. K.S.A. 47-1307 is hereby amended to read as follows: 47-1307. (a) *Except as provided in subsection (g), no person, firm, partnership or corporation shall be allowed to register as a garbage feeding operator.*

(b) It shall be unlawful for any person, firm, partnership or corporation to feed cooked garbage to animals, other than dogs, as permitted under K.S.A. 47-1302, and amendments thereto, unless the operator of such garbage feeding establishment shall have first registered as a garbage feeding operator with the livestock commissioner and shall have paid the annual registration fee under this section for each place where garbage is to be fed.

(b) (c) The livestock commissioner may accept applications for registration on a form to be supplied by the commissioner's office. Upon the acceptance of such application for registration and the receipt of the annual registration fee under this section for each place where garbage is to be fed, the livestock commissioner shall issue to such applicant and operator a certificate of registration for the current operation period. Such certificate shall expire on June 30 each year following the date of issuance of the certificate of registration. The application for registration may be rejected and denied if the applicant does not supply all the information deemed essential by the livestock commissioner and if the applicant's garbage feeding establishment does not meet the requirements of article 13 of chapter 47 of Kansas Statutes Annotated, and amendments thereto, and the rules and regulations adopted thereunder.

(c) (d) The livestock commissioner shall fix the annual registration fee in such amount as the commissioner deems desirable in interests of public service, but not in an amount of more than \$15 per registration for each garbage feeding establishment.

(c) (e) The certificate of registration for garbage feeding operators may be revoked by the livestock commissioner whenever the operator of a garbage feeding establishment is found to be operating in violation of law, or rules and regulations adopted thereunder, or in an unsanitary manner. Any such operator shall first be given notice of hearing and an opportunity to appear and be heard in defense of any proceeding for the

revocation of any certificate of registration in accordance with the provisions of the Kansas administrative procedure act.

(c) (f) The livestock commissioner shall remit all moneys received by or for the commissioner under article 13 of chapter 47 of Kansas Statutes Annotated and amendments thereto to the state treasurer at least monthly. Upon receipt of any such remittance, the state treasurer shall deposit the entire amount thereof in the state treasury and the same shall be credited to the animal disease control fund.

(c) (g) (1) *Any person, firm, partnership or corporation who on the effective date of this act is registered as a garbage feeding operator may continue to be registered through October 31, 2001 as a garbage feeding operator if such operator is in compliance with all applicable laws and rules and regulations concerning such garbage feeding establishment.*

(2) *The provision of subsections (b) through (f) shall apply only to those validly registered garbage feeding operators through October 31, 2001.*

Sec. 10. K.S.A. 48-904 is hereby amended to read as follows: 48-904. As used in this act:

(a) "Emergency management" means the preparation for and the carrying out of all emergency functions, other than functions for which military forces or other federal agencies are primarily responsible, to prevent, minimize and repair injury and damage resulting from disasters;

(b) "adjutant general" means the adjutant general of the state of Kansas;

(c) "division of emergency management" means the division of emergency management created in the office of the adjutant general by K.S.A. 48-905, and amendments thereto;

(d) "disaster" means the occurrence or imminent threat of widespread or severe damage, injury or loss of life or property resulting from any natural or manmade cause, including, but not limited to, fire, flood, earthquake, wind, storm, epidemics, contagious or infectious disease, air contamination, blight, drought, infestation, explosion, riot or hostile military or paramilitary action;

(e) "unorganized militia" means all able-bodied male and female persons between the ages of 16 and 50 years;

(f) "state disaster emergency plan" means the plan prepared and maintained by the division of emergency management pursuant to K.S.A. 48-926, and amendments thereto;

(g) "local and interjurisdictional disaster emergency plans" means all disaster emergency plans developed and promulgated by county, city and interjurisdictional disaster agencies pursuant to K.S.A. 48-929, and amendments thereto; and

(h) "hazardous material" means any substance or material in a quantity or form which may be harmful or injurious to the health and safety of humans, animals, crops or property when released into the environment. Hazardous material includes, but is not limited to, explosives, radioactive materials, disease-causing agents, flammable liquids, solids or gases, combustible liquids, poisons, poisonous gases, oxidizing materials, corrosive materials, irritants, nonflammable gases, cryogenics and blasting agents.

Sec. 11. K.S.A. 48-924 is hereby amended to read as follows: 48-924.

(a) The governor shall be responsible for meeting the dangers to the state and people presented by disasters.

(b) (1) The governor, upon finding that a disaster has occurred or that occurrence or the threat thereof is imminent, shall issue a proclamation declaring a state of disaster emergency.

(2) *In addition to or instead of the proclamation authorized by K.S.A. 47-611, and amendments thereto, the governor, upon a finding or when notified pursuant to K.S.A. 47-611, and amendments thereto, that a quarantine or other regulations are necessary to prevent the spread among domestic animals of any contagious or infectious disease, may issue a proclamation declaring a state of disaster emergency.*

(3) The state of disaster emergency so declared shall continue until the governor finds that the threat or danger of disaster has passed, or the disaster has been dealt with to the extent that emergency conditions no longer exist. Upon making such findings the governor shall terminate the state of disaster emergency by proclamation, but *except as provided in paragraph (4)*, no state of disaster emergency may continue for longer than 15 days unless ratified by concurrent resolution of the legislature, with the single exception that upon specific application by the governor to the state finance council and an affirmative vote of a majority of the

(continued)

legislative members thereof, a state of disaster emergency may be extended once for a specified period not to exceed 30 days beyond such 15-day period.

(4) If the state of disaster emergency is proclaimed pursuant to paragraph (2), the governor shall terminate the state of disaster emergency by proclamation within 15 days, unless ratified by concurrent resolution of the legislature, except that when the legislature is not in session and upon specific application by the governor to the state finance council and an affirmative vote of a majority of the legislative members thereof, a state of disaster emergency may be extended for a specified period not to exceed 30 days. The state finance council may authorize additional extensions of the state of disaster emergency by a unanimous vote of the legislative members thereof for specified periods not to exceed 30 days each. Such state of disaster emergency shall be terminated on the 15th day of the next regular legislative session following the initial date of the state of disaster emergency unless ratified by concurrent resolution of the legislature.

(5) At any time, the legislature by concurrent resolution may require the governor to terminate a state of disaster emergency. Upon such action by the legislature, the governor shall issue a proclamation terminating the state of disaster emergency.

(6) Any proclamation declaring or terminating a state of disaster emergency which is issued under this subsection shall indicate the nature of the disaster, the area or areas threatened or affected by the disaster and the conditions which have brought about, or which make possible the termination of, the state of disaster emergency. Each such proclamation shall be disseminated promptly by means calculated to bring its contents to the attention of the general public and, unless the circumstances attendant upon the disaster prevent the same, each such proclamation shall be filed promptly with the division of emergency management, the office of the secretary of state and each city clerk or county clerk, as the case may be, in the area to which such proclamation applies.

(c) In the event of the absence of the governor from the state or the existence of any constitutional disability of the governor, an officer specified in K.S.A. 48-1204 and amendments thereto, in the order of succession provided by that section, may issue a proclamation declaring a state of disaster emergency in the manner provided in and subject to the provisions of subsection (a). During a state of disaster emergency declared pursuant to this subsection, such officer may exercise the powers conferred upon the governor by K.S.A. 48-925, and amendments thereto. If a preceding officer in the order of succession becomes able and available, the authority of the officer exercising such powers shall terminate and such powers shall be conferred upon the preceding officer. Upon the return of the governor to the state or the removal of any constitutional disability of the governor, the authority of an officer to exercise the powers conferred by this section shall terminate immediately and the governor shall resume the full powers of the office. Any state of disaster emergency and any actions taken by an officer under this subsection shall continue and shall have full force and effect as authorized by law unless modified or terminated by the governor in the manner prescribed by law.

(d) A proclamation declaring a state of disaster emergency shall activate the disaster response and recovery aspects of the state disaster emergency plan and of any local and interjurisdictional disaster plans applicable to the political subdivisions or areas affected by the proclamation. Such proclamation shall be authority for the deployment and use of any forces to which the plan or plans apply and for use or distribution of any supplies, equipment, materials or facilities assembled, stockpiled or arranged to be made available pursuant to this act during a disaster.

(e) The governor, when advised pursuant to K.S.A. 74-2608, and amendments thereto, that conditions indicative of drought exist, shall be authorized to declare by proclamation that a state of drought exists. This declaration of a state of drought can be for specific areas or communities, can be statewide or for specific water sources and shall effect immediate implementation of drought contingency plans contained in state approved conservation plans, including those for state facilities.

Sec. 12. K.S.A. 48-925 is hereby amended to read as follows: 48-925.

(a) During any state of disaster emergency declared under K.S.A. 48-924, and amendments thereto, the governor shall be commander-in-chief of the organized and unorganized militia and of all other forces available for emergency duty. To the greatest extent practicable, the governor shall delegate or assign command authority by prior arrangement, embodied in appropriate executive orders or in rules and regulations of the adjutant

general, but nothing herein shall restrict the authority of the governor to do so by orders issued at the time of a disaster.

(b) Under the provisions of this act and for the implementation thereof, the governor may issue orders and proclamations which shall have the force and effect of law during the period of a state of disaster emergency declared under subsection (b) of K.S.A. 48-924, and amendments thereto, and which orders and proclamations shall be null and void thereafter unless ratified by concurrent resolution of the legislature. Such orders and proclamations may be revoked at any time by concurrent resolution of the legislature.

(c) During a state of disaster emergency declared under K.S.A. 48-924, and amendments thereto, and in addition to any other powers conferred upon the governor by law, the governor may:

(1) Suspend the provisions of any regulatory statute prescribing the procedures for conduct of state business, or the orders or rules and regulations of any state agency which implements such statute, if strict compliance with the provisions of such statute, order or rule and regulation would prevent, hinder or delay in any way necessary action in coping with the disaster;

(2) utilize all available resources of the state government and of each political subdivision as reasonably necessary to cope with the disaster;

(3) transfer the supervision, personnel or functions of state departments and agencies or units thereof for the purpose of performing or facilitating emergency management activities;

(4) subject to any applicable requirements for compensation under K.S.A. 48-933, and amendments thereto, commandeer or utilize any private property if the governor finds such action necessary to cope with the disaster;

(5) direct and compel the evacuation of all or part of the population from any area of the state stricken or threatened by a disaster, if the governor deems this action necessary for the preservation of life or other disaster mitigation, response or recovery;

(6) prescribe routes, modes of transportation and destinations in connection with such evacuation;

(7) control ingress and egress of persons and animals to and from a disaster area, the movement of persons and animals within the area and the occupancy by persons and animals of premises therein;

(8) suspend or limit the sale, dispensing or transportation of alcoholic beverages, firearms, explosives and combustibles;

(9) make provision for the availability and use of temporary emergency housing;

(10) require and direct the cooperation and assistance of state and local governmental agencies and officials; and

(11) perform and exercise such other functions, powers and duties as are necessary to promote and secure the safety and protection of the civilian population.

(d) The governor shall exercise the powers conferred by subsection (c) by issuance of orders under subsection (b). The adjutant general, subject to the direction of the governor, shall administer such orders.

Sec. 13. K.S.A. 47-611, 47-617, 47-623, 47-1201, 47-1211, 47-1302, 47-1303, 47-1304, 47-1307, 48-904, 48-924 and 48-925 are hereby repealed.

Sec. 14. This act shall take effect and be in force from and after its publication in the Kansas register.

(Published in the Kansas Register May 17, 2001.)

HOUSE BILL No. 2597

AN ACT concerning state moneys; providing for the reconciliation of amendments to certain sections of the Kansas Statutes Annotated; amending K.S.A. 75-4221, as amended by section 1 of 2001 House Bill No. 2169, 79-32,105, as amended by section 4 of 2001 Senate Bill No. 44 and 79-41a03, as amended by section 1 of 2001 Senate Bill No. 42 and K.S.A. 2000 Supp. 9-1111b, as amended by section 41 of 2001 Senate Bill No. 15, 9-1804, as amended by section 14 of 2001 House Bill No. 2482, 65-3424b, as amended by section 245 of 2001 Senate Bill No. 15, 65-3424d, as amended by section 246 of 2001 Senate Bill No. 15, 65-3424k, as amended by section 6 of 2001 House Bill No. 2131, 66-1,139a, as amended by section 273 of 2001 Senate Bill No. 15, 79-3425, as amended by section 454 of 2001 Senate Bill No. 15, 79-3620, 79-3620, as amended by section 10 of this act, 79-3710, 79-3710, as amended by section 12 of this act and repealing the existing sections; also repealing K.S.A. 17-7515, as amended by section 66 of 2001 Senate Bill No. 15, 65-770, as amended by section 225 of 2001 Senate Bill No. 15, 72-6505, as amended by section 292 of 2001 Senate Bill No. 15, 79-32,105, as amended by section 448 of 2001 Senate Bill No. 15 and 79-41a03, as amended by section 463 of 2001 Senate

Bill No. 15 and K.S.A. 2000 Supp. 2-1011, as amended by section 9 of 2001 Senate Bill No. 15, 8-1,112, as amended by section 30 of 2001 Senate Bill No. 15, 9-1111b, as amended by section 8 of 2001 House Bill No. 2482, 9-1804, as amended by section 45 of 2001 Senate Bill No. 15, 65-708a, as amended by section 223 of 2001 Senate Bill No. 15, 65-750, as amended by section 224 of 2001 Senate Bill No. 15, 65-3424b, as amended by section 3 of 2001 House Bill No. 2131, 65-3424d, as amended by section 4 of 2001 House Bill No. 2131, 65-3424k, as amended by section 247 of 2001 Senate Bill No. 15, 66-1,139, as amended by section 272 of 2001 Senate Bill No. 15, 66-1,139a, as amended by section 15 of 2001 House Bill No. 2291, 66-1a01, as amended by section 275 of 2001 Senate Bill No. 15, 79-3425, as amended by section 1 of 2001 House Bill No. 2011, 79-3620, as amended by section 16 of 2001 Substitute for House Bill No. 2005, 79-3620, as amended by section 460 of 2001 Senate Bill No. 15, 79-3710, as amended by section 18 of 2001 Substitute for House Bill No. 2005, and 79-3710, as amended by section 461 of 2001 Senate Bill No. 15.

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

Section 1. On July 1, 2001, K.S.A. 2000 Supp. 9-1111b, as amended by section 41 of 2001 Senate Bill No. 15, is hereby amended to read as follows: 9-1111b. A bank making application to the state banking board or the commissioner for approval of a branch bank shall pay to the state bank commissioner a fee, in an amount established by rules and regulations adopted by the commissioner, to defray the expenses of the board, commissioner or other designees in the examination and investigation of the application. The commissioner shall remit all amounts received under this section to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of a separate special account in the state treasury for each application. The moneys in each such account shall be used only to pay the expenses of the board, commissioner or other designees in the examination and investigation of the application to which it relates and any unused balance shall be transferred to the bank commissioner fee fund.

Sec. 2. On July 1, 2001, K.S.A. 2000 Supp. 9-1804, as amended by section 14 of 2001 House Bill No. 2482, is hereby amended to read as follows: 9-1804. (a) No bank or trust company incorporated under the laws of this state shall change its place of business, from one city or town to another or from one location to another within the same city or town, without prior approval. Any such bank or trust company desiring to change its place of business shall file written application with the office of the state bank commissioner in such form and containing such information as the board and the commissioner shall require. Notice of the proposed relocation shall be published in a newspaper of general circulation in the county where the main bank or trust company is currently located and in the county to which the bank or trust company proposes to relocate. The notice shall be in the form prescribed by the commissioner and at a minimum shall contain the name and address of the applicant bank or trust company, the address of the proposed new location and a solicitation for written comments. The notice shall be published on the same day for two consecutive weeks and provide for a comment period of not less than 10 calendar days after the date of the second publication. The applicant shall provide proof of publication to the commissioner.

(b) If the applicant is an eligible bank or an eligible trust company, the commissioner shall examine and investigate the application. If the commissioner determines:

(1) There is a reasonable probability of usefulness and success of the bank or trust company in the proposed location; and

(2) the applicant bank's or trust company's financial history and condition is sound, the application shall be approved, otherwise, it shall be denied.

(c) Within 15 days after any final action of the commissioner approving or disapproving an application, the applicant, or any adversely affected or aggrieved person who provided written comments during the specified comment period, may request a hearing with the state banking board. Upon receipt of a timely request, the board shall conduct a hearing in accordance with the provisions of the Kansas administrative procedure act. Any decision of the state banking board is subject to review in accordance with the act for judicial review and civil enforcement of agency actions.

(d) If a bank does not meet the definition of an eligible bank or a trust company does not meet the definition of an eligible trust company, the state banking board shall examine and investigate the application. If the board determines:

(1) There is a reasonable probability of usefulness and success of the bank or trust company in the proposed location; and

(2) the applicant bank's or trust company's financial history and condition is sound, the application shall be approved, otherwise, it shall be denied.

(e) Any final action of the board approving or disapproving an application shall be subject to review in accordance with the act for judicial review and civil enforcement of agency actions upon the petition of the applicant, or any adversely affected or aggrieved person who provided written comments during the specified comment period.

(f) The expenses of such examination and investigation shall be paid by the bank or trust company which shall deposit with the commissioner a fee in an amount established by rules and regulations adopted by the commissioner. The commissioner shall remit all amounts received under this section to the state treasurer ~~who shall deposit the same in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of a separate special account in the state treasury for each application.~~ The moneys in each such account shall be used only to pay the expenses of the examination and investigation to which it relates, and any unused portion of such deposit shall be transferred to the bank commissioner fee fund.

(g) For purposes of this section:

(1) "Eligible bank" means a state bank that meets the following criteria:

(A) Received a composite rating of 1 or 2 under the uniform financial institutions rating system as a result of its most recent federal or state examination;

(B) meets the following three criteria for a well capitalized bank:

(i) Has a total risk based capital ratio of 10% or greater;

(ii) has a tier one risk based capital ratio of 6% or greater; and

(iii) has a leverage ratio of 5% or greater; and

(C) is not subject to a cease and desist order, consent order, prompt corrective action directive, written agreement, memorandum of understanding or other administrative agreement with its primary federal regulator or the office of the state bank commissioner; and

(2) "eligible trust company" means a state chartered trust company that meets the following criteria:

(A) Received a composite rating of 1 or 2 under the uniform interagency trust rating system as a result of its most recent state examination; and

(B) is not subject to a cease and desist order, consent order, written agreement, memorandum of understanding or other administrative agreement with the office of the state bank commissioner.

Sec. 3. On July 1, 2001, K.S.A. 2000 Supp. 65-3424b, as amended by section 245 of Senate Bill No. 15, is hereby amended to read as follows: 65-3424b. (a) The secretary shall establish a system of permits for mobile waste tire processors and waste tire processing facilities and permits for waste tire transporters and collection centers. Such permits shall be issued for a period of one year and shall require an application fee established by the secretary in an amount not exceeding \$250 per year.

(b) The secretary shall adopt rules and regulations establishing standards for mobile waste tire processors, waste tire processing facilities and associated waste tire sites, waste tire collection centers and waste tire transporters. Such standards shall include a requirement that the permittee file with the secretary a bond or other financial assurance in an amount determined by the secretary to be sufficient to pay any costs which may be incurred by the state to process any waste tires or dispose of any waste tires or processed waste tires if the permittee ceases business or fails to comply with this act.

(c) Any person who contracts or arranges with another person to collect or transport waste tires for storage, processing or disposal shall so contract or arrange only with a person holding a permit from the secretary. Any person contracting or arranging with a person, permitted by the secretary, to collect or transport waste tires for storage, processing or disposal, transfers ownership of those waste tires to the permitted person and the person contracting or arranging with the person holding such permit to collect or transport such tires shall be released from liability therefor. Any person contracting or arranging with any person, permitted by the secretary, for the collection or transportation, storage, processing or disposal of such tires shall maintain a record of such transaction for a period of not less than five years following the date of the transfer of such tires.

(d) No person shall:

(continued)

(1) Own or operate a waste tire processing facility or waste tire collection center or act as a mobile waste tire processor or waste tire transporter unless such person holds a valid permit issued therefor pursuant to subsection (a); or

(2) own or operate a waste tire processing facility or waste tire collection center or act as a mobile waste tire processor or waste tire transporter except in compliance with the standards established by the secretary pursuant to subsection (b).

(e) The provisions of subsection (d)(1) shall not apply to:

(1) A tire retreading business where fewer than 1,000 waste tires are kept on the business premises;

(2) a business that, in the ordinary course of business, removes tires from motor vehicles if fewer than 1,500 of these tires are kept on the business premises;

(3) a retail tire-selling business which is serving as a waste tire collection center if fewer than 1,500 waste tires are kept on the business premises;

(4) the department of wildlife and parks;

(5) a person engaged in a farming or ranching activity, including the operation of a feedlot as defined by K.S.A. 47-1501, and amendments thereto, as long as the accumulation has a beneficial use;

(6) a waste tire collection center where fewer than 1,500 used tires are kept on the premises;

(7) a waste tire collection center where 1,500 or more used tires are kept on the premises, if the owner demonstrates through sales and inventory records that such tires have value, as established in accordance with standards adopted by rules and regulations of the secretary;

(8) local units of government operating solid waste processing facilities and solid waste disposal areas permitted by the secretary under the authority of K.S.A. 65-3407, and amendments thereto;

(9) a person transporting: (A) Waste tires mixed with other municipal solid waste; (B) fewer than five waste tires for lawful disposal; (C) waste tires generated by the business, farming activities of the person or the person's employer; or (D) waste tires for a beneficial use approved by statute or rules and regulations adopted by the secretary; or

(10) a business engaged in processing, for resource recovery purposes, only waste tires generated by the business.

(f) All fees collected by the secretary pursuant to this section shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the waste tire management fund.

Sec. 4. On July 1, 2001, K.S.A. 2000 Supp. 65-3424d, as amended by section 246 of 2001 Senate Bill No. 15, is hereby amended to read as follows: 65-3424d. (a) In addition to any other tax imposed upon the retail sale of new vehicle tires, there is hereby imposed on retail sales of new vehicle tires (excluding innertubes), including new tires mounted on a vehicle sold at retail for the first time, an excise tax at the following rate: (1) Before July 1, 2001, \$.50 per vehicle tire; and (2) on or after July 1, 2001, \$.25 of \$.25 per vehicle tire. Such tax shall be paid by the purchaser of such tires and collected by the retailer thereof.

(b) The tax imposed by this section collected by the retailer shall become due and payable as follows: When the total tax for which any retailer is liable under this act does not exceed the sum of \$80 in any calendar year, the retailer shall file an annual return on or before January 25 of the following year; when the total tax liability does not exceed \$1,600 in any calendar year, the retailer shall file returns quarterly on or before the 25th day of the month following the end of each calendar quarter; when the total tax liability exceeds \$1,600 in any calendar year, the retailer shall file a return for each month on or before the 25th day of the following month. Each person collecting the tax imposed pursuant to this section shall make a true report to the department of revenue, on a form prescribed by the secretary of revenue, providing such information as may be necessary to determine the amounts of taxes due and payable hereunder for the applicable month or months, which report shall be accompanied by the tax disclosed thereby. Records of sales of new tires shall be kept separate and apart from the records of other retail sales made by the person charged to collect the tax imposed pursuant to this section in order to facilitate the examination of books and records as provided herein.

(c) The secretary of revenue or the secretary's authorized representative shall have the right at all reasonable times during business hours to make such examination and inspection of the books and records of the person required to collect the tax imposed pursuant to this section as may

be necessary to determine the accuracy of such reports required hereunder.

(d) The secretary of revenue is hereby authorized to administer and collect the tax imposed by this section and to adopt such rules and regulations as may be necessary for the efficient and effective administration and enforcement of the collection thereof. Whenever any person liable to collect the taxes imposed hereunder refuses or neglects to pay them, the amount, including any penalty, shall be collected in the manner prescribed for the collection of the retailers' sales tax by K.S.A. 79-3617, and amendments thereto.

(e) The secretary of revenue shall remit all revenue collected under the provisions of this section to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the waste tire management fund.

(f) Whenever, in the judgment of the secretary of revenue, it is necessary, in order to secure the collection of any taxes, penalties or interest due, or to become due, under the provisions of this act, the secretary may require any person charged with the collection of such tax to file a bond with the director of taxation under conditions established by and in such form and amount as prescribed by rules and regulations adopted by the secretary.

(g) The secretary of revenue and the secretary of health and environment shall cooperate to: (1) Ensure that retailers required to collect the tax imposed by this section collect such tax on sales of tires for all vehicles, as defined by K.S.A. 65-3424, and amendments thereto; and (2) develop and distribute to tire retailers educational materials that emphasize appropriate waste tire management practices.

Sec. 5. On July 1, 2001, K.S.A. 2000 Supp. 65-3424k, as amended by section 6 of 2001 House Bill No. 2131, is hereby amended to read as follows: 65-3424k. (a) Before July 1, 2003, the secretary may undertake appropriate abatement action and may enter into contracts for the abatement of waste tires accumulated before July 1, 1990, utilizing funds from the waste tire management fund.

(b) Any authorized representative of the secretary may enter, at reasonable times and upon written notice, onto any property or premises where an accumulation of waste tires is located to conduct: (1) An inspection and site assessment to determine whether the accumulation creates a nuisance or risk to public health and safety or to the environment; or (2) interim measures to minimize risk to public health and safety or to the environment.

(c) Whenever the secretary has reason to believe that an accumulation of waste tires creates a nuisance or risk to public health and safety or to the environment or is in violation of rules and regulations adopted by the secretary or conditions of a permit issued by the secretary, the secretary may require the person or persons responsible for the accumulation to carry out abatement activities. Such abatement activities shall be performed in accordance with a plan approved by the secretary. The secretary shall give notice, by letter, to the property owner and responsible parties that the waste tires constitute a nuisance or risk to public health or the environment, and that the waste tire accumulation must be abated within a specified period. The secretary may undertake abatement action utilizing funds from the waste tire management fund if: (1) The waste tires were accumulated before July 1, 1990, and abated before July 1, 2003; or

(2) the waste tires were accumulated after July 1, 1990, and the responsible parties fail to take the required action within the time period specified in the notice. The department and its representatives are authorized to enter private property to perform abatement activities if the responsible party fails to perform required clean-up work, but no entry shall be made without the property owner's consent except upon notice and hearing in accordance with the Kansas administrative procedures procedure act.

(d) All costs incurred by the secretary in abatement of waste tires accumulated after July 1, 1990, or in performing interim measures, including administrative and legal expenses, are recoverable from a responsible party or parties and may be recovered in a civil action in district court brought by the secretary. If any abatement costs are recovered under this section, the city or county that shared in the cost of the abatement action shall be reimbursed its costs not to exceed 25% of the amount recovered. The remaining amount recovered shall be remitted to the state treasurer, who in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury and credit it to

the credit of the waste tire management fund. An action to recover abatement or interim measures costs may be commenced at any stage of an abatement.

(e) In performing or entering contracts for abatement actions under this section, the secretary shall give preference to actions that recycle waste tires or burn waste tires for energy recovery. Direct abatement expenditures may include landfilling when waste tires are contaminated or when feasible in-state markets cannot be identified.

(f) Permits granted by the secretary pursuant to K.S.A. 65-3424b, and amendments thereto, shall not be transferable and may be revoked or suspended whenever the secretary determines that the permit holder is operating in violation of this act or rules and regulations adopted pursuant to the act; is creating or threatens to create a hazard to persons, property or the environment; or is creating or threatens to create a public nuisance. The secretary may also revoke, suspend or refuse to issue a permit when the secretary determines that past or continuing violations of the provisions of K.S.A. 65-3409, and amendments thereto, have been committed by the applicant or permit holder.

(g) Neither the state of Kansas nor the waste tire management fund shall be liable to any owner, operator or responsible party for the loss of business, damages or taking of property associated with any abatement or enforcement action taken pursuant to this section.

(h) The secretary shall enter into contracts with one or more associations of tire retailers to: (1) Assist in disseminating information to all tire retailers on the requirements of solid waste laws and rules and regulations relating to waste tires; (2) establish a point of contact for persons requesting information on solid waste laws and rules and regulations relating to waste tires; (3) assist in planning and implementing conferences, workshops, and other requested training events for persons involved in the generation, transportation, processing, or disposal of waste tires; and (4) assemble and analyze data on waste tire management by tire retailers in Kansas.

Sec. 6. On July 1, 2001, K.S.A. 2000 Supp. 66-1,139a, as amended by section 273 of 2001 Senate Bill No. 15, is hereby amended to read as follows: 66-1,139a. All amounts collected under K.S.A. 66-1,139, and amendments thereto, for the purpose of registration of motor vehicles, pursuant to 49 U.S.C. ~~1506 14504~~, shall be remitted by the state corporation commission to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the base state registration clearing fund which is hereby created. Payments due and owing to participating states pursuant to 49 U.S.C. ~~1506 14504~~ and refunds for overpayment shall be made from such fund. The state corporation commission shall reconcile such clearing fund monthly with balances remitted ~~monthly~~ in accordance with this section.

Sec. 7. On July 1, 2001, K.S.A. 75-4221, as amended by section 1 of 2001 House Bill No. 2169, is hereby amended to read as follows: 75-4221. (a) Any state agency which is authorized to maintain a bank account, shall be responsible for determining that the securities pledged, assigned, deposited or in which a security interest is granted by the depository bank are adequate to secure the balance in the account pursuant to K.S.A. 75-4218, and amendments thereto. The agency shall immediately notify the board if the securities pledged, assigned, deposited or in which a security ~~interested interest~~ interest is granted by the depository bank have become inadequate. The board shall immediately notify such depository bank and demand that additional security be pledged to make good such inadequacy and in default of such additional security being promptly furnished, the board shall instruct the treasurer to close the account.

(b) In cases where a depository bank fails to meet the requirements established by the board pursuant to K.S.A. 75-4232, and amendments thereto, the board shall instruct the treasurer to advise the depository bank it must select one of the following options:

(1) Close the account for the full amount, including accrued interest and without penalty if the deposit exceeds seven days, or

(2) convert the account to a repurchase agreement under terms acceptable to the board.

(c) In the event of the insolvency or dissolution from any cause of a depository bank having a state bank account of any type, the state shall be entitled to file a claim for the full amount of such account and shall retain or collect dividends or interest on securities pledged by such depository bank until the amount of the dividends or interest added to the amount realized from sale of any securities so pledged to the state equals the amount of the account and any interest due thereon.

The state shall be fully responsible to any depository bank for the safe return of any securities deposited in the state treasury in accordance with this act.

Sec. 8. On July 1, 2001, K.S.A. 79-32,105, as amended by section 4 of 2001 Senate Bill No. 44, is hereby amended to read as follows: 79-32,105. (a) The director shall ~~pay to the treasurer of the state daily remit~~ the entire amount collected during the preceding day, under the provisions of this act and from the income tax imposed upon individuals, corporations, estates or trusts pursuant to the "Kansas income tax act" less amounts withheld as provided in subsection (b) and any amounts credited to the IMPACT program repayment fund or the IMPACT program services fund under K.S.A. 74-50,107 and amendments thereto, ~~which amounts shall be credited to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the state general fund.~~

(b) A revolving fund, designated as "income tax refund fund" not to exceed \$4,000,000 shall be set apart and maintained by the director from income tax collections, withholding tax collections, and estimated tax collections and held by the state treasurer for prompt payment of all income tax refunds, for the payment of interest as provided in subsection (e), for payment of homestead property tax refunds in accordance with the homestead property tax refund act and for payment of property tax refunds allowed pursuant to the provisions of K.S.A. 2000 Supp. 79-255, and amendments thereto. The fund shall be in such amount, within the limit set by this section, as the director determines is necessary to meet current refunding requirements under this act.

(c) If the director discovers from the examination of the return, or upon claim duly filed by the taxpayer or upon final judgment of the court that the income tax, withholding tax, declaration of estimated tax or any penalty or interest paid by or credited to any taxpayer is in excess of the amount legally due, the director shall certify to the director of accounts and reports the name of the taxpayer, the amount of refund and such other information as the director may require. Upon receipt of such certification the director of accounts and reports shall issue a warrant on the state treasurer for the payment to the taxpayer out of the fund provided in subsection (b), except that no refund shall be made for a sum less than \$5, but such amount may be claimed by the taxpayer as a credit against the taxpayer's tax liability in the taxpayer's next succeeding taxable year.

(d) When a resident taxpayer dies, and the director determines that a refund is due the claimant not in excess of \$100, the director shall certify to the director of accounts and reports the name and address of the claimant entitled to the refund and the amount of the refund. A refund may be made upon a claim duly made on behalf of the estate of the deceased or in the absence of any such claim upon a claim by a surviving spouse and if none upon the claim by any heir at law. Upon receipt of such certification the director of accounts and reports shall issue a warrant on the state treasurer for the payment to the claimant out of the fund provided in subsection (b).

(e) Interest shall be allowed and paid at the rate of 12% per annum upon any overpayment of the income tax imposed upon individuals, corporations, estates or trusts pursuant to the Kansas income tax act for any period prior to January 1, 1995, 6% per annum for the period commencing on January 1, 1995, and ending on December 31, 1997, and at the rate prescribed and determined pursuant to K.S.A. 79-2968, and amendments thereto, for any period thereafter.

For the purposes of this subsection:

(1) Any return filed before the last day prescribed for the filing thereof shall be considered as filed on such last day, determined without regard to any extension of time granted the taxpayer;

(2) any tax paid by the taxpayer before the last day prescribed for its payment, any income tax withheld from the taxpayer during any calendar year and any amount paid by the taxpayer as estimated income tax for a taxable year shall be deemed to have been paid on the last day prescribed for filing the return for the taxable year to which such amount constitutes a credit or payment, determined without regard to any extension of time granted the taxpayer;

(3) if any overpayment of tax results from a carryback of a net operating loss or net capital loss, such overpayment shall be deemed not to have been made prior to the close of the taxable year in which such net operating loss or net capital loss arises. For purposes of this paragraph, the return for the loss year shall not be deemed to be filed before claim for such overpayment is filed;

(4) in the case of a credit, interest shall be allowed and paid from the

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date of the overpayment to the due date of the amount against which the credit is taken, except that if any overpayment of income tax is claimed as a credit against estimated tax for the succeeding taxable year, such amount shall be considered as a payment of the income tax for the succeeding taxable year, whether or not claimed as a credit in the return of estimated tax for such succeeding taxable year, and no interest shall be allowed or paid in such overpayment for the taxable year in which the overpayment arises;

(5) in the case of a tax return which is filed after the last date prescribed for filing such return, determined with regard to extensions, no interest shall be allowed or paid for any period before the date on which the return is filed;

(6) in the case of a refund, interest shall be allowed and paid from the date of the overpayment to a date preceding the date of the refund check by not more than 30 days, as determined by the director, whether or not such refund check is accepted by the taxpayer after tender of such check to the taxpayer, but acceptance of such check shall be without prejudice to any right of the taxpayer to claim any additional overpayment and interest thereon; and

(7) if any overpayment is refunded within two months after the last date prescribed, or permitted by extension of time, for filing the return of such tax, or within two months after the return was filed, whichever is later, no interest shall be allowed or paid. For the purposes of this section, an overpayment shall be deemed to have been refunded at the time the refund check in the amount of the overpayment, plus any interest due thereon, is deposited in the United States mail.

Sec. 9. On July 1, 2001, K.S.A. 2000 Supp. 79-3425, as amended by section 454 of 2001. Senate Bill No. 15, is hereby amended to read as follows: 79-3425. All of the amounts collected under the motor-fuel tax law and amendments thereto, except amounts collected pursuant to K.S.A. 79-3408c, and amendments thereto, shall be remitted by the director to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury. The state treasurer shall credit such amount as the director shall order in the motor-vehicle fuel tax refund fund to be used for the purpose of paying motor-vehicle fuel tax refunds as provided by law. The state treasurer shall credit the remainder of such amounts as follows: To the state highway fund amounts specified in K.S.A. 79-34,142, and amendments thereto, to a special city and county highway fund which is hereby created, amounts specified in K.S.A. 79-34,142, and amendments thereto, to be apportioned and distributed in the manner provided in K.S.A. 79-3425c, and amendments thereto, and to the *current production account and the new production account of the Kansas qualified agricultural ethyl alcohol producer incentive fund*, which is hereby created in the state treasury, in the amount and in the manner specified in K.S.A. 79-34,161, and amendments thereto, to be expended in the manner provided in K.S.A. 79-34,162, and amendments thereto.

Sec. 10. K.S.A. 2000 Supp. 79-3620 is hereby amended to read as follows: 79-3620. (a) All revenue collected or received by the director of taxation from the taxes imposed by this act shall be deposited daily with the state treasurer. The state treasurer shall credit all revenue received from this act, less amounts withheld as provided in subsection (b) and amounts credited as provided in subsection (c) and (d), to the state general fund.

(b) A refund fund, designated as "sales tax refund fund" not to exceed \$100,000 shall be set apart and maintained by the director from sales tax collections and estimated tax collections and held by the state treasurer for prompt payment of all sales tax refunds including refunds authorized under the provisions of K.S.A. 79-3635, and amendments thereto. Such fund shall be in such amount, within the limit set by this section, as the director shall determine is necessary to meet current refunding requirements under this act. In the event such fund as established by this section is, at any time, insufficient to provide for the payment of refunds due claimants thereof, the director shall certify the amount of additional funds required to the director of accounts and reports who shall promptly transfer the required amount from the state general fund to the sales tax refund fund, and notify the state treasurer, who shall make proper entry in the records.

(c) The state treasurer shall credit 5% of the revenue collected or received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rate of 4.9%, and deposited as provided in subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(d) The state treasurer shall credit all revenue collected or received from the tax imposed by K.S.A. 79-3603, and amendments thereto, as certified by the director, from taxpayers doing business within that portion of a redevelopment district occupied by a redevelopment project that was determined by the secretary of commerce and housing to be of statewide as well as local importance or will create a major tourism area for the state as specified in subsection (a)(1)(D) of K.S.A. 12-1774 defined in K.S.A. 2000 Supp. 12-1770a, and amendments thereto, to the city bond finance fund, which fund is hereby created. The provisions of this subsection shall expire when the total of all amounts credited hereunder and under subsection (d) of K.S.A. 79-3710, and amendments thereto, is sufficient to retire the special obligation bonds issued for the purpose of financing all or a portion of the costs of such redevelopment project.

Sec. 11. On July 1, 2001, K.S.A. 2000 Supp. 79-3620, as amended by section 10 of this act, is hereby amended to read as follows: 79-3620. (a) All revenue collected or received by the director of taxation from the taxes imposed by this act shall be deposited daily with remitted to the state treasurer. ~~The state treasurer shall credit all revenue received from this act in accordance with the provisions of K.S.A. 75-4215, and amendments thereto.~~ Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury, less amounts withheld as provided in subsection (b) and amounts credited as provided in subsection (c) and (d), to the credit of the state general fund.

(b) A refund fund, designated as "sales tax refund fund" not to exceed \$100,000 shall be set apart and maintained by the director from sales tax collections and estimated tax collections and held by the state treasurer for prompt payment of all sales tax refunds including refunds authorized under the provisions of K.S.A. 79-3635, and amendments thereto. Such fund shall be in such amount, within the limit set by this section, as the director shall determine is necessary to meet current refunding requirements under this act. In the event such fund as established by this section is, at any time, insufficient to provide for the payment of refunds due claimants thereof, the director shall certify the amount of additional funds required to the director of accounts and reports who shall promptly transfer the required amount from the state general fund to the sales tax refund fund, and notify the state treasurer, who shall make proper entry in the records.

(c) The state treasurer shall credit 5% of the revenue collected or received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rate of 4.9%, and deposited as provided in subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(d) The state treasurer shall credit all revenue collected or received from the tax imposed by K.S.A. 79-3603, and amendments thereto, as certified by the director, from taxpayers doing business within that portion of a redevelopment district occupied by a redevelopment project that was determined by the secretary of commerce and housing to be of statewide as well as local importance or will create a major tourism area for the state as defined in K.S.A. 2000 Supp. 12-1770a, and amendments thereto, to the city bond finance fund, which fund is hereby created. The provisions of this subsection shall expire when the total of all amounts credited hereunder and under subsection (d) of K.S.A. 79-3710, and amendments thereto, is sufficient to retire the special obligation bonds issued for the purpose of financing all or a portion of the costs of such redevelopment project.

Sec. 12. K.S.A. 2000 Supp. 79-3710 is hereby amended to read as follows: 79-3710. (a) All revenue collected or received by the director under the provisions of this act shall be deposited daily with the state treasurer and the state treasurer shall credit the same, less amounts set apart as provided in subsection (b) and amounts credited as provided in subsection (c) and (d), to the general revenue fund of the state.

(b) A revolving fund, designated as "compensating tax refund fund" not to exceed \$10,000 shall be set apart and maintained by the director from compensating tax collections and estimated tax collections and held by the state treasurer for prompt payment of all compensating tax refunds. Such fund shall be in such amount, within the limit set by this section, as the director shall determine is necessary to meet current refunding requirements under this act.

(c) The state treasurer shall credit 5% of the revenue collected or received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rate of 4.9%, and deposited as provided in subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(d) The state treasurer shall credit all revenue collected or received

from the tax imposed by K.S.A. 79-3703, and amendments thereto, as certified by the director, from taxpayers doing business within that portion of a redevelopment district occupied by a redevelopment project that was determined by the secretary of commerce and housing to be of statewide as well as local importance or will create a major tourism area for the state as specified in subsection (a)(1)(D) of K.S.A. 12-1774 defined in K.S.A. 2000 Supp. 12-1770a, and amendments thereto, to the city bond finance fund created by subsection (d) of K.S.A. 79-3620, and amendments thereto. The provisions of this subsection shall expire when the total of all amounts credited hereunder and under subsection (d) of K.S.A. 79-3620, and amendments thereto, is sufficient to retire the special obligation bonds issued for the purpose of financing all or a portion of the costs of such redevelopment project.

Sec. 13. On July 1, 2001, K.S.A. 2000 Supp. 79-3710, as amended by section 12 of this act, is hereby amended to read as follows: 79-3710. (a) All revenue collected or received by the director under the provisions of this act shall be deposited daily with remitted to the state treasurer and the state treasurer shall credit the same in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury, less amounts set apart as provided in subsection (b) and amounts credited as provided in subsection (c) and (d), to the general revenue fund of the state credit of the state general fund.

(b) A revolving fund, designated as "compensating tax refund fund" not to exceed \$10,000 shall be set apart and maintained by the director from compensating tax collections and estimated tax collections and held by the state treasurer for prompt payment of all compensating tax refunds. Such fund shall be in such amount, within the limit set by this section, as the director shall determine is necessary to meet current refunding requirements under this act.

(c) The state treasurer shall credit $\frac{3}{8}$ of the revenue collected or received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rate of 4.9%, and deposited as provided in subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(d) The state treasurer shall credit all revenue collected or received from the tax imposed by K.S.A. 79-3703, and amendments thereto, as certified by the director, from taxpayers doing business within that portion of a redevelopment district occupied by a redevelopment project that was determined by the secretary of commerce and housing to be of statewide as well as local importance or will create a major tourism area for the state as defined in K.S.A. 2000 Supp. 12-1770a, and amendments thereto, to the city bond finance fund created by subsection (d) of K.S.A. 79-3620, and amendments thereto. The provisions of this subsection shall expire when the total of all amounts credited hereunder and under subsection (d) of K.S.A. 79-3620, and amendments thereto, is sufficient to retire the special obligation bonds issued for the purpose of financing all or a portion of the costs of such redevelopment project.

Sec. 14. On July 1, 2001, K.S.A. 79-41a03, as amended by section 1 of 2001 Senate Bill No. 42, is hereby amended to read as follows: 79-41a03. (a) The tax levied and collected pursuant to K.S.A. 79-41a02, and amendments thereto, shall become due and payable by the club, caterer, drinking establishment or temporary permit holder monthly, or on or before the 25th day of the month immediately succeeding the month in which it is collected, but any club, caterer, drinking establishment or temporary permit holder filing an annual or quarterly return under the Kansas retailers' sales tax act, as prescribed in K.S.A. 79-3607, and amendments thereto, shall, upon such conditions as the secretary of revenue may prescribe, pay the tax required by this act on the same basis and at the same time the club, caterer, drinking establishment or temporary permit holder pays such retailers' sales tax. Each club, caterer, drinking establishment or temporary permit holder shall make a true report to the department of revenue, on a form prescribed by the secretary of revenue, providing such information as may be necessary to determine the amounts to which any such tax shall apply for all gross receipts derived from the sale of alcoholic liquor by the club, caterer, drinking establishment or temporary permit holder for the applicable month or months, which report shall be accompanied by the tax disclosed thereby. Records of gross receipts derived from the sale of alcoholic liquor shall be kept separate and apart from the records of other retail sales made by a club, caterer, drinking establishment or temporary permit holder in order to facilitate the examination of books and records as provided herein.

(b) The secretary of revenue or the secretary's authorized representative shall have the right at all reasonable times during business hours to make such examination and inspection of the books and records of a club, caterer, drinking establishment or temporary permit holder as may be necessary to determine the accuracy of such reports required hereunder.

(c) The secretary of revenue is hereby authorized to administer and collect the tax imposed hereunder and to adopt such rules and regulations as may be necessary for the efficient and effective administration and enforcement of the collection thereof. Whenever any club, caterer, drinking establishment or temporary permit holder liable to pay the tax imposed hereunder refuses or neglects to pay the same, the amount, including any penalty, shall be collected in the manner prescribed for the collection of the retailers' sales tax by K.S.A. 79-3617, and amendments thereto.

(d) The secretary of revenue shall remit daily to the state treasurer all revenue collected under the provisions of this act to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount of each remittance in the state treasury. Subject to the maintenance requirements of the local alcoholic liquor refund fund created under K.S.A. 79-41a09, and amendments thereto, 25% of the remittance shall be credited to the state general fund, 5% shall be credited to the community alcoholism and intoxication programs fund created by K.S.A. 41-1126, and amendments thereto, and the balance shall be credited to the local alcoholic liquor fund created by K.S.A. 79-41a04, and amendments thereto.

(e) Whenever, in the judgment of the secretary of revenue, it is necessary, in order to secure the collection of any tax, penalties or interest due, or to become due, under the provisions of this act, the secretary may require any person subject to such tax to file a bond with the director of taxation under conditions established by and in such form and amount as prescribed by rules and regulations adopted by the secretary.

(f) The amount of tax imposed by this act shall be assessed within three years after the return is filed, and no proceedings in court for the collection of such taxes shall be begun after the expiration of such period except in the cases of fraud. In the case of a false or fraudulent return with intent to evade tax, the tax may be assessed or a proceeding in court for collection of such tax may be begun at any time, within two years from the discovery of such fraud. No refund or credit shall be allowed by the director after three years from the date of payment of the tax as provided in this act unless before the expiration of such period a claim therefor is filed by the taxpayer, and no suit or action to recover on any claim for refund shall be commenced until after the expiration of six months from the date of filing a claim therefor with the director. Before the expiration of time prescribed in this section for the assessment of additional tax or the filing of a claim for refund, the director is hereby authorized to enter into an agreement in writing with the taxpayer consenting to the extension of the periods of limitations for the assessment of tax or for the filing of a claim for refund, at any time prior to the expiration of the periods of limitations. The period so agreed upon may be extended by subsequent agreements in writing made before the expiration of the period previously agreed upon.

Sec. 15. K.S.A. 2000 Supp. 79-3620, 79-3620, as amended by section 16 of 2001 Substitute for House Bill No. 2005, 79-3710 and 79-3710, as amended by section 18 of 2001 Substitute for House Bill No. 2005 are hereby repealed.

Sec. 16. On July 1, 2001, K.S.A. 17-7515, as amended by section 66 of 2001 Senate Bill No. 15, 65-770, as amended by section 225 of 2001 Senate Bill No. 15, 72-6505, as amended by section 292 of 2001 Senate Bill No. 15, 75-4221, as amended by section 1 of 2001 House Bill No. 2169, 79-32,105, as amended by section 4 of 2001, Senate Bill No. 44, 79-32,105, as amended by section 448 of 2001 Senate Bill No. 15, 79-41a03, as amended by section 1 of 2001 Senate Bill No. 42 and 79-41a03, as amended by section 463 of 2001 Senate Bill No. 15 and K.S.A. 2000 Supp. 2-1011, as amended by section 9 of 2001 Senate Bill No. 15, 8-1,112, as amended by section 30 of 2001 Senate Bill No. 15, 9-1111b, as amended by section 41 of 2001 Senate Bill No. 15, 9-1111b, as amended by section 8 of 2001 House Bill No. 2482, 9-1804, as amended by section 14 of 2001 House Bill No. 2482, 9-1804, as amended by section 45 of 2001 Senate Bill No. 15, 65-708a, as amended by section 223 of 2001

(continued)

Senate Bill No. 15, 65-750, as amended by section 224 of 2001 Senate Bill No. 15, 65-3424b, as amended by section 245 of 2001 Senate Bill No. 15, 65-3424b, as amended by section 3 of 2001 House Bill No. 2131, 65-3424d, as amended by section 246 of 2001 Senate Bill No. 15, 65-3424d, as amended by section 4 of 2001 House Bill No. 2131, 65-3424k, as amended by section 6 of 2001 House Bill No. 2131, 65-3424k, as amended by section 247 of 2001 Senate Bill No. 15, 66-1,139, as amended by section 272 of 2001 Senate Bill No. 15, 66-1,139a, as amended by section 273 of 2001 Senate Bill No. 15, 66-1,139a, as amended by section 15 of

2001 House Bill No. 2291, 66-1a0l, as amended by section 275 of 2001 Senate Bill No. 15, 79-3425, as amended by section 454 of 2001 Senate Bill No. 15, 79-3425, as amended by section 1 of 2001 House Bill No. 2011, 79-3620, as amended by section 10 of this act, 79-3620, as amended by section 460 of 2001 Senate Bill No. 15, 79-3710, as amended by section 12 of this act and 79-3710, as amended by section 461 of 2001 Senate Bill No. 15 are hereby repealed.

Sec. 17. 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
1-5-8	Amended	V. 20, p. 730
1-5-9	Amended (T)	V. 20, p. 176
1-5-9	Amended	V. 20, p. 730
1-5-19b	Amended (T)	V. 20, p. 176
1-5-19b	Amended	V. 20, p. 730
1-5-19c	Amended (T)	V. 20, p. 176
1-5-19c	Amended	V. 20, p. 730
1-5-20	Amended (T)	V. 20, p. 176
1-5-20	Amended	V. 20, p. 731
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
5-23-4	Amended	V. 19, p. 1512
5-23-4a	Amended	V. 19, p. 1513
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
28-15-35	Amended	V. 20, p. 725
20-15-36	Amended	V. 20, p. 728
28-15-36a	Amended	V. 20, p. 728
28-15-37	Amended	V. 20, p. 729
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
28-19-79	Revoked	V. 20, p. 492
28-19-202	Amended	V. 20, p. 322
28-19-717	New	V. 19, p. 1932
28-19-719	New	V. 20, p. 492
28-19-729	New	V. 19, p. 565
28-19-729a		
through		
28-19-729h	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
28-34-50	Amended	V. 20, p. 453
28-34-51	Amended	V. 20, p. 454
28-34-52	Revoked	V. 20, p. 455
28-34-52a	New	V. 20, p. 455
28-34-52b	New	V. 20, p. 455
28-34-53	Amended	V. 20, p. 456
28-34-54	Amended	V. 20, p. 456
28-34-55	Revoked	V. 20, p. 457
28-34-55a	New	V. 20, p. 457
28-34-56	Revoked	V. 20, p. 457
28-34-56a	New	V. 20, p. 457
28-34-57	Amended	V. 20, p. 457
28-34-58	Revoked	V. 20, p. 458
28-34-58a	New	V. 20, p. 458
28-34-59	Revoked	V. 20, p. 459
28-34-59a	New	V. 20, p. 459
28-34-60	Revoked	V. 20, p. 459
28-34-60a	New	V. 20, p. 459
28-34-61	Revoked	V. 20, p. 460
28-34-61a	New	V. 20, p. 460
28-34-62a	Amended	V. 20, p. 460
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
30-4-64	Amended	V. 20, p. 490
30-5-59	Amended	V. 19, p. 1548
30-5-64	Amended	V. 19, p. 1549
30-5-81	Amended	V. 19, p. 1587
30-5-108	Amended	V. 20, p. 491
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
40-1-30	Revoked	V. 20, p. 723
40-1-42	Amended	V. 20, p. 723
40-1-43	Amended	V. 20, p. 723
40-1-46	New	V. 20, p. 573
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
40-12-1	Revoked	V. 20, p. 723

AGENCY 49: DEPARTMENT OF HUMAN RESOURCES

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

AGENCY 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
60-4-101	Amended	V. 20, p. 449
60-6-101	Amended	V. 19, p. 344
60-7-102	Amended	V. 20, p. 449
60-7-108	Amended	V. 20, p. 449
60-8-101	Amended	V. 20, p. 449
60-9-105	Amended	V. 20, p. 449
60-9-106	Amended	V. 20, p. 450
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
60-11-119	Amended	V. 20, p. 451
60-13-101	Amended	V. 20, p. 451
60-16-104	Amended	V. 20, p. 451
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
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

(continued)

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. 503

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		
through		
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		
through		
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		
through		
91-1-35	Revoked	V. 19, p. 1435
91-1-37	Revoked	V. 19, p. 1435
91-1-39		
through		
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		
through		
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		
through		
91-1-83	Revoked	V. 19, p. 1436, 1437
91-1-84a	Revoked	V. 19, p. 1437

91-1-85		
through		
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		
through		
91-1-106m	Revoked	V. 19, p. 1437, 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		
through		
91-1-119g	Revoked	V. 19, p. 1438, 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		
through		
91-1-211	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		
through		
91-12-33	Revoked	V. 19, p. 680
91-12-35		
through		
91-12-42	Revoked	V. 19, p. 680, 681

91-12-44		
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91-12-69	Revoked	V. 19, p. 681
91-12-71		
through		
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		
through		
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
91-37-2	Amended	V. 20, p. 724
91-37-3	Amended	V. 20, p. 724
91-37-4	Amended	V. 20, p. 724

91-40-1		
through		
91-40-5	New	V. 19, p. 685-691
91-40-2	Amended	V. 20, p. 541

91-40-7		
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91-40-12	New	V. 19, p. 692-695
91-40-7	Amended	V. 20, p. 541
91-40-9	Amended	V. 20, p. 542
91-40-10	Amended	V. 20, p. 542
91-40-16		
through		
91-40-19	New	V. 19, p. 695-697
91-40-17	Amended	V. 20, p. 543
91-40-18	Amended	V. 20, p. 544
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
91-40-27	Amended	V. 20, p. 544
91-40-33		
through		
91-40-39	New	V. 19, p. 700-702

91-40-33	Amended	V. 20, p. 544
91-40-36	Amended	V. 20, p. 545
91-40-37	Amended	V. 20, p. 545
91-40-38	Amended	V. 20, p. 545
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
91-40-52	Amended	V. 20, p. 545
91-40-53	Amended	V. 20, p. 546
91-41-1 through 91-41-4	New (T)	V. 20, p. 137
91-41-1 through 91-41-4	New	V. 20, p. 546, 547

AGENCY 93: DEPARTMENT OF REVENUE—DIVISION OF PROPERTY VALUATION

Reg. No.	Action	Register
93-1-1 through 93-1-4	Revoked	V. 20, p. 452
93-4-6	Amended	V. 20, p. 452
93-6-1 through 93-6-4	Amended	V. 20, p. 452, 453

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
102-1-19	New	V. 20, p. 572
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
102-2-15	New	V. 20, p. 572
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
102-3-16	New	V. 20, p. 572
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
102-4-16	New	V. 20, p. 572
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
102-5-15	New	V. 20, p. 572

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
111-2-125	New	V. 20, p. 573
111-2-126	New	V. 20, p. 573
111-2-127	New	V. 20, p. 574
111-3-12	Amended	V. 20, p. 40
111-3-35	Amended	V. 20, p. 574
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
111-4-1818	Amended	V. 20, p. 575
111-4-1824	New	V. 20, p. 575
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
111-7-158 through 111-7-162	New	V. 20, p. 577

AGENCY 112: KANSAS RACING AND GAMING COMMISSION

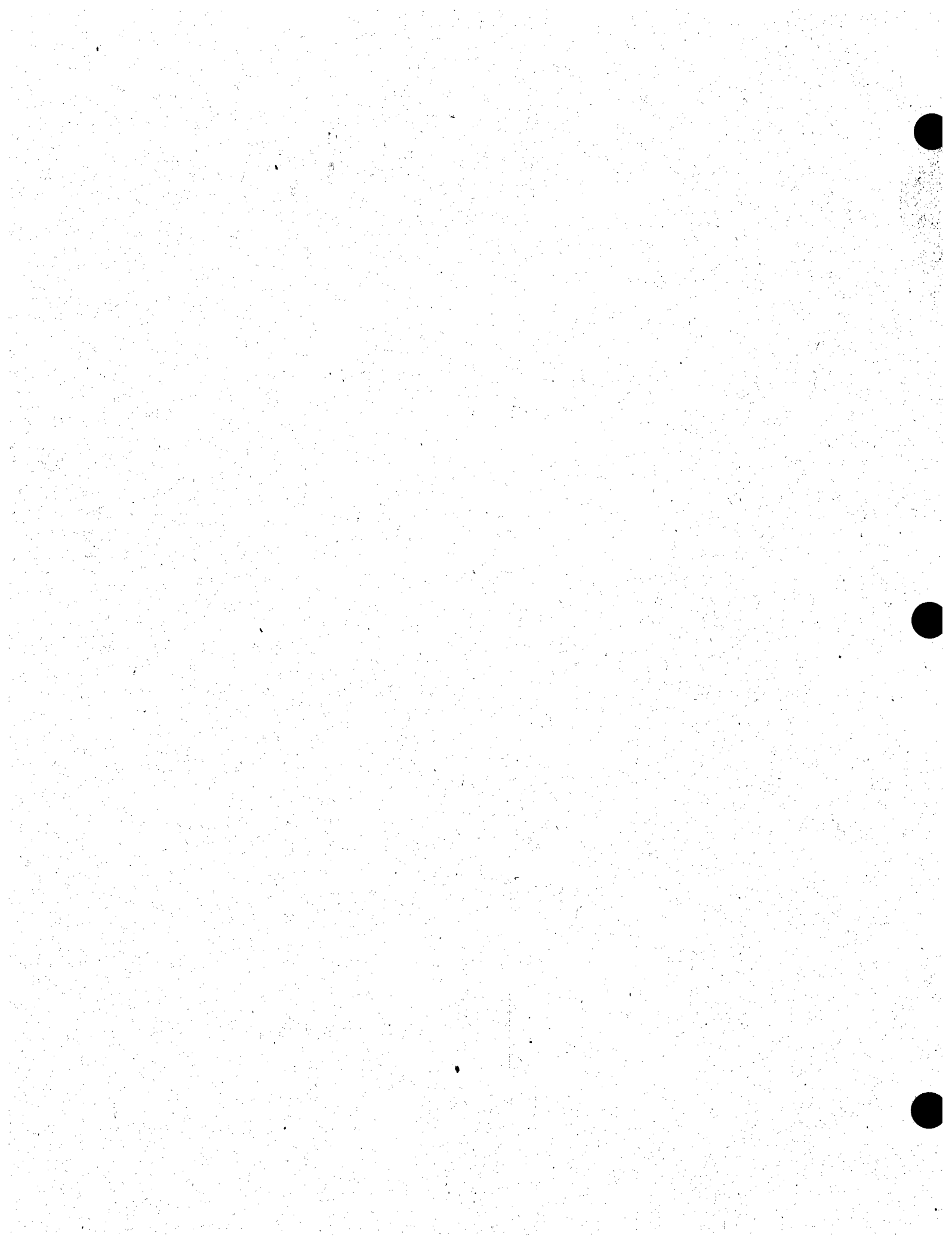
Reg. No.	Action	Register
112-4-1	Amended	V. 19, p. 1307
112-7-19	Amended	V. 20, p. 547
112-7-21	Amended	V. 19, p. 118
112-10-38	Amended	V. 19, p. 119
112-18-21	Amended	V. 19, p. 1308
112-18-22	Amended	V. 19, p. 119

AGENCY 115: DEPARTMENT OF WILDLIFE AND PARKS

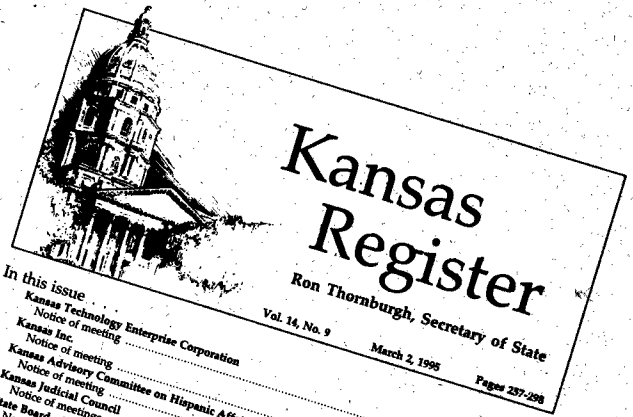
Reg. No.	Action	Register
115-2-2	Amended	V. 19, p. 1875
115-2-3	Amended	V. 19, p. 1875
115-4-1	Amended	V. 20, p. 180
115-4-3	Amended	V. 19, p. 1138
115-4-5	Amended	V. 19, p. 1139
115-4-6	Amended	V. 19, p. 1140
115-4-7	Amended	V. 19, p. 1142
115-7-1	Amended	V. 19, p. 1876
115-18-10	Amended	V. 19, p. 1474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