

# Kansas Register

Ron Thornburgh, Secretary of State

Vol. 17, No. 51    December 17, 1998    Pages 1863-1908

In this issue . . .	Page
<b>Department of Administration—Division of Architectural Services</b>	
Notice to consulting architects and engineers .....	1864
<b>Office of Judicial Administration</b>	
Notice of dispute resolution mini-grant .....	1864
<b>Kansas Development Finance Authority</b>	
Notice of hearing .....	1865
<b>Real Estate Appraisal Board</b>	
Notice of hearing on proposed administrative regulations .....	1865
<b>Department of Administration—Division of Purchases</b>	
Notice to bidders for state purchases .....	1866
<b>Attorney General</b>	
Opinions No. 98-54 through 98-57 .....	1866
<b>Department of Revenue—Division of Vehicles</b>	
Notice of additional line-make for existing new motor vehicle dealer.....	1867
<b>Department of Transportation</b>	
Request for comments on the Statewide Transportation Improvement Program .....	1867
<b>Department of Health and Environment</b>	
Notice concerning Kansas water pollution control permits .....	1870
Request for comments on proposed air quality permit.....	1871
<b>Kansas Court of Appeals</b>	
No oral argument docket.....	1872
<b>Department of Revenue</b>	
Notice of available publications .....	1873
<b>Secretary of State</b>	
Notice of corporations forfeited .....	1878
<b>Pooled Money Investment Board</b>	
Notice of investment rates.....	1879
<b>Notice of Bond Sale</b>	
U.S.D. 312, Reno County .....	1879
City of Andover .....	1880
<b>Kansas Public Employees Retirement System</b>	
Notice of hearing on proposed administrative regulations .....	1881
<b>Legislative Administrative Services</b>	
Notice concerning interim committee meetings .....	1885
<b>Notice of Bond Redemption</b>	
Crawford County.....	1885
Rice County .....	1886
<b>City of Wichita—Human Services Department</b>	
Request for proposals for academic enrichment training.....	1886
<b>State Banking Board</b>	
Notice of meeting.....	1887
<b>Permanent Administrative Regulations</b>	
State Corporation Commission .....	1887
<b>Index to administrative regulations.....</b>	<b>1901</b>

## State of Kansas

**Department of Administration  
Division of Architectural Services**

**Notice to Consulting Architects and Engineers**

The Kansas Department of Administration is inviting all consulting firms who are interested in providing architectural and engineering services for capital improvement projects to prequalify themselves with the Division of Architectural Services, a division of the Department of Administration. Architectural work shall include landscape architecture. In order to prequalify, the firm must have an architect or engineer registered with the State Board of Technical Professions in any discipline in which the firm is seeking work; i.e., a structural engineer must seal the structural drawings with his or her Kansas engineering seal.

In addition to the above, statutes require that firms annually submit a statement of qualifications and performance data. In this regard, a completed Federal SF 254 form must be submitted to Gary Grimes, Deputy Director, Planning and Project Management, Division of Architectural Service, 1020 S. Kansas Ave., Topeka, 66612-1311, by 5 p.m. February 5. For further information, contact Gary Grimes at (785) 296-8899, ext. 204, fax (785) 296-8898.

Thaine Hoffman, AIA  
Director, Division of  
Architectural Services

Doc. No. 023238

## State of Kansas

**Office of Judicial Administration**

**Notice of Dispute Resolution Mini-Grant**

The Dispute Resolution Fund (DRF) was created to fund grants to carry out the dispute resolution act and to promote, encourage and facilitate dispute resolution services that are appropriate, affordable and accessible to all Kansas citizens. The mini-grant component of the DRF was created to allow Supreme Court-approved individual mediators or representatives of mediation programs to request funds to attend training sessions, contract with trainers or continuing mediation education presenters, allow approved mediators and programs to publish alternative dispute resolution materials, and help with one-time expenses.

For fiscal year July 1, 1998 through June 30, 1999, the judicial administrator and dispute resolution coordinator will award grants totaling not more than \$16,000. Grant proposals are due the 15th of the first month each quarter, unless otherwise indicated. The remaining due dates for fiscal year 1999 are January 15, 1999 and April 15, 1999.

A grant application packet is available by contacting the Office of Judicial Administration, Dispute Resolution Fund, Mini-Grant, 301 S.W. 10th Ave., Room 2-N, Topeka, 66612-1507, (785) 291-3748.

Jason P. Oldham  
Dispute Resolution Coordinator

Doc. No. 023242

The Kansas Register (ISSN No. 0662-190) is an official publication of the State of Kansas, published by authority of K.S.A. 75-430. The Kansas Register is published weekly by the Kansas Secretary of State, State Capitol, Topeka, KS 66612-1594. One-year subscriptions are \$70 (Kansas residents must include \$4.31 state and local sales tax). Single copies may be purchased, if available, for \$2 each. Periodicals postage paid at Topeka, KS.

*Postmaster:* Send change of address form to Kansas Register, Secretary of State, State Capitol, 300 S.W. 10th Ave., Topeka, KS 66612-1594.

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## State of Kansas

## Kansas Development Finance Authority

## Notice of Hearing

A public hearing will be conducted at 9 a.m. Thursday, December 31, in the conference room 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 (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. 000400, Maximum Principal Amount: \$190,000.00.** Owner/Operator: Randall Colip and Rhonda Colip. Description: Acquisition of 540 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 South Half of Section 24, Township 4 South, Range 24 West of the Sixth P.M., EXCEPT a tract beginning at the southeast corner of Section 24, thence West along the South line of said Section 315.0 feet to the point of beginning, thence North 668.0 feet, thence West 1058.0 feet to the intersection of a north-south fence, thence south along the north-south fence 668.0 feet to the south line of said Section, thence east along the south line of said Section 1058.0 feet to the point of beginning, containing 16.2 acres, more or less; the South Half of the Northeast Quarter and the Northwest Quarter of the Northeast Quarter in Section 24, Township 4 South, Range 24 West of the Sixth P.M.; and the West Half of the Southwest Quarter and the Southwest Quarter of the Northwest Quarter of Section 19, Township 4 South, Range 23 West of the 6th P.M., in Norton County, Kansas; approximately 10 miles south and 4 miles west from Norton.

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 for or against the proposal to issue the bond for the purpose of financing the respective project, and all written comments previously filed with the Authority at its offices at Suite 1000, Jayhawk Tower, 700 S.W. Jackson, Topeka, 66603, will be considered. Additional information regarding the project may be obtained by contacting the Authority.

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

Kenneth Frahm  
President

Doc. No. 023247

## State of Kansas

## Real Estate Appraisal Board

Notice of Hearing on Proposed  
Administrative Regulations

A public hearing will be conducted at 10 a.m. Friday, February 26, in the second floor conference room of the Columbian Title Building, 820 S. Quincy, Topeka, to consider the adoption of amendments to K.A.R. 117-6-1 on a permanent basis.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed regulation. All interested parties may submit written comments prior to the hearing to the Kansas Real Estate Appraisal Board, Columbian Title Building, 820 S. Quincy, Suite 314, Topeka, 66612. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulation during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request each participant to limit any oral presentation to five minutes.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulation and economic impact statement in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Michael Haynes, at (785) 296-0706.

Copies of the regulation and the economic impact statement may be obtained from the Kansas Real Estate Appraisal Board. A summary of the proposed amendments to the regulation and the economic impact follows.

**117-6-1. Continuing education; renewal requirements.** This regulation is being amended to require that all licensed and certified appraisers take and pass a board-approved 15-classroom-hour Uniform Standards of Professional Appraisal Practice (USPAP) continuing education course every five years. Currently, the board requires licensed and certified appraisers take a seven-hour USPAP course (no exam is required) every three years. All Kansas licensed and certified appraisers must comply with the current edition of USPAP. Since appraisers are currently required to have continuing education in order to renew their license or certificate each year, there should be no economic impact to the appraiser, state agencies or the public.

Michael K. Haynes  
Director

Doc. No. 023252

## 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, until 2 p.m. on the date indicated and then will be publicly opened. Interested bidders may call (785) 296-2377 for additional information:

Monday, December 28, 1998

33444

Statewide—Automotive filters (oil, fuel and air)

33443

Statewide—Asbestos abatement supplies and respirator filters

8521

Department of Wildlife and Parks—Furnish all labor and materials for manhole rehabilitation, Lawrence

Tuesday, December 29, 1998

33442

Statewide—Plastic bags for infectious waste

Wednesday, December 30, 1998

8535

Department on Aging—Unix server

8536

Kansas State University—Q fan and frequency drives

Thursday, January 7, 1999

A-8699

Kansas State University—Fire equipment building, Konza Prairie Research Center

Tuesday, January 12, 1999

A-8518

University of Kansas Medical Center—Elevator upgrade and modernization, various buildings

A-8709

Lansing Correctional Facility—Replacement of locking system, Cellhouse C

A-8725

Beloit Juvenile Correctional Facility—Security screen, casework and miscellaneous improvements, Grandview Living Unit

Tuesday, January 19, 1999

A-8275(C)

Kansas State University—Chiller plant improvements, central plant

Wednesday, January 20, 1999

A-8109

Pittsburg State University—Renovation, Russ Hall

\*\*\*\*\*

## Request for Proposals

Monday, January 11, 1999

33446

Collection services for the Kansas Lottery

Wednesday, January 13, 1999

33447

Polygraph services for the Department of Social and Rehabilitation Services

Thursday, January 14, 1999

33428

University Services Outsourcing Project for Kansas State University

John T. Houlihan  
Director of Purchases

Doc. No. 023251

## State of Kansas

## Attorney General

## Opinion No. 98-54

**Roads and Bridges; Miscellaneous—Express Highways and Freeways—Secretary of Transportation to Have Management of State Highway Fund and Investment of Such Fund; Highway Bond Proceeds Fund, Created; Investment of Proceeds; Highway Bond Debt Service Fund, Created; Investment of Proceeds.**

**State Departments; Public Officers and Employees—State Moneys—Pooled Money Investment Portfolio; Administrative Fee; Exceptions. Clyde D. Graeber, State Treasurer, Topeka, November 3, 1998.**

The moneys in the State Highway Fund, the Highway Bond Proceeds Fund and the Highway Bond Debt Service Fund are not part of the Pooled Money Investment Portfolio and are not subject to the Pooled Money Investment Board's (PMIB) administrative fee. The secretary of the Department of Transportation has statutory and fiduciary responsibility for investment of all three funds and the director of investments of the PMIB is responsible for executing the secretary's investment directives. Cited herein: K.S.A. 68-2311; K.S.A. 1997 Supp. 68-2314; K.S.A. 68-2320; K.S.A. 1997 Supp. 68-2321; 68-2324; K.S.A. 68-2325; 68-2328; 75-4232, as amended by L. 1998, Ch. 161, § 5; 75-4253; L. 1975, Ch. 404, § 5; L. 1996, Ch. 254, § 26. NLU

## Opinion No. 98-55

**Crimes and Punishments; Kansas Criminal Code; Prohibited Conduct—Crimes Affecting Public Trusts—Unlawful Use of Names Derived From Public Records.**

**Laws, Journals and Public Information—Records Open to Public—Lists of Names and Addresses Derived from Public Records; Exception to Disclosure. Senator Alicia L. Salisbury, 20th District, Topeka, November 5, 1998.**

A requester does not violate the statutory prohibition on receiving lists of names from public records when that requester obtains from register of deeds' records names of persons who have sold property pursuant to a contract for deed, and the requester receives such records for the purpose of contacting the persons therein named to offer to purchase their rights to receive payments under the contract for deed, rather than to sell property or services to such persons. Cited herein: K.S.A. 21-3914; 45-220. SP

## Opinion No. 98-56

**Townships and Township Officers—General Provisions—Transfer of Powers and Duties to County; Procedure.** Douglas F. Martin, Clay County Attorney, Clay Center, November 18, 1998.

The elections required by 1998 House Bill No. 2902 may be conducted as special elections or in conjunction with a general election, depending on the timing of the notice of election. The transfer of township assets and property to a board of county commissioners under 1998 House Bill No. 2902 should be accomplished within a reasonable time after approval by the voters. Pursuant to the bill, a board of county commissioners that exercises the powers and duties of a township board is subject to the same levy limitations as the township board, and must follow the procedures set forth in K.S.A. 79-5036 to exempt the taxable property of the township from the levy limits. Bridges on township roads should be constructed and maintained by the county, and the costs of such work should be paid from the bridge fund of the county. When a county takes over the duties of a township under 1998 House Bill No. 2902, the county should pay for road work on township roads from the special fund for the township. Township funds may not be transferred into a county's general fund but must be kept in a special fund that is separate from county funds. Because 1998 House Bill No. 2902 does not address apportionment of costs between a county and any townships a board of county commissioners manages, it is within the board's discretion to determine how to apportion costs. A county that has assumed management of a township is not precluded from adopting a county road unit system if the county follows all statutory requirements for adopting a county road unit system. Cited herein: K.S.A. 10-120; 68-124; 68-515b; 68-526; 68-1104; 79-5021; 79-5036; L. 1998, Ch. 105. DMV

## Opinion No. 98-57

**Public Health—Healing Arts; Administration of Anesthetics by Licensed Dentists—Certification of Licensed Dentists to Administer Anesthetics to Facilitate Medical Procedures; Suspension or Revocation of Certificate; Procedure.** Representative Alfred J. Lane, 25th District, Mission Hills, November 18, 1998.

Dentists providing anesthesia services pursuant to K.S.A. 65-2899 operate independently and in the same manner as an anesthesiologist M.D. or D.O. Additionally, a D.D.S. anesthesiologist has the same supervisory qualifications as an anesthesiologist M.D. or D.O., limited, of course, to the practice of providing anesthesia services. Cited herein: K.S.A. 1997 Supp. 65-1136; 65-1456, as amended by L. 1998, Ch. 141, § 2; K.S.A. 65-2872; 65-2897a; 65-2899; 42 C.F.R. § 430.1; 42 C.F.R. § 482.1; C.F.R. § 482.52; 62 Fed. Reg. 244 (proposed). GE

Carla J. Stovall  
Attorney General

Doc. No. 023220

## State of Kansas

**Department of Revenue  
Division of Vehicles**

**Notice of Additional Line-Make for Existing  
New Motor Vehicle Dealer**

Notice has been received from General Motors Corporation, Oldsmobile Division, that Quality Chevrolet, Kansas dealer license number 6, will be adding Oldsmobile as a new line-make to its dealership located at 675 N. Rawhide Drive, Olathe.

Any new motor vehicle dealer may protest the proposed addition of a new line-make at Quality Chevrolet if that new motor vehicle dealer has a franchise agreement for the same line-make vehicle as that which is to be added by Quality Chevrolet, at the current location, provided that the new motor vehicle dealer is physically located such that its relevant market area, as defined in K.S.A. 1997 Supp. 8-2430 subsection (e), includes the location where Quality Chevrolet is located.

Any petition or complaint must be filed with Betty McBride, Director of the Division of Vehicles, Room 162-S, Docking State Office Building, 915 S.W. Harrison, Topeka, 66626, within 30 days of this published notice.

Karla Pierce  
Acting Secretary of Revenue

Doc. No. 023248

## State of Kansas

**Department of Transportation**

**Request for Comments**

The Kansas Department of Transportation (KDOT) requests comments on the amendment of the Statewide Transportation Improvement Program (STIP) FY 99-01 by adding the following projects:

**Project K-7372-01**, Preliminary engineering for bridge replacements on K-4, Br# 41 (East Holland Creek) and Br# 42 (west branch Turkey Creek), 8.5 km and 11 km east of Saline/Dickinson county line, Dickinson County

**Project K-7373-01**, preliminary engineering for bridge replacement on K-7, Br# 26 (Deer Creek, 7.1 km north of US-73 Jct., Atchison County

**Project K-7374-01**, Preliminary engineering for bridge replacement on K-14, Br# 9 (Battle Creek), 11.5 km north of K-18 Jct., Lincoln County

**Project K-7375-01**, Preliminary engineering for bridge replacement on K-27, Br# 11 (Eagle Trail Creek), 1 km south of US-40 West Jct., Wallace County

**Project K-7376-01**, Preliminary engineering for bridge replacement on K-31, Br# 33 (north fork Little Osage River drainage), 2.1 km east of US-59 Jct., Anderson County

**Project K-7377-01**, Preliminary engineering for bridge replacement on K-34, Br# 28 (Bluff Creek drainage), 10.8 km north of US-160 Jct., Clark County

**Project K-7378-01**, Preliminary engineering for bridge replacement on K-55, Br# 115 (Cowskin Creek), 9.2 km east of US-81 Jct., Sumner County

(continued)

**Project K-7379-01**, Preliminary engineering for bridge replacement on US-56, Br# 6 (Cow Creek), 16.2 km east of Barton/Rice county line, Rice County

**Project K-7380-01**, Preliminary engineering for bridge replacement on K-80, Br# 24 (Huntress Creek), 3.8 km west of K-15 Jct., Clay County

**Project K-7381-01**, Preliminary engineering for bridge replacement on K-92, Br# 29 (Prairie Creek), 8 km north of K-16 Jct., Jefferson County

**Project K-7382-01**, Preliminary engineering for bridge replacement on K-96, Br# 5 (White Woman Creek), 7 km east of Greeley/Wichita county line, Wichita County

**Project K-7383-01**, Preliminary engineering for bridge replacement on K-96, Br# 46 (Walnut Creek drainage), 5 km west of Rush/Ness county line, Ness County

**Project K-7384-01**, Preliminary engineering for bridge replacement on K-96, Br# 24 (Walnut Creek drainage), 7 km east of Ness/Rush county line, Rush County

**Project K-7385-01**, Preliminary engineering for bridge replacement on K-4, Br# 43 (Cow Creek), 17 km east of US-281 East Jct., Barton County

**Project K-7386-01**, Preliminary engineering for bridge rehabilitation on K-4, Br# 20 (Delaware River), 4 km north-east of K-16 West Jct., Jefferson County

**Project K-7387-01**, Preliminary engineering for bridge replacements on K-23, Br# 18 and 27 (Crooked Creek), 25.7 and 60.9 km north of state line, Meade County

**Project K-7388-01**, Preliminary engineering for bridge replacement on K-32, Br# 24 (Stranger Creek), 13.1 km east of KTA, Leavenworth County

**Project K-7389-01**, Preliminary engineering for bridge replacement on US-75, Br# 21 (Neosho River), 13.7 km north of K-57 North Jct., Coffey County

**Project K-7390-01**, Preliminary engineering for bridge replacement on K-99, Br# 34 (Clear Fork Creek), 2.6 km north of Pottawatomie/Marshall county line, Marshall County

**Project K-7391-01**, Preliminary engineering for bridge replacement on K-140, Br# 48 (Alum Creek), 9.5 km east of K-111, Ellsworth County

**Project K-7392-01**, Preliminary engineering for bridge replacements on US-160, Br# 2 and 3 (Kiowa Creek and Cavalry Creek), 1.5 and 2.3 km east of K-162 Spur, Comanche County

**Project K-7393-01**, Preliminary engineering for bridge replacements on K-181, Br# 33 and 35 (north branch Spillman Creek drainage and Clay Creek drainage), 5 and 19.2 km northwest of Lincoln/Mitchell county line, Mitchell County

**Project K-7394-01**, Preliminary engineering for roadway rehabilitation on US-36, 5 km east of Wathena, east to Missouri River Bridge, Doniphan County

**Project K-7395-01**, Preliminary engineering for roadway rehabilitation on US-50, from Jct. K-14 East 10.6 km, Reno County

**Project K-7396-01**, Preliminary engineering for roadway reconstruction on US-54, from Old US-69 east and south to the south Jct. of US-69 (NL/SL), Bourbon County

**Project K-7397-01**, Preliminary engineering for roadway rehabilitation on US-54, from east city limits of Augusta east to east of K-96 Jct. (4L), Butler County

**Project K-7398-01**, Preliminary engineering for roadway rehabilitation on US-81, from north of Jct. I-70/I-135 north to Saline/Ottawa county line, Saline County

**Project K-7399-01**, Preliminary engineering for roadway rehabilitation on US-169, from 2L/4L divide north to Neosho/Allen county line, Neosho County

**Project 7400-01**, Preliminary engineering for roadway rehabilitation on US-400, from 1 km east of RS 1010 east to 9.5 mi east of RS 1010, Butler County

**Project 7401-01**, Preliminary engineering for roadway rehabilitation on US-400, from 9.5 km east of RS-1010 east to 5.1 km east of RS 80, Butler County

**Project 7402-01**, Preliminary engineering for roadway reconstruction on K-4, from east of north Jct. I-135 east and north to Jct. K-104, Saline County

**Project 7403-01**, Preliminary engineering for roadway reconstruction on K-104, from Jct. K-4 north and west to Jct. I-135, Saline County

**Project 7404-01**, Preliminary engineering for roadway reconstruction on K-7, from Cherokee/Crawford county line north to Jct. K-126, Crawford County

**Project 7405-01**, Preliminary engineering for roadway reconstruction on K-7, from Jct. K-126 north to south city limits of Girard, Crawford County

**Project 7406-01**, Preliminary engineering for roadway reconstruction on K-27, from RS 1905 north to south city limits of Goodland, Sherman County

**Project 7407-01**, Preliminary engineering for roadway rehabilitation on US-36, from Jct. K-128 east to west city limits of Mankato, Jewell County

**Project 7408-01**, Preliminary engineering for roadway rehabilitation on US-36, from east city limits of Mankato east to .6 miles east of RS 1446, Jewell County

**Project 7409-01**, Preliminary engineering for roadway reconstruction on US-50, from .5 km east of K-96 east to .2 km west of K-61, Reno County

**Project 7410-01**, Preliminary engineering for roadway rehabilitation on US-54, from 2L/4L east to Spring Lake in Meade, Meade County

**Project 7411-01**, Preliminary engineering for roadway rehabilitation on US-54, from State Street in Meade east to 2L/4L divide, Meade County

**Project K-7412-01**, Preliminary engineering for roadway rehabilitation on US-69, from north Jct. US-54 north to Bourbon/Linn county line, Bourbon County

**Project K-7413-01**, Preliminary engineering for roadway rehabilitation on US-69, from Bourbon/Linn county line north to south of Jct. K-239, Linn County

**Project K-7414-01**, Preliminary engineering for roadway rehabilitation on US-73, from west Jct. US-59 in Atchison west to west Jct. RS 25, Atchison County

**Project K-7415-01**, Preliminary engineering for roadway rehabilitation on US-75, from RS 1133 north to .99 mile north of Old US-50, Coffey County

**Project K-7416-01**, Preliminary engineering for roadway rehabilitation on US-75, from 2.6 km north of Lyndon north to 2L/4L divide, Osage County

**Project K-7417-01**, Preliminary engineering for roadway reconstruction on US-77, from Jct. US-50 north to Jct. US-56/K-150, Marion County

**Project K-7418-01**, Preliminary engineering for roadway reconstruction on K-99, from .2 km north of RS 229 north to Elk/Greenwood county line, Elk County

**Project K-7419-01**, Preliminary engineering for roadway reconstruction on K-99, from Elk/Greenwood county line north 1.3 km, Greenwood County

**Project K-7420-01**, Preliminary engineering for roadway reconstruction on US-160, from south Jct. US-83 east to Seward/Meade county line, Seward County

**Project K-7421-01**, Preliminary engineering for roadway reconstruction on US-160, from Seward/Meade county line east to west Jct. US-54, Meade County

**Project K-7422-01**, Preliminary engineering for roadway rehabilitation, on US-183, from north city limits of Hays north to Ellis/Rooks county line, Ellis County

**Project K-7424-01**, Preliminary engineering for bridge replacement on K-4, Br# 7 (Big Timber Creek), 6.6 km north-east of Ness/Rush county line, Rush County

**Project K-7425-01**, Preliminary engineering for bridge replacement on K-4, Br# 10 (Clark Creek drainage), 4.9 km east of US-77 Jct., Morris County

**Project K-7426-01**, Preliminary engineering for bridge replacement on K-7, Br# 17 (west fork Dry Wood Creek), 14.2 km north of K-57, Crawford County

**Project K-7427-01**, Preliminary engineering for bridge replacements on K-9, Br# 23 (Johnson Creek); 13.58 km east of east Jct. US-77, Br# 26 (Black Vermillion River drainage); 18.62 km east of east Jct. US-77, Br# 27 (Little Timber Creek); 1.19 km east of north Jct. K-99, and Br# 28 (Oikierman Creek), 4.78 km east of north Jct. K-99, Marshall County

**Project K-7428-01**, Preliminary engineering for bridge replacement on K-16, Br# 25 (Spring Creek), 6.8 km east of K-259, Pottawatomie County

**Project K-7429-01**, Preliminary engineering for bridge replacement on K-18, Br# 15 (Antelope Creek), 5.9 km east of K-106, Ottawa County

**Project K-7430-01**, Preliminary engineering for bridge replacement on US-24, Br# 18 (south fork Solomon River drainage), .3 km east of K-18, Graham County

**Project K-7432-01**, Preliminary engineering for bridge replacements on K-25, Br# 2 (Sand Creek), 15.1 km north-west of Kearny County line, and Br# 4 (Ladder Creek), 10.85 km north of K-96, Wichita County

**Project K-7433-01**, Preliminary engineering for bridge replacement on K-39, Br# 15 (Burlington-Northern-Santa Fe Railroad) in Chanute, Neosho County

**Project K-7434-01**, Preliminary engineering for bridge replacement on K-44, Br# 89 (Fall Creek), 2.7 km east of Harper/Sumner county line, Sumner County

**Project K-7435-01**, Preliminary engineering for bridge replacement on US-54, Br# 1 (Tennyson Creek), 5.1 km east of Allen/Bourbon county line, Bourbon County

**Project K-7437-01**, Preliminary engineering for bridge replacement on US-59, Br# 2 (south fork Pottawatomie Creek drainage), 1.51 km north of south Jct. US-169, Anderson County

**Project K-7438-01**, Preliminary engineering for bridge replacement on K-63, Br# 28 (Little Noxie Creek), 19.3 km north of US-24, Pottawatomie County

**Project K-7439-01**, Preliminary engineering for bridge replacement on K-68, Br# 44 (South Wea Creek), 1.1 km west of US-69, Miami County

**Project K-7440-01**, Preliminary engineering for bridge replacement on I-70, Br# 26 (local road), 5.5 km east of K-43, Dickinson County

**Project K-7441-01**, Preliminary engineering for bridge replacement on US-77, Br# 15 (Fancy Creek), 4.7 km north of K-16, in Riley County

**Project K-7442-01**, Preliminary engineering for bridge replacements on K-96, Br# 32 (north fork Walnut Creek), 1.2 km west of US-283, and Br# 33 (north fork Walnut Creek drainage), .5 km west of US-283, Ness County

**Project K-7443-01**, Preliminary engineering for bridge replacement on K-99, Br# 56 (Elm Creek), 6.6 km north of US-56, Lyon County

**Project K-7444-01**, Preliminary engineering for bridge replacements on K-126, Br# 30 (Lightning Creek drainage), 12 km west of K-7, and Br# 34 (Lime Creek), 4 km west of K-7, Crawford County

**Project K-7445-01**, Preliminary engineering for bridge replacement on K-130, Br# 57 (Neosho River), 12.2 km south of I-35, Lyon County

**Project K-7446-01**, Preliminary engineering for bridge replacement on K-139, Br# 27 (south fork Mill Creek), .9 km south of US-36, Republic County

**Project K-7447-01**, Preliminary engineering for bridge replacement on US-160, Br# 9 (Mule Creek), 3.7 km west of Barber/Comanche county line, Comanche County

**Project K-7448-01**, Preliminary engineering for bridge replacements on US-160, Br# 4 (Bitter Creek), 21.9 km east of Comanche/Barber county line, and Br# 6 (Cedar Creek), 29.7 km east of Comanche/Barber county line, Barber County

**Project K-7450-01**, Preliminary engineering for bridge replacement on US-400, Br# 15 (Arkansas River drainage), 1.4 km east of Gardner, Ford County

**Project C-2290-01**, Surfacing, 10 miles south of Lakin, west, Kearny County

**Project C-3050-01**, Surfacing, 6.7 miles east of Leoti, north, Wichita County

The amendment requires a 30-day public comment period. To receive more information on any of these projects or to make comments on the STIP amendment, contact the Kansas Department of Transportation, Office of Engineering Support, 7th Floor, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612-1568, (785) 296-0723.

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

The comment period regarding the STIP amendment will conclude January 18.

E. Dean Carlson  
Secretary of Transportation

Doc. No. 023241

State of Kansas

Department of Health and Environment

Notice Concerning Kansas Water Pollution Control Permits

In accordance with state regulations 28-16-57 through 63, 28-18-1 through 4, 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 for discharges to the waters of the United States and the State of Kansas for the class of dischargers 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.

Public Notice No. KS-98-163/168

<b>Name and Address of Application</b>	<b>Waterway</b>	<b>Type of Discharge</b>
City of Bennington P.O. Box 415 Bennington, KS 67422-0415	Solomon River via Sand Creek	Treated domestic wastewater
Kansas Permit No. M-SO06-0001		Federal Permit No. KS0031038
Legal: SE¼, S1, T12S, R3W, Ottawa County		

Facility Description: The proposed action is to reissue an existing permit for the operation of an existing wastewater treatment facility treating primarily domestic wastewater. The proposed permit includes limits for biochemical oxygen demand, total suspended solids, fecal coliform, ammonia total residual chlorine and pH. In addition, monitoring requirements for weekday flow are included. A schedule of compliance to upgrade the facility is included as it is not expected the facility cannot meet ammonia and fecal coliform limits. The permit requirements are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria, and are water quality based.

<b>Name and Address of Application</b>	<b>Waterway</b>	<b>Type of Discharge</b>
City of Downs 715 Railroad St. Downs, KS 67437	Waconda Lake via north fork Solomon River	Treated domestic wastewater
Kansas Permit No. M-SO12-0001		Federal Permit No. KS0027537
Legal: SW¼, S27, T6S, R11W, Osborne County		

Facility Description: The proposed action is to reissue an existing permit for the operation of an existing wastewater treatment facility treating primarily domestic wastewater. The proposed permit includes limits for biochemical oxygen demand, total suspended solids, fecal coliform, ammonia, total residual chlorine and pH. In addition, monitoring requirements for weekday flow are included. A schedule of compliance to add disinfection facilities is included as it is not expected the facility cannot meet contact recreation fecal coliform limits without disinfection. The permittee has opted for the 1987 ammonia standards and the mandatory schedule of compliance to meet the 1994 water quality criteria ammonia limits. The permit requirements are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria, and are water quality based.

<b>Name and Address of Application</b>	<b>Waterway</b>	<b>Type of Discharge</b>
HPT Investments 2775 Hwy. 75 Lebo, KS 66856	Marais des Cygnes River via Long Creek via Joe Creek	Treated domestic wastewater
Kansas Permit No. C-MC57-0003		Federal Permit No. KS0086274
Legal: NW¼, S2, T19S, R15E, Coffey County		

Facility Description: The proposed action is to reissue an existing permit for the operation of an existing wastewater treatment facility treating primarily domestic wastewater. The proposed permit includes the permittee to add a third cell to the existing facility. The permit includes limits for biochemical oxygen demand, total suspended solids and pH. In addition, monitoring requirements for ammonia and fecal coliform are included. The permit requirements are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria, and are water quality based.

<b>Name and Address of Application</b>	<b>Waterway</b>	<b>Type of Discharge</b>
N.R. Hamm Quarry, Inc. P.O. Box 17 Perry, KS 66073	Kansas River via Clarks Creek	Quarry dewatering stormwater
Facility name: Latimer #12		
Kansas Permit No. I-KS30-PO01		Federal Permit No. KS0080969
Legal: SW¼, S27, T15S, R5E, Morris County		

Facility Description: The proposed action is to reissue a permit for the discharge of wastewater from an existing quarry operation. This is a limestone quarrying and crushing operation with no washing. The permit requirements are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria.

<b>Name and Address of Application</b>	<b>Waterway</b>	<b>Type of Discharge</b>
Con Agra, Inc. P.O. Box G Greeley, CO 80632	Arkansas River	Treated process wastewater
Facility name: Monfort, Inc.		
Kansas Permit No. I-UA14-PO03		Federal Permit No. KS0092347
Legal: SW¼, S23 & NW¼, S26 T24S, R32W, Finney County		

Facility Description: The proposed action is to issue a modified permit for the operation of a beef complex slaughterhouse with associated by-product processing. The current process rate is about 4,000 head per day and the design capacity is 5,175 head per day. Wastewater is treated by a pretreatment system, two anaerobic lagoons, two sequential batch reactors, two aerobic digesters, two ultra-violet channels for disinfection and a belt filter press for sludge dewatering. The proposed permit has water quality based limits for biochemical oxygen demand, total suspended solids, oil and grease, fecal coliform, ammonia and pH. The permittee is required to monitor for chlorides, nitrogen compounds, sulfates and dissolved oxygen. Additionally, the permittee is required to conduct chronic whole effluent toxicity and heavy metals testing annually. This permit contains a schedule of compliance to meet the final limitations on ammonia and chlorides, and it requires the facility to obtain the services of a Class IV KDHE-certified operator. The permit requirements are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria, and are water quality based.

<b>Name and Address of Application</b>	<b>Waterway</b>	<b>Type of Discharge</b>
Puritan Bennett Corporation 9101 Bond Overland Park, KS 66214	Neosho River via Spring River	Treated processed wastewater
Kansas Permit No. K-NE28-PO02		Federal Permit No. KS0117846
Legal: NW¼, S4, T34S, R25E, Cherokee County		

Facility Description: The proposed action is to reissue an existing permit for the operation of an existing wastewater treatment facility treating primarily treated processed wastewater. This facility manufactures nitrous oxide by decomposition of ammonium nitrate solution. Process wastewater is commingled, with contact cooling water, boiler and cooling tower blowdown, then neutralized before discharging into Spring River via a pipe line. This permit includes limits for ammonia, nitrates, total cyanide and pH. In addition, monitoring requirements for weekday flow, biochemical oxygen demand, chemical oxygen demand and total suspended solids are included. Average total discharge from this facility is about 21,000 gallons per day. The permit requirements are pursuant to 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-98-027**

Name and Address of Applicant	Legal Location	Type of Discharge
Lamont Hill Resort, Inc. 22975 K368 Hiway Vassar, KS 66543-9162	NW¼, S24, T16S, R16E, Osage County	Nonoverflowing

Kansas Permit No. C-MC58-NO04

Facility Location: Vassar, Kansas

Facility Description: The proposed action is to issue a new permit for operation of a new two-cell wastewater treatment lagoon system treating process wastewater. This facility is designed for a manufactured home and recreational vehicle park. Design average daily wastewater flow generated at this facility is about 2,496 gallons.

**Public Notice No. KS-PT-98-018**

Name and Address of Applicant	Receiving Facility	Type of Discharge
Kaydon Corporation 19345 US 19 North Suite 500 Clearwater, FL 33764	Great Bend WWTP	Processed wastewater

Kansas Permit No. P-UA16-OO02

Facility Address: Route 1, Box 106, Great Bend, KS 67530

Facility Description: The proposed action is to reissue a pretreatment permit for an existing facility. This facility manufactures custom hydraulic cylinders. Steel parts are phosphated using a conversion coating process. This facility plans to recycle all process wastes to eliminate discharging to the city sewer. Wastes will be treated with an on-site evaporator. The permit limits are pursuant to state and federal pretreatment requirements.

Written comments on the draft permits must be submitted to the attention of Dorothy Geisler for agricultural permits or to the permit clerk for all other permits, 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 post-marked or received on or before January 16 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate public notice number (KS-98-163/168, KS-ND-98-027, KS-PT-98-018) and the name of applicant as listed when preparing comments.

If no objections are received during the public notice period, the Secretary of Health and Environment will issue the final determination. If response to this notice indicates significant public interest, a public hearing may be held in conformance with state regulation 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.

The applications, proposed permits, 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 Kansas Department of Health and Environment offices, Building 283, Forbes Field, Topeka, from 8 a.m. to 5 p.m. Monday through Friday. These documents are available upon re-

quest at the copying cost assessed by KDHE. Additional copies of this public notice also may be obtained at the Division of Environment.

Gary R. Mitchell  
Secretary of Health  
and Environment

Doc. No. 023249

**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. Anadarko Gathering Company has applied for an air quality construction permit in accordance with the provisions of K.A.R. 28-19-300 to install a natural gas compressor engine and a TEG dehydration unit. Emissions of oxides of nitrogen, carbon monoxide and volatile organic compounds were evaluated during the permit review process.

Anadarko Gathering Company, Houston, Texas, owns and operates the stationary source located at the South ½ of S34-T33S-R39W, Stevens County, Kansas, at which the engine and the dehydration unit are to be installed.

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 during normal business hours at the KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, and at the KDHE southwest district office, 302 W. McArtor Road, Dodge City. To obtain or review the proposed permit and supporting documentation, contact Daizy Dandass, (785) 296-6427, at the KDHE central office, or Wayne Neese, (316) 225-0596, at the KDHE southwest district office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Daizy Dandass, 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 January 18.

A person may request a public hearing be conducted on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Connie Carreno, Bureau of Air and Radiation, not later than the close of business January 18 in order for the Secretary of Health and Environment to consider the request.

Gary R. Mitchell  
Secretary of Health  
and Environment

Doc. No. 023243

State of Kansas

**Office of Judicial Administration  
Court of Appeals**

No Oral Argument Docket

(The following cases have recently been submitted to a panel of  
judges and an opinion on each will be forthcoming.)

Before Brazil, C.J.; Pierron and Marquardt, JJ.

Wednesday, December 2, 1998

Case No.	Case Name	Attorneys	County
78,855	State of Kansas, Appellee, v. Nathaniel Sherraden, Appellant.	Attorney General Russ Roe, Asst. C.A. Jessica R. Kunen, Chief A.D. Stephen B. Chapman, Asst. A.D.	Geary
79,393	State of Kansas, Appellee, v. James L. Adamson, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Jessica R. Kunen, Chief A.D.	Sedgwick
79,987	State of Kansas, Appellee, v. Rufus Demery, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Jessica R. Kunen, Chief A.D.	Sedgwick
80,281 80,282	State of Kansas, Appellee, v. Harvey L. Baker, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Jessica R. Kunen, Chief A.D.	Sedgwick
79,121	State of Kansas, Appellee, v. Michael Ippert, Appellant.	Attorney General Sarah S. Henson, Asst. C.A. Jessica R. Kunen, Chief A.D.	Pottawatomie
79,780	State of Kansas, Appellee, v. Terry J. Conyac, Appellant.	Attorney General Thomas R. Stanton, Asst. C.A. Jessica R. Kunen, Chief A.D.	Saline
79,858	State of Kansas, Appellee, v. Ricky L. Kirkwood, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Jessica R. Kunen, Chief A.D.	Sedgwick
80,135	State of Kansas, Appellee, v. Michael M. McCauley, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Kiehl Rathbun	Sedgwick
80,202 80,203 80,204	State of Kansas, Appellee, v. Karmin Sue Williamson, Appellant.	Attorney General Thomas R. Stanton, Asst. C.A. Jessica R. Kunen, Chief A.D.	Saline
80,307	State of Kansas, Appellant, v. Kenneth D. Nicholas, a/k/a K.D. Nicholas, Appellee.	Attorney General Joe Shepack, C.A. Robert A. Anderson Jessica R. Kunen, Chief A.D.	Ellsworth
78,836	State of Kansas, Appellee, v. Martin Ignacio Gonzalez, Appellant.	Attorney General Tamara S. Hicks, Asst. C.A. Jessica R. Kunen, Chief A.D.	Finney
79,659	State of Kansas, Appellee, v. Ellis Collins, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Jessica R. Kunen, Chief A.D.	Sedgwick
80,439	Mark Carroll, #48450, Appellant, v. David McKune, Warden, <i>et al.</i> , Appellees.	Bruce C. Hedrick Jeffrey L. Cowger	Leavenworth
81,179	In the Matter of D.H., dob: 12/03/81.	Craig A. Lubow Victoria S. Meyer, Asst. D.A.	Wyandotte

81,298

In the Interest of:

T.F., dob: 10/05/81,  
 W.E.M., dob: 09/10/86,  
 D.M.M., dob: 11/11/89,  
 K.C.M., dob: 01/25/93,  
 T.C.M., dob: 03/03/94,  
 Minor Children Under 18 Years  
 of Age.

William R. Griffith  
 Shawn Elliott  
 Dale F. Kelso

Sedgwick

Carol G. Green  
 Clerk of the Appellate Courts

Doc. No. 023245

## State of Kansas

## Department of Revenue

## Notice of Available Publications

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

## PRIVATE LETTER RULINGS

- P-1998-01 Sale of prosthetic & orthopedic appliances.  
 P-1998-02 Taxability of services provided by a veterinarian, & purchases made by a veterinarian.  
 P-1998-03 What tobacco tax should be charged on.  
 P-1998-04 Original construction & how sales tax applies to the completion of unfinished space within a building.  
 P-1998-05 Taxability of the service of providing copies of medical records to attorneys, insurance companies & state agencies.  
 P-1998-06 Application of sales tax on health foods & vitamins.  
 P-1998-07 Application of sales tax on new construction and remodeling.  
 P-1998-08 Taxability of hair care products.  
 P-1998-09 Sales tax on manufacturing machinery & equipment.  
 P-1998-10 Application of sales tax on the sale and installation of manufactured and modular homes.  
 P-1998-11 Consumed in production & ingredient or component part.  
 P-1998-12 Imposition of Kansas income tax on the selling or providing of services in Kansas.  
 P-1998-13 Taxability of programmed music received via a roof mounted satellite.  
 P-1998-14 Consumed in production - grinding wheels.  
 P-1998-15 Taxability of gas consumed by pollution control equipment to treat by products of the manufacturing process.  
 P-1998-16 Taxability of propane used to heat a greenhouse producing plants for resale.  
 P-1998-17 Exemptions for landfill gas environmental business in Kansas.  
 P-1998-18 Third party drop shipments.  
 P-1998-19 Manufacturing machinery & equipment (cooling towers used to generate electricity).  
 P-1998-20 Contractor vs. Contractor/Retailer.  
 P-1998-21 Taxability of advertising agency services.  
 P-1998-22 Taxability of educational materials, food & repair materials purchased by a for profit shelter.  
 P-1998-23 Taxability of delivery & set-up of tangible personal property in Kansas.  
 P-1998-24 Sales tax liability of insurance company's when a totaled vehicle is retained by the owner.  
 P-1998-25 Application of sales tax to discounts & definition of selling price.  
 P-1998-26 Taxability of rock purchased by a rock quarry.  
 P-1998-27 Taxability of reimbursement services provided to employers by employers.  
 P-1998-28 Taxability of testing services.  
 P-1998-29 Taxability of dietary supplements (vitamins).  
 P-1998-30 Taxability of sales of food supplements & vitamins.  
 P-1998-31 Nexus for Kansas income tax purposes.  
 P-1998-32 Taxability of machinery & equipment used directly & primarily for the purposes of warehousing or distributing articles of tangible personal property.  
 P-1998-33 Taxability of materials removed from inventory by a retailer/contractor.  
 P-1998-34 Contractors are the final user or consumer per Kansas statute and regulation.  
 P-1998-35 Taxability of telephone support services for computer software.

(continued)

- P-1998-36 Original Construction.
- P-1998-37 Taxability of materials delivered to Kansas.
- P-1998-38 Application of retailers' compensating use tax to Kansas companies making purchases from out-of-state retailers.
- P-1998-39 Definition of farm machinery & equipment.
- P-1998-40 Definition of manufacturing machinery & equipment.
- P-1998-41 Definition of ingredient or component part & consumed in production.
- P-1998-42 Taxability of labor services to restore or repair damage caused by freezing rain, wind or snow.
- P-1998-43 Taxability of leases and how trade-ins are applied to leases.
- P-1998-44 Taxability of freight or handling charges.
- P-1998-45 Taxability of internet services.
- P-1998-46 Taxability of dietary supplements.
- P-1998-47 Manufacturing machinery & equip exemption.
- P-1998-48 Taxability of telephone support/advise, computer hardware & software & prepaid telephone calling cards.
- P-1998-49 Taxability of interstate & intrastate residential & commercial telephone services.
- P-1998-50 Taxability of leasing space on a computer system.
- P-1998-51 Taxability of advertising services.
- P-1998-52 Application of sales tax to third party vendors.
- P-1998-53 Taxability of telephone calling cards.
- P-1998-54 Definition of retail sales.
- P-1998-55 Taxability of internet access fees & web hosting.
- P-1998-56 Taxability of building a new residential swimming pool.
- P-1998-57 Resale exemptions for out-of-state contractors.
- P-1998-58 Taxability of excavation and trenching.
- P-1998-59 Taxability of services and transportation charges.
- P-1998-60 Taxability of digital transmission of product via internet, repair and maintenance of equipment and leases of equipment.
- P-1998-61 Taxability of dietary supplements.
- P-1998-62 Sales in interstate commerce.
- P-1998-63 Application of sales tax to multi-level distributors and promotional items.
- P-1998-64 Taxability of land improvements that immediately surround a residence.
- P-1998-65 Taxability of religious organizations.
- P-1998-66 Application of state and local sales tax on leases from out-of state.
- P-1998-67 Taxability of sharpening saw blades and routers used by manufacturers.
- P-1998-68 Taxability of safety equipment attached to a motor vehicle.
- P-1998-69 Taxability on non-titled equipment.
- P-1998-70 Manufacturing machinery & equipment and consumed in production.
- P-1998-71 Taxability of teaching yoga.
- P-1998-72 Definition of manufacturing machinery & equipment.
- P-1998-73 Taxability of religious organizations.
- P-1998-74 Taxability of repair services performed in the state & delivered out-of-state.
- P-1998-75 Taxability of pools & spas installed in residences.
- P-1998-76 Taxability of internet sales and backhoe services.
- P-1998-77 Taxability of residential land improvements.
- P-1998-78 Taxability of land improvement which immediately surround a residence.
- P-1998-79 Sales tax on rental equipment located in Kansas.
- P-1998-80 Definition of manufacturing machinery & equipment & repair or replacement parts.
- P-1998-81 How mergers effect sales tax exemptions.
- P-1998-82 Taxability of irrigation equipment purchased by a farmer for farm use.
- P-1998-83 Non-profit organizations are responsible for collecting sales tax on their retail sales.
- P-1998-84 Taxability of machinery & equipment purchased by a grocery store.
- P-1998-85 Definition of residence includes nursing homes.
- P-1998-86 Taxability of labor to repair hail damage.
- P-1998-87 Taxability of propane & tanks used for barbecue grills.
- P-1998-88 Taxability of pollution control equipment purchased for use by a manufacturer.
- P-1998-89 Taxability of residential remodeling.
- P-1998-90 Definition of an educational institution.
- P-1998-91 Sales tax on underground irrigation pipe.
- P-1998-92 Sales tax on drop shipments in Kansas.
- P-1998-93 Taxability of the sale of horse feed.
- P-1998-94 Taxability of PTA's & PTO's.
- P-1998-95 Sales tax on materials purchased by contractors for residential remodeling.

- P-1998-96 Taxability of religious organizations  
P-1998-97 Taxability of hand tools purchased by manufacturers.  
P-1998-98 Sales tax on catering services.  
P-1998-99 Taxability of items used in gas production & gas processing.  
P-1998-100 Taxability of a modular equipment shelter.  
P-1998-101 Taxability of leasing space on a computer system.  
P-1998-102 Taxability of shredding & recycling.  
P-1998-103 Taxability of labor services performed on repairs of pools & spas.  
P-1998-104 Taxability of coin operated amusement & vending machines.  
P-1998-105 Taxability of fundraising projects by schools.  
P-1998-106 Taxability of religious organizations.  
P-1998-107 Taxability of internet services.  
P-1998-108 Taxability of chemicals added to natural gas.  
P-1998-109 Taxability of purchases made by rural water districts  
P-1998-110 Exemptions for non-profit organizations.  
P-1998-111 Project exemptions for tribal entities.  
P-1998-112 Taxability of labor & subcontracted labor services.  
P-1998-113 Taxability of meals provided to the elderly in their homes.  
P-1998-114 Taxability of computer scanner services.  
P-1998-115 Definition of religious organizations.  
P-1998-116 Tax responsibilities of a residential contractor who installs doors, windows, siding & cabinets at job sites in Kansas.  
P-1998-117 How sales tax is applied to security alarms and monitoring services.  
P-1998-118 How sales tax is applied to security alarms and monitoring services.  
P-1998-119 Taxability of utilities purchased by religious organizations.  
P-1998-120 Taxability of admissions.  
P-1998-121 Taxability of mixing trucks & repair parts purchased by concrete mixing companies.  
P-1998-122 Exempt status of the American Red Cross.  
P-1998-123 Resale exemption certificates.  
P-1998-124 Taxability of printing press parts & supplies.  
P-1998-125 Taxability of property tax paid on rentals.  
P-1998-126 Taxability of printing supplies & maintenance agreements.  
P-1998-127 Taxability of nutrition supplements.  
P-1998-128 Taxability of leased vehicles.  
P-1998-129 Taxability of on-line services & mailing lists.  
P-1998-130 Consumed in production.  
P-1998-131 Definition of a religious organization.  
P-1998-132 Sales tax on crane services.  
P-1998-133 Taxability of fund raisers.  
P-1998-134 Taxability of maintenance contracts  
P-1998-135 Third party drop shipments  
P-1998-136 Taxability of internet & computer connect/hook up services.  
P-1998-137 Taxability of telephone cards. P-1998-138  
P-1998-138 Taxability of residential carpet cleaning & water damage restoration.  
P-1998-139 Taxability of buildings for farm use.  
P-1998-140 Taxability of sales made by religious organizations.  
P-1998-141 Taxability of pesticide application services.  
P-1998-142 Taxability of exterminating services.  
P-1998-143 Definition of retailer (nexus).  
P-1998-144 Taxability of 800 calls in Kansas.  
P-1998-145 Taxability of the service or repair of hand-held electric power tools to manufacturing companies.  
P-1998-146 Taxability of hand tools purchased by manufacturers.  
P-1998-147 Application of sales tax on the purchase & delivery of aircraft in Kansas.  
P-1998-148 Application of sales tax to prepaid telephone cards & discount cards.  
P-1998-149 Taxability of the service of renting or leasing tangible personal property.  
P-1998-150 Taxability of machinery & equipment used for sand dredging & concrete purchased for farm use.  
P-1998-151 Taxability of leases and early payoff.  
P-1998-152 Taxability of distributors fees & shipping & handling charges.  
P-1998-153 Taxability of mergers.  
P-1998-154 Taxability of items purchased by Habitat for Humanities.  
P-1998-155 Taxability of advertising services.

*(continued)*

- P-1998-156 Exemption for prosthetic & orthopedic appliances.
- P-1998-157 Taxability of labor purchased by a community action group to repair or weatherize low income housing.
- P-1998-158 Taxability of non-profit genealogical societies.
- P-1998-159 Application of exemptions for non-profit organizations.
- P-1998-160 Security monitoring equipment & monitoring fees.
- P-1998-161 Taxability of purchases made by non-profit nursing homes.
- P-1998-162 Taxability of termite control services performed on residential property.
- P-1998-163 Definition and application of sales tax to religious organizations.
- P-1998-164 Taxability of continuing education registration fees and direct mail advertising materials.
- P-1998-165 Taxability of the service of applying chemicals to control termites.
- P-1998-166 Taxability of repair parts for manufacturing machinery & equipment.
- P-1998-167 Taxability of purchases made by persons operating a home school.
- P-1998-168 Taxability of utilities and water meters for residential use.
- P-1998-169 Taxability of fund raisers by or on behalf of exempt youth development organizations.
- P-1998-170 Taxability of a crane purchased for use in the manufacturing process.
- P-1998-171 Taxability of home owners associations.
- P-1998-172 Taxability of religious organizations.
- P-1998-173 Extermination Services.
- P-1998-174 Educational institution exemption definition.
- P-1998-175 Taxability of purchases by farmers.
- P-1998-176 Taxability of the construction of a water storage tank purchased by a city.
- P-1998-177 Definition of education institution.
- P-1998-178 Nonprofit endowment associations.
- P-1998-179 Isolated or occasional sale of store fixtures.
- P-1998-180 Repair & replacement parts for manufacturing machinery & equipment.
- P-1998-181 Movies provided by a hotel to its guests.
- P-1998-182 Installation of residential piping, water meters & electrical meters.
- P-1998-183 Newspapers, magazines, periodicals, trade journals and publications.
- P-1998-184 Training materials.
- P-1998-185 Chemical peel solution & breast implants.
- P-1998-186 Cooling towers to generate electricity.
- P-1998-187 Exemption for religious organizations.
- P-1998-188 Utilities for home businesses.
- P-1998-189 Candy sales by youth recreation organizations.
- P-1998-190 Educational Institutions
- P-1998-191 Religious Organizations.
- P-1998-192 Third party drop shipments.
- P-1998-193 Coupon books.
- P-1998-194 Resale exemption certificates.
- P-1998-195 Church Athletic Foundation fees for sporting events.
- P-1998-196 Exemptions under 79-3606(vv).
- P-1998-197 PTO fund raisers.
- P-1998-198 Swimming pool maintenance.
- P-1998-199 Farm Trailers.
- P-1998-200 Forklift used by lumber yard.

#### OPINION LETTERS

- O-1998-01 Taxability of tickets sold to performances in KS.
- O-1998-02 Taxability of farm machinery & equipment, and repair & replacement parts.
- O-1998-03 Taxability of computers purchased by a farmer, for farm use.
- O-1998-04 Taxability of purchases by manufacturers for resale.
- O-1998-05 Taxability of money that is converted from traditional deductible IRA to a Roth IRA in 1998.
- O-1998-06 Kansas Public Retirement System (KPERS) retirement contributions.
- O-1998-07 Taxability of memberships.
- O-1998-08 Taxability of leases.
- O-1998-09 Income tax credits for alternative - fueled motor vehicle property expenditures.
- O-1998-10 Taxability of machinery & equipment used in the water treatment process.
- O-1998-11 Tax exempt status of their mental health support group.
- O-1998-12 Application of sales tax to in house print shops.
- O-1998-13 Taxability of hauling services.
- O-1998-14 Taxability of purchases made by nursing homes.
- O-1998-15 Taxability of labor services and sales to farmers.

- O-1998-16 Taxability of oil & grease used in printing presses.  
 O-1998-17 Taxability of software programs sold via the internet.  
 O-1998-18 Taxability of repair parts purchased by farmers.  
 O-1998-19 Funeral services.  
 O-1998-20 Collection duties for labor services & materials.  
 O-1998-21 Water benefit district.  
 O-1998-22 Fund raising activities by schools/non-profit organizations.

**REVENUE RULINGS**

- 19-1998-01 Application of Kansas retailers' sales and consumers' compensating tax on purchases of motor vehicles to be converted to implements of husbandry.  
 12-1998-01 Application of Kansas income and privilege tax to shareholder distributions by Subchapter-S financial institutions.  
 12-1998-02 Application of Kansas income tax to Kansas Public Employees Retirement System (KPERs), lump sum payments.  
 12-1998-03 Must a business reinstate employees to the numbers originally qualifying them for a previously claimed business and job development credit before claiming a new business and job development credit?  
 12-1998-04 When do construction in progress expenditures qualify for the investment tax credit through the high performance incentive program?

**NOTICES**

- 98-01 1998 sales tax changes & exemptions.  
 98-02 Exemption of residential repair and remodel work.  
 98-03 Direct Pay Authority- Sales Tax.  
 98-04 Sales Taxation of Broadcasters and Subscriber Radio and Television Services.  
 98-05 Sales Taxation of Purchases by Religious Organizations.  
 1998 1998 Interest Rate Notice - Kansas Retailers' Sales Tax - Mineral Severance Tax 1998 Legislative Update.

**MEMORANDUMS**

- Property Tax** 1998 Legislative Changes.  
 Adjustments for Occurrences of Salinity and Alkalinity.  
 Agricultural Land Valuations.  
 Classification for Property Tax purposes: Not for Profit Country Clubs.  
 Efficiency of Non-Center Pivot Sprinkler Systems.  
 Identification of non-productive (waste) land within the agricultural classification.  
**Vehicles** 1998 legislation.

**PROPERTY VALUATION DIVISION DIRECTIVES**

- Property Tax**  
 98-031 Classification and valuation of real property under construction.  
 98-032 Classification and valuation of commercial and industrial machinery & equipment under construction.

**Q & A's**

- Corporate Income Tax** New Income Tax Credit.  
**Individual Income Tax** New Income Tax Credit.  
**KS Retailers' Sales Tax** Educational Institutions.  
 Manufacturing Machinery & Equipment.  
 Religious Organizations.

**INFORMATION GUIDES**

- Kansas Compensating Tax** Information Guide Pub. KS-1515 - Kansas Tax Calendar Due Dates.  
**Kansas Retailers' Sales Tax** Information Guide Pub. KS-1515 - Kansas Tax Calendar Due Dates.  
**Property Tax** Information Guide PV-PP-18 - Oil and Gas Appraisal Guide.  
 Information Guide Kansas Property Tax Overview.  
 Information Guide - 1998 Personal Property Valuation Guide.  
**Withholding and Declaration of Estimated Tax** Information Guide Pub. KS-1515 - Kansas Tax Calendar due dates.  
 Information Guide Pub. BT/K-2d - Kansas W-2 Diskette Specifications.  
 Information Guide Pub. BT/K-2mt - Kansas W-2 Magnetic Tape Specifications.  
 Information Guide Pub. BT/K-99mt - Kansas 1099 Magnetic Tape and Diskette Specifications.  
 Information Guide Pub. BT/KW-100 - Kansas Employers Withholding Tax Booklet.

Karla Pierce  
 Acting Secretary of Revenue

## State of Kansas

## Secretary of State

## Notice of Corporations Forfeited

In accordance with K.S.A. 17-7510, the articles of incorporation of the following corporations organized under the laws of Kansas and the authority of the following foreign corporations authorized to do business in Kansas were forfeited during the month of November 1998 for failure to timely file an annual report and pay the annual franchise tax as required by the Kansas general corporation code:

## Domestic Corporations

Advanced Imaging Technologies, Inc., Wichita, KS.  
 Aldon, Inc., Johnson City, TN.  
 Automotive Electric of Johnson County, Inc., Olathe, KS.  
 Beets Walkin' Motors, Inc., Leavenworth, KS.  
 Blaylock Drugs No. 4, Inc., Topeka, KS.  
 Bob Ammon Painting, Inc., Shawnee Mission, KS.  
 Country Corvettes, Inc., Nortonville, KS.  
 Derby Family Practice, P.A., Derby, KS.  
 Fair Companies, Inc., Goddard, KS.  
 Farmers Elevator Co., Inc., Sylvan Grove, KS.  
 Fry Plastics International, Inc., Banning, CA.  
 Har Par, Inc., Wichita, KS.  
 INI, Incorporated, Liberal, KS.  
 J.T. Farm, Inc., Chandler, AZ.  
 Jim Smith Sales, Inc., Lenexa, KS.  
 Kansas International Museum, Inc., Topeka, KS.  
 Kansas Markets, Inc., Wichita, KS.  
 Kansas Odd-Fellows Eye Bank, Inc., Frankfort, KS.  
 L & L Farms, Inc., Grinnell, KS.  
 Laser Video Projection, Inc., Overland Park, KS.  
 M & K Management, Inc., Olathe, KS.  
 M.E.K.O., Inc., Augusta, KS.  
 Main Street Mens Wear, Inc., Hutchinson, KS.  
 Marvin D. Orsborn Agency, Inc., Westmoreland, KS.  
 Maxim's, L.L.C., Wichita, KS.  
 Mitcham Company, Inc., Mission, KS.  
 Montreal Fashions, Inc., Newton, KS.  
 Morris Newspaper Corporation of Kansas, Savannah, GA.  
 National Motor Carriers Purchasing Group, Inc., Shawnee Mission, KS.  
 New Design, Inc., Overland, KS.  
 Nigro and Sons, Inc., Lenexa, KS.  
 O.I.C., Inc., Kansas City, MO.  
 Olathe National Education Association, Shawnee Mission, KS.  
 Piatt Plane Crash Memorial Committee, Inc., Wichita, KS.  
 Pirotte Home Health Care, Inc., Wichita, KS.  
 Power Control Devices, Inc., Olathe, KS.  
 Ralle, Inc., Kansas City, KS.  
 Ralston Const., Inc., Phillipsburg, KS.  
 Reddy Electric Systems, Inc., Olathe, KS.  
 Reimer Farms, Inc., Moscow, KS.  
 Richard L. Higgin Construction, Inc., Wichita, KS.  
 RJE Product Centre, Inc., Mission Hills, KS.  
 Sawhorse Design, Inc., Hutchinson, KS.  
 Shur-Coat Products, Inc., Wichita, KS.  
 Simon & Simon, Inc., Overland Park, KS.  
 Starr Enterprises of Kansas, Inc., Wichita, KS.  
 Steele Cattle Feeders, Inc., Tribune, KS.  
 Steele Lakes, Inc., Atwood, KS.  
 T & S Sound, Inc., Haviland, KS.  
 T F T Hay, Inc., Leoti, KS.

The Cowley County Landowners Association, Inc.,  
 Arkansas City, KS.  
 The Racquet Shoppe, Inc., Lindsborg, KS.  
 The Retail Collection Bureau, Inc., Overland Park, KS.  
 Topeka Alumnae Chapter of Delta Gamma, Topeka, KS.  
 Trades Related Information, Inc., Wichita, KS.  
 Twenty-First Century Communications Corporation,  
 Prairie Village, KS.  
 Unimark Service Corp., Shawnee Mission, KS.  
 White Star Construction, Inc., Shawnee Mission, KS.  
 5th Planet, Inc., Lawrence, KS.

## Foreign Corporations

A.B.T.S. International Corp., West Berlin, NJ.  
 A-C Distributors, Inc., Kansas City, MO.  
 All Size Fence Company, Wichita, KS.  
 Annicott Advantage, L.L.C., Mesa, AZ.  
 Auto Photo Systems, Inc., Tustin, CA.  
 Bay Resources, Inc., Suisun City, CA.  
 BDAT Environmental, Inc., St. Louis, MO.  
 Bitterman & Associates, Inc., Plymouth, MN.  
 Bob Wollenman, Inc., St. Joseph, MO.  
 Boese Electric, Inc., Kansas City, MO.  
 Boyd Truck Line, Inc., Carthage, MO.  
 Buckner and Moore, Inc., Moore, OK.  
 CCR Office Products, Inc., Wichita, KS.  
 Candant Mobility Services Corporation, Danbury, CT.  
 Deffenbaugh Recycling Company, Shawnee, KS.  
 Eagle Lending Services, Inc., Spartanburg, SC.  
 Ed Sheehy Construction Co., St. Paul, MN.  
 Golden State Utility Co., Turlock, CA.  
 Good Well Service, Inc., Woodward, OK.  
 Grosse Pointe Capital Corporation, San Diego, CA.  
 Gypsum Management and Supply, Inc., Tucker, GA.  
 Hicks & Ragland Engineering Co., Inc., Lubbock, TX.  
 Leegin Creative Leather Products, Inc., City of Industry, CA.  
 Liaison, Inc., Dallas, TX.  
 Management Systems Associates, Inc., Raleigh, NC.  
 McDowell Tire Co., North Kansas City, MO.  
 Megaforce, Ltd., Leawood, KS.  
 Payne Furniture Galleries, Inc., Prairie Village, KS.  
 PCL Construction Services, Inc., Minneapolis, MN.  
 Pinnacle Care Corporation of Salina, New London, CT.  
 Pinnacle Care Management Corporation, New London, CT.  
 Plunk's Furniture, Inc., Wichita, KS.  
 QT Petroleum Supply & Trading, Inc., Tulsa, OK.  
 R F, Inc., Olathe, KS.  
 Reef Chemical Company, Inc., Midland, TX.  
 Ritchie Bros. Auctioneers Int'l—Limited Partnership,  
 Portland, OR.  
 Style Crest Products, Inc., Fremont, OH.  
 Symphony Home Care Services No. 4, Inc.,  
 Owings Mills, MD.  
 Teltrust Communications Services, Inc., Salt Lake City, UT.  
 The Great Frame Up Systems, Inc., Franklin Park, IL.  
 Thiede Corporation, Burlington, CO.  
 Tom James Company, Brentwood, TN.  
 Troy Smith, Inc., Shawnee, OK.  
 Waddell's Rebar Fabricators, Inc., Independence, MO.  
 1987-II STEA Limited Partnership, Houston, TX.  
 1987-IV STEA Limited Partnership, Houston, TX.  
 1987-VI STEA Limited Partnership, Houston, TX.  
 1989-III TEAI Limited Partnership, Houston, TX.

Ron Thornburgh  
 Secretary of State

Doc. No. 023211

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. 1997 Supp. 12-1675(b)(c)(d), and K.S.A. 75-4201(l) and 75-4209(a)(1)(B).

**Effective 12-14-98 through 12-20-98**

Term	Rate
1-89 days	4.82%
3 months	4.38%
6 months	4.52%
9 months	4.58%
12 months	4.57%
18 months	4.55%
24 months	4.50%

Derl S. Treff  
Director of Investments

Doc. No. 023236

(Published in the Kansas Register December 17, 1998.)

**Summary Notice of Bond Sale  
Unified School District No. 312  
Reno County, Kansas (Haven)  
\$4,500,000**

**General Obligation School Improvement Bonds  
Series 1999**

(General obligation bonds payable from  
unlimited ad valorem taxes)

**Sealed Bids**

Subject to the notice of bond sale dated November 23, 1998, sealed bids will be received by the clerk of Unified School District No. 312, Reno County, Kansas (Haven) (the issuer), on behalf of the governing body at the office of the Board of Education, 414 W. Main, Haven, KS 67543, until 7 p.m. January 11, 1999, for the purchase of \$4,500,000 principal amount of General Obligation School Improvement Bonds, Series 1999. No bid of less than 100 percent of the principal amount of the bonds and accrued interest thereon to the date of delivery will be considered.

**Bond Details**

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

Year	Principal Amount
2001	\$145,000
2002	155,000
2003	160,000
2004	170,000
2005	180,000
2006	190,000
2007	200,000
2008	205,000
2009	220,000
2010	230,000
2011	240,000

2012	250,000
2013	265,000
2014	280,000
2015	290,000
2016	305,000
2017	320,000
2018	340,000
2019	355,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on April 1 and October 1 in each year, beginning April 1, 2000.

**Optional Book-Entry-Only System**

The successful bidder may elect to have the bonds registered under a book-entry-only system administered through DTC.

**Paying Agent and Bond Registrar**

Kansas State Treasurer, Topeka, Kansas.

**Good Faith Deposit**

Each bid shall be accompanied by a good faith deposit in the form of a cashier's or certified check drawn on a bank located in the United States or a qualified financial surety bond in the amount of \$90,000 (2 percent of the principal amount of the bonds).

**Delivery**

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or before February 11, 1999, at DTC for the amount of the successful bidder or at such bank or trust company in the contiguous United States as may be specified by the successful bidder.

**Assessed Valuation and Indebtedness**

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 1998 is \$45,723,814. The total general obligation indebtedness of the issuer as of the date of delivery of the bonds, including the bonds being sold, is \$7,100,000.

**Approval of Bonds**

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

**Additional Information**

Additional information regarding the bonds may be obtained from the clerk, (316) 465-3445, or from the financial advisor, George K. Baum & Company, 100 N. Main, Suite 800, Wichita, KS 67202, Attention: Charles M. Bouilly, (316) 264-9351.

Dated November 23, 1998.

Unified School District No. 312  
Reno County, Kansas (Haven)

Doc. No. 023246

(Published in the Kansas Register December 17, 1998.)

**Summary Notice of Bond Sale**

**City of Andover, Kansas  
\$697,000**

**General Obligation**

**Internal Improvement Bonds**

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

40,000.00	2003
40,000.00	2004
45,000.00	2005
45,000.00	2006
45,000.00	2007
50,000.00	2008
50,000.00	2009
55,000.00	2010
55,000.00	2011
60,000.00	2012
60,000.00	2013
65,000.00	2014

**Details of the Sale**

Subject to the terms and conditions of the complete official notice of bond sale dated December 8, 1998, of the City of Andover, Kansas, in connection with the city's General Obligation Internal Improvement Bonds, Series A, 1999, hereinafter described, sealed, written bids shall be received at the office of the city administrator at City Hall, 909 N. Andover Road, Andover, KS 67007, until 2 p.m. Tuesday, December 29, 1998, for the purchase of the bonds. All bids shall be publicly opened, read aloud and tabulated by city staff on said date and at said time and shall thereafter be considered and acted upon by the governing body of the city at its regular meeting at 7 p.m. on said date.

No oral or auction bids for the bonds shall be considered, and no bids for less than the entire amount of the bonds shall be considered.

Bids shall be accepted only on the official bid form that has been prepared for the public bidding on these bonds, which may be obtained from the city or from the city's financial advisor. Bids may be submitted by mail or delivered in person and must be received at the place and not later than the date and time hereinbefore specified. Each bid shall be accompanied by a good faith deposit in the form of a certified or cashier's check drawn on a bank located within the United States and made payable to the order of the city, or in the form of a financial surety bond payable to the order of the city and meeting requirements therefor as set forth in the official notice of bond sale, and shall be in an amount equal to 2 percent of the principal amount of the bonds.

**Details of the Bonds**

The bonds to be sold will be in an aggregate principal amount of \$697,000. The bonds shall be issued as fully registered bonds in the denomination of \$5,000, or any integral multiple thereof not exceeding the principal amount of bonds maturing on the respective principal payment dates, except that one bond maturing in the initial year of maturity shall be in the denomination of \$12,000. The bonds shall bear a dated date of January 1, 1999. The bonds shall bear interest, payable as hereinafter set forth, at the rates specified by the successful bidder for the bonds.

Interest on the bonds shall be payable semiannually on April 1 and October 1 in each year, commencing April 1, 2000, and the bonds shall mature serially on October 1 in each of the years and principal amounts as follows:

<b>Principal Amount</b>	<b>Maturity Date</b>
\$12,000.00	2000
35,000.00	2001
40,000.00	2002

**Redemption of Bonds**

Certain of the bonds are subject to optional redemption prior to their maturities as set forth in the official notice of bond sale. (Reference is made to the official notice of bond sale for complete details regarding redemption of the bonds.)

**Payment of Principal and Interest**

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

**Security for the Bonds**

The bonds and the interest thereon constitute general obligations of the city, and the full faith, credit and resources of the city shall be pledged to the payment thereof. The city is obligated to levy ad valorem taxes without limitation as to rate or amount upon all of the taxable tangible property within the territorial limits of the city for the purpose of paying the bonds and the interest thereon. (Reference is made to the official notice of bond sale and the preliminary official statement for a further discussion of security for the bonds.)

**Delivery of the Bonds**

The bonds, duly printed, executed and registered, shall be furnished and delivered at the expense of the city to the successful bidder, or at its direction, on or about Thursday, January 21, 1999. (Reference is made to the official notice of bond sale for full details regarding delivery of the bonds.)

**Legal Opinion**

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

**Financial Matters**

The city's equalized assessed tangible valuation for computation of bonded debt limitations for calendar year 1999 is \$40,099,680. On January 1, 1999, the city's outstanding bonded indebtedness, including the bonds described herein, will be \$16,883,000.

**Official Statement**

The city has prepared a preliminary official statement relating to the bonds, copies of which may be obtained

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

#### Continuing Disclosure

The city will adopt a resolution establishing an undertaking to provide ongoing disclosure concerning the city in connection with and for the benefit of owners of the bonds, pursuant to Section (b)(5)(i) of Securities and Exchange Commission Rule 15c2-12. A copy of the resolution is included as an appendix to the preliminary official statement.

#### Additional Information

For additional information regarding the city, the bonds and the sale, interested parties are invited to request copies of the complete official notice of bond sale and the official bid form and the city's preliminary official statement for the bonds, all of which may be obtained from the undersigned or from the city's financial advisor, J.O. Davidson & Associates, Inc., 245 N. Waco, Suite 525, Wichita, KS 67202, (316) 265-9411, Attention: Jerry D. Rayl.

Jeffrey K. Bridges, Jr.  
Clerk/Administrator  
909 N. Andover Road, P.O. Box 295  
Andover, KS 67007  
(316) 733-1303

Doc. No. 023253

#### State of Kansas

### Kansas Public Employees Retirement System

#### Notice of Hearing on Proposed Administrative Regulations

A public hearing will be conducted at 10 a.m. Wednesday, February 24, in the first floor board room of the KPERS building, 611 S. Kansas Ave., Topeka, to consider the adoption of revocations of and amendments to existing rules and regulations of the Kansas Public Employees Retirement System on a permanent basis.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed rules and regulations. All interested parties may submit written comments prior to the hearing to the executive secretary of the Kansas Public Employees Retirement System, 611 S. Kansas Ave, Suite 100, Topeka, 66603-3803. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulations during the hearing. In order to give all parties an opportunity to present their views, it may be necessary

to request that each participant limit any oral presentation to five minutes.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulations and economic impact statements in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting James Long at (785) 296-6962 or (888) 275-5737. Hearing impaired persons may contact the Kansas Relay Center at (800) 766-3777 (TTY). Handicapped parking is located under the KPERS building, with entrance from the alley in the rear of the building. Both the front and rear entrances to the building are accessible to individuals with disabilities.

Copies of the regulations and the economic impact statements may be obtained by contacting James Long. A summary of the proposed regulations and their economic impact follows.

#### Article 1.—MEMBERSHIP

**80-1-1. Year of service; commencement.** This section was out of date. The year of service commencement should be the first day the employee commences work in a covered position.

Economic Impact: There is no economic impact as a result of the amended regulation.

**80-1-2. Year of service before entry date; service defined.** The changes to this section are technical. The definition of "service" is modified to comply with applicable statutes.

Economic Impact: There is no economic impact as a result of the amended regulation.

**80-1-3. Year of service after entry date; service defined.** The changes to this section are technical and/or reflect statutory changes.

Economic Impact: There is no economic impact as a result of the amended regulation.

**80-1-4. Elected official; election of membership.** This section is proposed for revocation because its provisions are fully stated in K.S.A. 74-4911(3).

Economic Impact: There is no economic impact as a result of the revoked regulation.

**80-1-5. Military service; year of service.** This section clarifies the treatment of the military service of an employee who was in the year of service at the time of joining the military. Military service surrounded by covered employment is granted to the returning employee.

Economic Impact: There is no economic impact as a result of the amended regulation.

**80-1-6. Active military duty; terminal leave.** The changes to this section are technical.

Economic Impact: There is no economic impact as a result of the amended regulation.

**80-1-9. Employer's entry date; employees affected.** The changes to this section are technical.

Economic Impact: There is no economic impact as a result of the amended regulation.

**80-1-10. Eligible employers.** This section is completely rewritten to clarify the requirements for an employer's

(continued)

membership in the system. Great reliance was placed on the requirements of the federal internal revenue code and revenue rulings thereunder as applicable to governmental plans.

Economic Impact: There is no economic impact as a result of the amended regulation.

**80-1-11. Continuous employment construed; reorganization.** This section is completely rewritten to clarify the treatment of membership when participating employers are consolidated, reorganized, combined or separated.

Economic Impact: There is no economic impact as a result of the amended regulation.

**80-1-12. Elected officials; election irrevocable.** This section is proposed for revocation because its provisions are fully stated in Kansas statutes.

Economic Impact: There is no economic impact as a result of the revoked regulation.

## Article 2.—MULTIPLE ENROLLMENT

**80-2-1. Multiple employment; definition and requirements.** This section is completely rewritten to clarify the definitions of dual employees, concurrent employees, and totality of employment.

Economic Impact: There is no economic impact as a result of the amended regulation.

## Article 3.—CREDIT AND BREAKS IN SERVICE

**80-3-1. Prior service; credit granted; defined.** This section is proposed for revocation because its provisions are fully stated in Kansas statutes.

Economic Impact: There is no economic impact as a result of the revoked regulation.

**80-3-2. Prior service credit; continuous employment.** This section is proposed for revocation because its provisions are fully stated in Kansas statutes.

Economic Impact: There is no economic impact as a result of the revoked regulation.

**80-3-4. Participating service credit; granted when; leaves of absence; military leave; contributions.** The changes to this section are technical.

Economic Impact: There is no economic impact as a result of the amended regulation.

**80-3-5. Total disability; no break in service; proof of.** This section is proposed for revocation because its provisions are obsolete due to changes in the Kansas statutes.

Economic Impact: There is no economic impact as a result of the revoked regulation.

**80-3-6. Crediting service; beyond age 70; contributions.** This section is proposed for revocation because its provisions are obsolete due to changes in the Kansas statutes.

Economic Impact: There is no economic impact as a result of the revoked regulation.

**80-3-8. Termination of employment; commencement.** This section is proposed for revocation because its provisions are obsolete due to changes in the Kansas statutes.

Economic Impact: There is no economic impact as a result of the revoked regulation.

**80-3-9. Withdrawal of contributions; payment of interest on account.** This section is completely rewritten to clarify the treatment of employees challenging their termination and/or awarded back wages, the irrevocability of the application for withdrawal, when interest is credited to withdrawn accounts, and when the withdrawal is final.

Economic Impact: There is no economic impact as a result of the amended regulation.

**80-3-13. Temporary positions; no contributions nor credit for.** This section is proposed for revocation because its provisions are obsolete due to changes in the Kansas statutes.

Economic Impact: There is no economic impact as a result of the revoked regulation.

**80-3-15. Participating service; purchase of year of service.** The part of this section dealing with the purchase of the year of service is proposed for revocation because its provisions are obsolete due to changes in the Kansas statutes. The part of the section dealing with a year of service followed by a period of forfeited service is left intact with some technical changes.

Economic Impact: There is no economic impact as a result of the amended regulation.

**80-3-16. Military service; purchase of credit for.** This section is modified to clarify the treatment of military reserve time purchases, eliminate the part that prohibited the purchase of military service eligible for a military pension which conflicted with federal law, and conform to the federal uniformed services employment and reemployment rights act of 1994.

Economic Impact: There is no economic impact as a result of the amended regulation.

## Article 4.—MEMBERS' ACCOUNTS

**80-4-1. Members' accounts; identification of.** The changes to this section are technical. This is the section that allows KPERS to maintain member accounts by social security number.

Economic Impact: There is no economic impact as a result of the amended regulation.

**80-4-2. Interest earnings; crediting of.** This section is proposed for revocation because its provisions are fully stated in K.S.A. 74-4922(a).

Economic Impact: There is no economic impact as a result of the revoked regulation.

**80-4-3. Contributions reported; errors, correction of.** This section is proposed for revocation because its provisions are obsolete due to changes in the Kansas statutes.

Economic Impact: There is no economic impact as a result of the revoked regulation.

**80-4-4. Members' accounts; reconciliation of.** This section is modified so that adjustments of less than \$25 are not required.

Economic Impact: There is no economic impact as a result of the amended regulation.

**80-4-5. Arrearage obligations; defined; reporting.** This section is proposed for revocation because its provisions are fully stated in K.S.A. 74-4990.

Economic Impact: There is no economic impact as a result of the revoked regulation.

**80-4-6. Receipt of all proper contributions; when.** This section is proposed for revocation because its provisions are obsolete due to changes in the Kansas statutes.

Economic Impact: There is no economic impact as a result of the revoked regulation.

#### Article 5.—RETIREMENT

**80-5-1. Retirement allowance calculation; basis of.** This section is modified to clarify the rounding methods used with prior service and participating service.

Economic Impact: There is no economic impact as a result of the amended regulation.

**80-5-2. Return to employment by retiree; retirement benefits cease; when.** This section is proposed for revocation because its provisions are fully stated in K.S.A. 74-4914(5).

Economic Impact: There is no economic impact as a result of the revoked regulation.

**80-5-3. Vested benefit members, employment after vesting.** This section is proposed for revocation because its provisions are fully stated in K.S.A. 74-4917(4).

Economic Impact: There is no economic impact as a result of the revoked regulation.

**80-5-6. Compensation; defined.** This section is completely rewritten to clarify compensation reportable and compensation used for final average salary. The section also requires compliance with the federal internal revenue code requirements.

Economic Impact: There is no economic impact as a result of the amended regulation.

**80-5-7. Elections of options; revocation of.** This section is proposed for revocation because its provisions are obsolete due to changes in the Kansas statutes.

Economic Impact: There is no economic impact as a result of the revoked regulation.

**80-5-9. Date of birth; proof of.** This section is modified to clarify the documents acceptable for proof of date of birth and eliminating the requirement for a notarized copy.

Economic Impact: There is no economic impact as a result of the amended regulation.

**80-5-10. Designation of beneficiaries.** The changes to this section are mostly technical. A statement is added that "an attorney-in-fact" shall not change a designation of beneficiary.

Economic Impact: There is no economic impact as a result of the amended regulation.

**80-5-11. Designation of beneficiary; recognition upon receipt.** The section is modified to clarify when the designations of beneficiary are recognized. The treatment varies for some types of employees, but generally it is recognized only upon receipt in the office of the retirement system.

Economic Impact: There is no economic impact as a result of the amended regulation.

**80-5-12. Election of options; recognition upon receipt.** This section is proposed for revocation because its provisions are obsolete due to changes in the Kansas statutes.

Economic Impact: There is no economic impact as a result of the revoked regulation.

**80-5-13. Designation of beneficiary; multiple; recognition of.** The changes to this section are technical.

Economic Impact: There is no economic impact as a result of the amended regulation.

**80-5-14. Filing of designation of beneficiary or election of options; revocation of former.** This section is proposed for revocation because its provisions are obsolete due to changes in the Kansas statutes.

Economic Impact: There is no economic impact as a result of the revoked regulation.

**80-5-15. Retirement date; leaves of absence and vacations, break in service requirement.** This section is rewritten to clarify when a member may retire and requires a break in service with participating employers.

Economic Impact: There is no economic impact as a result of the amended regulation.

**80-5-16. Retirement life certain options; designation of beneficiary.** This section is modified to specify the life certain survivor options that have been created since the section was originally written.

Economic Impact: There is no economic impact as a result of the amended regulation.

**80-5-18. Designation of beneficiary; filing with institution.** The changes to this section are technical.

Economic Impact: There is no economic impact as a result of the amended regulation.

#### Article 7.—INSURANCE

**80-7-1. Annual rate of compensation.** This section is rewritten to clarify the term "annual rate of compensation" as used with member death or disability. The term "compensation received" is changed to "compensation earned."

Economic Impact: There is no economic impact as a result of the amended regulation.

#### Article 8.—BOARD ELECTION

**80-8-2. Nominations.** The changes to this section are technical.

Economic Impact: There is no economic impact as a result of the amended regulation.

**80-8-7. Vacancy.** The section is modified to clarify how a vacancy is filled.

Economic Impact: There is no economic impact as a result of the amended regulation.

#### Article 50.—POLICE AND FIREMEN; GENERAL

**80-50-1. Disability "occasioned by an act of duty" defined.** This section is proposed for revocation because its provisions are obsolete due to changes in the Kansas statutes.

Economic Impact: There is no economic impact as a result of the revoked regulation.

**80-50-2. Application for participation.** This section is modified to clarify the term supplemental application and define what is meant by "employee groups."

(continued)

**Economic Impact:** There is no economic impact as a result of the amended regulation.

**80-50-3. Request for proposal for coverage.** The changes to this section are technical.

**Economic Impact:** There is no economic impact as a result of the amended regulation.

**80-50-4. Death "occasioned by an act of duty" defined.** This section is proposed for revocation because its provisions are obsolete due to changes in the Kansas statutes.

**Economic Impact:** There is no economic impact as a result of the revoked regulation.

**80-50-5. "Social Security" defined.** This section is proposed for revocation because its provisions are fully stated in K.S.A. 74-4965.

**Economic Impact:** There is no economic impact as a result of the revoked regulation.

**80-50-6. Benefit reduced by social security benefit.** The changes to this section are technical. A statement is added to clarify the treatment of the "13th check."

**Economic Impact:** There is no economic impact as a result of the amended regulation.

**80-50-8. Date of birth; proof of.** The section is proposed for revocation because its provisions were a duplication of K.A.R. 80-5-9.

**Economic Impact:** There is no economic impact as a result of the revoked regulation.

#### **Article 51.—POLICE AND FIREMEN; MEMBERSHIP**

**80-51-1. Firemen defined.** This section is proposed for revocation because its provisions are fully stated in K.S.A. 74-4952(11).

**Economic Impact:** There is no economic impact as a result of the revoked regulation.

**80-51-2. Policeman defined.** This section is proposed for revocation because its provisions are fully stated in K.S.A. 74-4952(12).

**Economic Impact:** There is no economic impact as a result of the revoked regulation.

**80-51-3. Designation as policeman or fireman.** This section is proposed for revocation because its provisions are obsolete due to changes in the Kansas statutes.

**Economic Impact:** There is no economic impact as a result of the revoked regulation.

**80-51-4. Membership of a sheriff.** This section is modified to delete the opportunity to make another election if initially elected to refuse membership. This change is required by IRS compliance.

**Economic Impact:** There is no economic impact as a result of the amended regulation.

**80-51-5. Membership, termination of.** This section is proposed for revocation because its provisions are obsolete due to changes in the Kansas statutes.

**Economic Impact:** There is no economic impact as a result of the revoked regulation.

**80-51-7. Membership, military leave on entry date.** This section is proposed for revocation because it conflicts

with the federal uniformed services employment and reemployment rights act.

**Economic Impact:** There is no economic impact as a result of the revoked regulation.

#### **Article 52.—POLICE AND FIREMEN; EMPLOYER ACCOUNT**

**80-52-1. Fund reserves.** This section is proposed for revocation because its provisions are obsolete due to changes in the Kansas statutes.

**Economic Impact:** There is no economic impact as a result of the revoked regulation.

**80-52-2. Transfer of employer's contributions from KPERS.** This section is proposed for revocation because its provisions are fully stated in K.S.A. 74-4954.

**Economic Impact:** There is no economic impact as a result of the revoked regulation.

**80-52-3. Employer contributions.** This section is proposed for revocation because its provisions are obsolete due to changes in the Kansas statutes.

**Economic Impact:** There is no economic impact as a result of the revoked regulation.

#### **Article 53.—POLICE AND FIREMEN; CREDIT AND BREAKS IN SERVICE**

**80-53-2. Service credit, reestablishment of upon return to covered employment.** This section is proposed for revocation because its provisions are fully stated in K.S.A. 74-4956.

**Economic Impact:** There is no economic impact as a result of the revoked regulation.

**80-53-3. Participating service; crediting of.** This section is proposed for revocation because its provisions are fully stated in K.S.A. 74-4956.

**Economic Impact:** There is no economic impact as a result of the revoked regulation.

**80-53-4. Crediting service, age sixty with twenty years of service.** This section is proposed for revocation because its provisions are obsolete due to changes in the Kansas statutes.

**Economic Impact:** There is no economic impact as a result of the revoked regulation.

**80-53-5. Participating service credit; granted when; leaves of absence; military leave; contributions.** This section is proposed for revocation because its provisions are fully stated in K.S.A. 74-4956.

**Economic Impact:** There is no economic impact as a result of the revoked regulation.

**80-53-6. Withdrawal of contributions.** This section is proposed for revocation because its provisions were a duplication of K.A.R. 80-3-9.

**Economic Impact:** There is no economic impact as a result of the revoked regulation.

#### **Article 54.—POLICE AND FIREMEN; MEMBER'S ACCOUNTS**

**80-54-1. Transfer of employee's contributions from KPERS.** This section is proposed for revocation because its provisions are fully stated in K.S.A. 74-4954(2).

Economic Impact: There is no economic impact as a result of the revoked regulation.

**80-54-2. Employee contributions.** This section is proposed for revocation because its provisions are obsolete due to changes in the Kansas statutes.

Economic Impact: There is no economic impact as a result of the revoked regulation.

**80-54-3. Repayment of withdrawn contributions; time.** This section is proposed for revocation because its provisions are obsolete due to changes in the Kansas statutes.

Economic Impact: There is no economic impact as a result of the revoked regulation.

**80-54-4. Receipt of all proper contributions; when.** This section is proposed for revocation because its provisions are obsolete due to changes in the Kansas statutes.

Economic Impact: There is no economic impact as a result of the revoked regulation.

#### Article 55.—POLICE AND FIREMEN; RETIREMENT

**80-55-1. Early retirement on a reduced allowance; actuarial reductions.** This section is proposed for revocation because its provisions are obsolete due to changes in the Kansas statutes.

Economic Impact: There is no economic impact as a result of the revoked regulation.

**80-55-2. "Normal benefit" and "normal retirement benefit"; definition of.** This section is proposed for revocation because its provisions are obsolete due to changes in the Kansas statutes.

Economic Impact: There is no economic impact as a result of the revoked regulation.

**80-55-3. Retirement for age and service; eligibility for.** This section is proposed for revocation because its provisions are fully stated in K.S.A. 74-4957 and 74-4957a.

Economic Impact: There is no economic impact as a result of the revoked regulation.

**80-55-4. Death benefit after retirement; when applicable.** This section is proposed for revocation because its provisions are fully stated in K.S.A. 74-49-58 and 74-4958a.

Economic Impact: There is no economic impact as a result of the revoked regulation.

**80-55-8. Retirement allowance calculation; basis of.** This section is modified to clarify the rounding methods used with prior service and participating service.

Economic Impact: There is no economic impact as a result of the amended regulation.

Meredith Williams  
Executive Secretary

Doc. No. 023235

#### State of Kansas

#### Legislative Administrative Services

#### Notice Concerning Interim Committee Meetings

There are no interim committee meetings scheduled after December 18. To receive notice of the 1999 interim committee schedule, please contact Legislative Administrative Services in May 1999.

Jeff Russell  
Director of Legislative  
Administrative Services

Doc. No. 023254

(Published in the Kansas Register December 17, 1998.)

#### NOTICE OF FULL REDEMPTION CRAWFORD COUNTY, KANSAS Single Family Mortgage Revenue Bonds Series 1980 A

NOTICE IS HEREBY GIVEN, pursuant to Section 3.01 of the Indenture dated as of February 1, 1980, between Crawford County, Kansas, as Issuer, and Continental Illinois National Bank and Trust Company of Chicago, succeeded by U.S. Bank Trust National Association, formerly known as First Trust National Association, as Trustee, that all outstanding bonds are called for Redemption on January 16, 1999 (the "Redemption Date") at a price of 100% of the principal amount (the "Redemption Price") together with interest accrued to the Redemption Date.

*CUSIP Number	Interest Rate	Maturity Date	Amount Called
224851AU9	8.50%	December 1, 1999	\$95,000
224851AW5	9.00%	December 1, 2010	\$1,140,000
224851AX3	9.00%	December 1, 2011	\$2,350,000

Payment of the Redemption Price on the Bonds called for redemption will become due and payable on the Redemption Date upon presentation and surrender thereof in the following manner:

<i>If by Mail: (Registered Bonds)</i>	<i>If by Mail: (Bearer Bonds)</i>	<i>If by Hand or Overnight Mail:</i>
U.S. Bank Trust National Association Corporate Trust Services P. O. Box 64111 St. Paul, MN 55164-0111	U.S. Bank Trust National Association Corporate Trust Services P. O. Box 64452 St. Paul, MN 55164-0452	U.S. Bank Trust National Association 180 East Fifth Street 4 <sup>th</sup> Fl. - Bond Drop Window St. Paul, MN 55101

(612) 973-5800

Bondholders presenting their bonds in person for same day payment must surrender their bond(s) by 1:00 P.M. on the Redemption Date and a check will be available for pick up after 2:00 P.M. Checks not picked up by 4:30 P.M. will be mailed out to the bondholder via first class mail. If payment of the Redemption Price is to be made to the registered owner of the Bond, you are not required to endorse the Bond to collect the Redemption Price.

Interest on the principal amount designated to be redeemed shall cease to accrue on and after the Redemption Date.

#### IMPORTANT NOTICE

Under the Interest and Dividend Tax Compliance Act of 1983 as amended by the Energy Policy Act of 1992, 31% will be withheld if tax identification number is not properly-certified.

*\*The Trustee shall not be held responsible for the selection or use of the CUSIP numbers, nor is any representation made as to their correctness indicated in the Redemption Notice. They are included solely for convenience of the Holders.*

BY U.S. BANK TRUST NATIONAL ASSOCIATION  
formerly known as FIRST TRUST NATIONAL ASSOCIATION

Date: December 17, 1998 as Trustee

Doc. No. 023250

(Published in the Kansas Register December 17, 1998.)

**Notice of Redemption**  
**Rice County, Kansas**  
**General Obligation Refunding and**  
**Improvement Bonds**  
**Series 1992**  
**Dated September 15, 1992**

Notice is hereby given that pursuant to a resolution of the governing body of Rice County Kansas, and Section 3 of the county's resolution No. 18-92 dated September 14, 1992, the following outstanding Rice County, Kansas, General Obligation Refunding Bonds, Series 1992, dated September 14, 1992, maturing on and after February 1, 1999, have been called for redemption and prepayment on February 1, 1999 (the redemption date), prior to their maturity subject to the provisions and limitations set forth herein.

Maturity Date	Principal Amount	Interest Rates	CUSIP Numbers
February 1, 1993	\$ 70,000	2.80%	762617-AR9
August 1, 1993	60,000	3.00%	762617-AS7
February 1, 1994	65,000	3.20%	762617-AT5
August 1, 1994	55,000	3.40%	762617-AU2
February 1, 1995	70,000	3.75%	762617-AV0
August 1, 1995	60,000	4.00%	762617-AW8
February 1, 1996	70,000	4.20%	762617-AX6
August 1, 1996	65,000	4.30%	762617-AY4
February 1, 1997	75,000	4.50%	762617-AZ1
August 1, 1997	65,000	4.75%	762617-BA5
February 1, 1998	75,000	4.80%	762617-BB3
August 1, 1998	70,000	4.90%	762617-BC1
February 1, 1999	80,000	5.00%	762617-BD9
August 1, 1999	75,000	5.00%	762617-BE7
February 1, 2000	85,000	5.25%	762617-BF4
August 1, 2000	75,000	5.25%	762617-BG2
February 1, 2001	90,000	5.40%	762617-BH0
August 1, 2001	80,000	5.40%	762617-BJ6
February 1, 2002	95,000	5.50%	762617-BK3
August 1, 2002	85,000	5.50%	762617-BL1
February 1, 2003	100,000	5.45%	762617-BM9
August 1, 2003	90,000	5.45%	762617-BN7
February 1, 2004	115,000	5.45%	762617-BP2

The principal amount of the above-described Series 1992 Bonds shall become due and payable on February 1, 1999, at a redemption price equal to the principal amount thereof, plus accrued interest thereon to said redemption date.

On February 1, 1999, provided that funds are on hand to pay the specified redemption price, all outstanding Series 1992 Bonds will become due and payable at the office of the Kansas State Treasurer, Topeka, Kansas, and from and after February 1, 1999, all interest on the Series 1992 Bonds will cease to accrue thereon.

Under the Interest and Dividend Tax Compliance Act of 1983 [Section 3406(a)(1) of the Internal Revenue Code of 1986], as amended, paying agents making payment of principal on municipal securities may be obligated to withhold a 31 percent tax from remittances to individuals who have failed to provide the paying agent with a valid taxpayer identification number when presenting securities for payment. Holders of the Series 1992 Bonds who desire to avoid the imposition of said tax should submit

certified taxpayer identification numbers when presenting the bonds for payments.

Dated November 9, 1998.

Rice County, Kansas  
 By Kansas State Treasurer  
 Topeka, Kansas  
 Paying Agent

Doc. No. 023239

(Published in the Kansas Register December 17, 1998.)

**City of Wichita**  
**Human Services Department**

**Request for Proposals for**  
**Academic Enrichment Training**

The Job Training Partnership Act (JTPA) provides federal funds to states to establish programs to prepare youth and adults for entry into the labor force. Under JTPA each state is divided into service delivery areas (SDAs). Within each SDA, private and public sector representatives are appointed to a Private Industry Council (PIC), which is responsible for policy, program development and oversight of programs operated within the SDA. SDA IV's PIC has selected the City of Wichita to be its grant recipient and program administrator.

**Scope of Work**

In anticipation of program operations for the summer of 1999, the PIC and the City of Wichita are seeking agents qualified to provide academic enrichment training for youth (ages 14-21) in coordination with the JTPA Summer Youth Employment and Training Program. The academic enrichment training to be provided will be work-based learning using the SCANS (Secretary's Commission on Achieving Necessary Skills) foundation skills and competencies. Proposals for such training may be submitted for any portion of SDA IV. The six counties available for program services include Butler, Cowley, Harper, Kingman, Sedgwick and Sumner. A total of \$250,000 is allocated to fund submitted proposals. Proposals to serve as few as 10 youth, and written for not less than \$40,000 and not more than \$150,000, will be accepted.

**Instructions for Submittal**

All instructions are in the Request for Proposal (RFP) packet, which may be requested from 8 a.m. to 5 p.m. Monday through Friday from Sarah Gilbert, Neighborhood Services Director, or Joe Dermid, Associate Planner, at the Human Services Department, 2nd Floor, City Hall, 455 N. Main, Wichita, 67202, (316) 268-4691, fax (316) 268-4219.

**Proposal Due Date**

Final proposals are due by noon January 19 at the above address. Other pertinent dates are in a calendar included in the RFP packet.

Joe T. Dermid  
 Associate Planner

Doc. No. 023240

## State of Kansas

## State Banking Board

## Notice of Meeting

The State Banking Board will meet at 9 a.m. Monday, January 25, in the conference room of the Office of the State Bank Commissioner, Suite 300, Jayhawk Tower, 700 S.W. Jackson, Topeka. The board reviews matters relating to its supervisory authority as set forth in K.S.A. 9-1801 *et seq.*

Judith M. Stork  
Acting State Bank Commissioner

Doc. No. 023244

## State of Kansas

## State Corporation Commission

Permanent Administrative  
RegulationsArticle 4.—MOTOR CARRIERS OF PERSONS  
AND PROPERTY

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

(a) "Administrator" refers to the administrator of the transportation division of the commission.

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

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

(d) "Commercial motor vehicle" means any of the following, except when used in 49 C.F.R. Part 391, Subpart H:

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

(2) a vehicle designed to transport more than 15 passengers, including the driver;

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

(4) a vehicle used in the transportation of hazardous materials in a quantity requiring placarding under 49 C.F.R. 172.500 through 172.514, effective as of October 1, 1997.

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

(f) "Distance" means airline distances.

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

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

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

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

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

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

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

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

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

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

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

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

(q) "Licensed physician" means a licensed doctor of medicine or osteopathy.

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

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

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

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

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

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

(continued)

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

(y) "USDOT" refers to the United States department of transportation. (Authorized by and implementing K.S.A. 1997 Supp. 66-1,112, 66-1,112a, K.S.A. 66-1,112g; effective Jan. 1, 1971; modified, L. 1981, Ch. 424, May 1, 1981; amended, T-83-45, Dec. 8, 1982; amended May 1, 1983; amended May 1, 1984; amended April 30, 1990; amended Sept. 16, 1991; amended July 6, 1992; amended May 10, 1993; amended Oct. 3, 1994; amended Jan. 30, 1995; amended Jan. 4, 1999.)

**82-4-3. Motor carrier safety regulations.** (a) The following parts of the federal rules and regulations promulgated by the U.S. department of transportation, federal highway administration, and office of motor carriers are hereby incorporated by reference as the rules and regulations of the commission. The incorporation by reference shall cover the parts as in effect on July 1, 1997:

(1) General: 49 CFR Part 390, except for the following:

(A) 49 CFR 390.3(b) and (f);

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

(C) 49 CFR 390.11;

(2) qualifications of drivers: 49 CFR Part 391, except sections 49 CFR 391.2(a), (b) and (c), 391.11(b)(1), 391.49, 391.67 and 391.69;

(3) driving of motor vehicles: 49 CFR Part 392, except section 49 CFR 392.2;

(4) parts and accessories necessary for safe operation: 49 CFR Part 393, except sections 49 CFR 393.81, 393.87 and 393.95(a);

(5) hours of service of drivers: 49 CFR Part 395, except sections 49 CFR 395.1(i), (j), and (l);

(6) inspection, repair and maintenance: 49 CFR Part 396;

(7) transportation of hazardous materials; driving and parking rules: 49 CFR Part 397;

(8) transportation of migrant workers: 49 CFR Part 398;

(9) employee safety and health standards: 49 CFR Part 399;

(10) minimum levels of financial responsibility for motor carriers: 49 CFR Part 387, except strictly intrastate non-hazardous motor carriers covered under K.S.A. 66-1,128;

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

(12) rules of practice for motor carrier safety and hazardous materials proceedings: 49 CFR 386.72.

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

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

(1) "Authorized personnel," as used in 49 CFR 396.9 (c), means members of the Kansas highway patrol or au-

thorized representatives of the commission who have been certified in the inspection of motor carriers based on the motor carrier safety assistance program standards.

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

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

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

(d) Copies of the motor carrier safety regulations promulgated by the U.S. department of transportation may be obtained from the superintendent of documents, United States government printing office, Washington, D.C. 20402. (Authorized by and implementing K.S.A. 1997 Supp. 66-1,112, 66-1,112a, K.S.A. 66-1,112g and 66-1,129; effective Jan. 1, 1971; modified, L. 1981, ch. 424, May 1, 1981; amended May 1, 1984; amended May 1, 1985; amended May 1, 1987; amended April 30, 1990; amended Sept. 16, 1991; amended July 6, 1992; amended May 10, 1993; amended Oct. 3, 1994; amended Jan. 30, 1995; amended Jan. 4, 1999.)

**82-4-6d. Waiver of physical requirements.** (a) Any person failing to meet the requirements of 49 C.F.R. 391.41, as in effect on July 1, 1997, may be permitted to drive a vehicle, other than a vehicle transporting passengers, if the administrator finds that the granting of a waiver is consistent with highway safety and the public interest.

(b) The application for a waiver shall meet these requirements:

(1) Be submitted jointly by the person seeking the waiver and by the carrier wishing to employ the person as a driver, both parties agreeing to fulfill all conditions of the waiver;

(2) be accompanied by the following:

(A) Reports of medical examinations, administered by a licensed physician, that are satisfactory to the administrator;

(B) recommendations from at least two licensed physicians, at least one of whom shall be selected and compensated by the carrier. The reports and recommendations shall indicate the opinions of the licensed physicians regarding the ability of the driver to safely operate a commercial vehicle of the type to be driven; and

(C) a copy of the driver's current motor vehicle registration ("MVR");

(3) contain a description that is satisfactory to the administrator of the type, size, and special equipment of the vehicle or vehicles to be driven, the general area and type of roads to be traversed, the distances and time period contemplated, the nature of the commodities to be transported and the method of loading and securing them, and

the experience of the applicant in driving vehicles of the type to be driven;

(A) If the applicant motor carrier is a corporation, the application shall be signed by a corporation officer and the applicant driver;

(B) If the applicant motor carrier is a limited liability company, the application shall be signed by a company officer and the applicant driver;

(C) If the applicant motor carrier is a limited liability partnership, the application shall be signed by at least one of the members of the partnership and the applicant driver;

(D) If the applicant motor carrier is a partnership, the application shall be signed by at least one of the members of the partnership and the applicant driver;

(E) If the applicant motor carrier is a sole proprietorship, the application shall be signed by the proprietor and the applicant driver; and

(4) specify that both the person and the carrier shall file periodic reports as required with the administrator. These reports shall contain complete and truthful information regarding the extent of the person's driving activity, accidents in which the person may have been involved, and all arrests, suspensions, or convictions in which the person is involved.

(c) The waiver shall not exceed two years and shall be renewable upon submission and approval of a new application.

(d) While on duty, the letter granting the waiver or a legible, photographically reproduced copy of the waiver shall be in the driver's possession.

(e) The waiver may be revoked by the administrator after the applicant has been given notice of the proposed revocation and has been given a reasonable opportunity to show cause, if any, why the revocation should not be made.

(f) The motor carrier shall retain the letter granting the waiver under this section or a legible, photographically reproduced copy in its files at its principal place of business during the period the driver is in the carrier's employment. The motor carrier shall retain a copy of the waiver for a period of 12 months after the termination of the driver's employment.

(g) Each motor carrier shall notify the administrator within 15 days upon any conviction or any revocation or suspension of driving privileges.

(h) Transfers.

(1) Written notice shall be given to the administrator when either of the following occurs:

(A) A driver ceases employment with the "original employer" with whom the waiver was first granted.

(B) A change occurs in employment duties or functions.

(2) Written notice shall be given by both the motor carrier and the driver within 72 hours of termination.

(3) A waiver shall become void upon termination of employment from motor carrier joint-applicant and until all requirements in this subsection are met.

(i) Renewals. Application for renewal of waiver shall be submitted 30 days before the expiration date of the existing waiver. (Authorized by and implementing K.S.A. 1997 Supp. 66-1,112; effective May 1, 1981; amended Sept.

16, 1991; amended May 10, 1993; amended Oct. 3, 1994; amended Jan. 30, 1995; amended Jan. 4, 1999.)

**82-4-20. Transportation of hazardous materials by motor vehicles.** (a) Title 49 CFR, Parts 107.105, 107.502, 171, 172, 173, 177, 178, and 180 of the federal hazardous materials rules and regulations promulgated by the U.S. department of transportation are incorporated by reference except for the referenced materials listed below under section 49 CFR 171.7(a)(3), as in effect on October 1, 1997:

(1) ASTM A 242-81 standard specification for high-strength low-alloy structural steel;

(2) ASTM A 370-77 standard methods and definition for mechanical testing of steel products;

(3) ASTM A 441-81 standard specification for high-strength low-alloy structural manganese vanadium steel;

(4) ASTM A 514-81 standard specification for high-yield-strength, quenched and tempered alloy steel plate, suitable for welding;

(5) ASTM A 516-79b standard specification for pressure vessel plates, carbon steel, for moderate and lower-temperature service;

(6) ASTM A 537-80 standard specification for pressure vessel plates, heat-treated, carbon manganese-silicon steel;

(7) ASTM A 588-81 standard specification for high-strength low-alloy structural steel with 50 Ksi minimum yield point to 4 in. thick;

(8) ASTM A 606-75 standard specification for steel sheet and strip hot-rolled and cold-rolled, high-strength, low alloy, with improved atmospheric corrosion resistance, 1975 (reapproved 1981);

(9) ASTM A 633-79a standard specification for normalized high-strength low-alloy structural steel, 1979 edition; and

(10) ASTM A 715-81 standard specification for steel sheet and strip, hot-rolled, high-strength, low-alloy, with improved formability, 1981.

(b) Packaging requirements shall be subject to the provisions of L. 1998, ch. 157, and amendments thereto.

(c) Whenever the incorporated federal regulations refer to portions of the federal regulations that are not included under subsection (a), those references shall not be applicable to this regulation. (Authorized by K.S.A. 1997 Supp. 66-1,112, 66-1,112a, K.S.A. 66-1,112g, 66-1,129 and L. 1998, ch. 157; implementing K.S.A. 1997 Supp. 66-1,112, K.S.A. 66-1,129 and L. 1998, ch. 157; effective Jan. 1, 1971; amended May 1, 1981; amended May 1, 1984; amended May 1, 1985; amended May 1, 1987; amended May 1, 1988; amended April 30, 1990; amended Sept. 16, 1991; amended July 6, 1992; amended May 10, 1993; amended Oct. 3, 1994; amended Jan. 30, 1995; amended Jan. 4, 1999.)

**82-4-21. Requiring insurance.** Public motor carriers of property or passengers, contract motor carriers of property or passengers, and private motor carriers of property shall not operate a motor vehicle, trailer, or semitrailer for the transportation of persons or property within the provisions of the motor carrier law of this state until an insurance policy is filed in compliance with

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K.S.A. 66-1,128, and amendments thereto, and in accordance with the regulations of the commission. (Authorized by K.S.A. 1997 Supp. 66-1,112, 66-1,112a, K.S.A. 66-1,112g; implementing K.S.A. 1997 Supp. 66-1,128; effective Jan. 1, 1971; amended May 1, 1981; amended, T-85-48, Dec. 19, 1984; amended May 1, 1985; amended Jan. 4, 1999.)

**82-4-22. Insurance requirements.** (a) (1) Before the commission issues a certificate, permit, or license to a public motor carrier of property or passengers, or a contract motor carrier of property or passengers, or a private motor carrier of property, the applicant shall obtain and keep in force a public liability and property damage insurance policy pursuant to K.S.A. 66-1,128, and amendments thereto. The applicant shall submit proof of the required policy by filing the uniform standard insurance form as required by K.A.R. 82-4-24a. This policy shall be issued by an insurance company or association meeting the requirements of K.S.A. 66-1,128, and amendments thereto.

(2) The insurance policy shall bind the obligors to pay compensation for the following:

(A) Injuries or death to persons, except injury to the insured's employees while engaged in the course of their employment; and

(B) loss of, or damage to, property of others, not including property usually designated as cargo, resulting from the negligent operation of the carrier.

(3) The carriers shall file proof of insurance in amounts not less than those required in K.S.A. 66-1,128, and amendments thereto. In special cases, and for good cause shown, the carriers may be required by order of the commission to file insurance in additional amounts.

(b) Public and contract motor carriers of property that conduct intrastate business shall keep in force a cargo insurance policy. The motor carrier shall submit proof of the required policy by filing the uniform standard insurance form established in 49 U.S.C. § 11506 and adopted in K.A.R. 82-4-24a. This policy shall be issued by a company authorized to write coverage in the state of Kansas, in a minimum amount of \$3,000.

(c) If a motor carrier is unable to provide the uniform standard insurance form required in subsection (a) or (b), the original or a certified copy of the policy with all endorsements attached may be temporarily accepted by the commission for a period of 30 days. The motor carrier shall then file the form required in subsection (a) or (b) within the 30-day period.

(d) Before the expiration date or cancellation date of an insurance policy filed in compliance with the law and the regulations of the commission, either the motor carrier shall file with the commission a new policy for the vehicle, or the vehicle shall immediately be withdrawn from service and notification of the action shall be given to the commission.

(e) Operation by a motor carrier without strict compliance with this regulation shall suspend the certificate, permit, or license issued to the carrier, and proceedings by the commission shall be undertaken after hearing and notice in accordance with K.S.A. 1997 Supp. 66-1,128 to cancel the certificate, permit, or license. (Authorized by K.S.A. 1997 Supp. 66-1,112a, 66-1,112, K.S.A. 66-1,112g;

implementing K.S.A. 1997 Supp. 66-1,128; effective Jan. 1, 1971; modified, L. 1981, ch. 424, May 1, 1981; amended May 1, 1983; amended, T-85-48, Dec. 19, 1984; amended May 1, 1985; amended May 1, 1987; amended Oct. 3, 1994; amended Jan. 4, 1999.)

**82-4-23. General requirements.** (a) Each insurance policy shall be written in the full and correct name of the individual, partnership, limited liability partnership, limited liability company, or corporation to whom the certificate, permit, or license has been issued, and in case of a partnership, all partners shall be named.

(b) Policies filed with the commission shall be deemed the property of the commission and shall not be returnable.

(c) Cancellation notices and expiration notices shall be filed in duplicate with the commission on the uniform notice of cancellation of motor carrier insurance policies (form K) or in compliance with 49 CFR 1023 as in effect on October 1, 1996. The original copy shall be retained by the commission, and the duplicate copy shall be stamped with the date it is received and returned to the insurance company for their files.

(d) Public liability and property damage insurance policies filed with the commission and motor carriers registered pursuant to 49 CFR 1023, as in effect on October 1, 1996, shall fulfill the insurance requirements of K.S.A. 66-1,128, and amendments thereto, and the regulations adopted by the commission.

(e) Each policy of insurance filed with the commission for approval shall be in amounts not less than the minimum of liability required under K.S.A. 66-1,128 and amendments thereto. (Authorized by K.S.A. 1997 Supp. 66-1,112, 66-1,112a, K.S.A. 66-1,112g; implementing K.S.A. 1997 Supp. 66-1,128; effective Jan. 1, 1971; amended May 1, 1981; amended Oct. 3, 1994; amended Jan. 4, 1999.)

**82-4-24a. Standard insurance forms.** (a) The uniform standard insurance forms established under the provisions of 49 CFR 1023 as in effect on October 1, 1996, are adopted by reference.

(b) All motor carriers shall use the same insurance forms.

(c) The uniform motor carrier bodily injury and property damage liability certificate of insurance shall be form E for intrastate regulated and interstate exempt motor carriers.

(d) The uniform motor carrier cargo certificate of insurance shall be form H for intrastate common and contract carriers.

(e) Form BMC 91 and BMC 91X shall be required for interstate regulated motor carriers in accordance with 49 CFR 1023, as in effect on October 1, 1996.

(f) The uniform notice of cancellation of motor carrier insurance policies shall be form K. (Authorized by K.S.A. 1997 Supp. 66-1,112a, 66-1,112, K.S.A. 66-1,112g; implementing K.S.A. 1997 Supp. 66-1,128; effective May 1, 1981; amended May 1, 1984; amended Oct. 3, 1994; amended Jan. 4, 1999.)

**82-4-26. General requirements for certificates, permits, and licenses.** Except as otherwise specifically re-

quested by the commission or its staff, all applications for certificates, permits, or licenses by partnerships shall be accompanied by a copy of the articles of partnership, if in writing; if not, by a statement of the partnership agreement. Each limited liability partnership shall provide a copy of its partnership agreement. Corporations applying for a certificate, permit, or license shall provide a copy of the articles of incorporation. Each limited liability company shall provide a copy of its articles of organization. (Authorized by K.S.A. 1997 Supp. 66-1,112, 66-1,112a, K.S.A. 66-1,112g; implementing K.S.A. 1997 Supp. 66-1,116, K.S.A. 66-1,117; effective Jan. 1, 1971; amended May 1, 1981; amended Jan. 4, 1999.)

**82-4-27. Applications for certificates of convenience and necessity and certificates of public service.** (a) Each application for a certificate of convenience and necessity or a certificate of public service shall be typewritten or printed on forms furnished by the commission. An original and two copies shall be filed and shall contain the following information:

(1) The address of the principal office or place of business and the address of the residence of the applicant;

(2) a list of each motor vehicle, by make, year, and vehicle identification number (VIN), to be used by the applicant. If buses are to be used, the seating capacity of each bus shall be included;

(3) the commodity or commodities that the applicant intends to transport;

(4) a current balance sheet and income statement reflecting the most recent 12 months of data available or pro forma of the applicant; and

(5) for certificates of convenience and necessity only, a description of the territory proposed to be served.

(A) The territory that the applicant proposes to serve shall be indicated by stating the county or counties where transportation will originate and terminate.

(B) If the territory proposed to be served cannot be stated in the manner outlined above, the applicant, upon motion, may be allowed by the commission to state the proposed territorial description as bound by described highways.

(C) The territorial description shall not be filed using a mileage radius from a fixed point.

(D) In addition to the application, each applicant for a certificate of convenience and necessity shall file testimony that details why the applicant is fit, willing, and able to serve. Each applicant for a certificate of public service shall file testimony that details why the applicant is fit, knowledgeable, and in compliance with safety regulations. (Authorized by K.S.A. 1997 Supp. 66-1,112 and K.S.A. 66-1,117; implementing K.S.A. 66-1,117 and K.S.A. 1997 Supp. 66-1,139; effective Jan. 1, 1971; amended May 1, 1981; amended May 1, 1984; amended May 1, 1987; amended Sept. 16, 1991; amended Oct. 3, 1994; amended Jan. 4, 1999.)

**82-4-27a. Applications for transfer of certificates of convenience and necessity, certificates of public service, and permits.** (a) A certificate of convenience and necessity or a certificate of public service issued to common motor carriers under the provisions of K.S.A. 66-1,114, and amendments thereto, and permits issued to contract

carriers under K.S.A. 66-1,112a, and amendments thereto, shall not be assigned or transferred without the consent of the commission. The terms and provisions of any certificate may reasonably be altered, restricted, or modified by the commission, or restrictions may be imposed by the commission on any transfers when the public interest may be best served.

(b) Applications for the commission's approval of the transfer of the common carrier certificate shall be completed by both transferor and transferee and filed on forms prescribed by the commission. The applicant shall file an original and two copies of the application with the commission. The application shall contain the following information:

(1) A certified or sworn contract entered into by the parties shall be filed as an exhibit with the application, shall set out in full the agreement between the parties, and shall detail all transferred items including equipment, property, goodwill, assumption of debt, covenants not to compete, and any other items relevant to the financial stability of the parties.

(2) For certificates of convenience and necessity only, a statement shall be filed indicating the complete territorial description of the authority sought to be transferred, in the form required by K.A.R. 82-4-27(a)(5).

(c) The transferor or present owner of the certificate shall file a sworn statement containing the following information:

(1) The name and address of the present owner of the certificate;

(2) the date the certificate was obtained;

(3) the reason for the transfer;

(4) an indication of whether the transferor is currently under citation or suspension by the commission;

(5) an indication of whether all ad valorem taxes have been paid to the state of Kansas, or a statement that clearly indicates which party shall be responsible for filing any delinquent rendition statement and who shall be responsible for paying any outstanding ad valorem tax obligation; and

(6) a statement that the vehicle maintenance records, driver qualification files, driver logs, and bills of lading of the transferor for the three years before the date of the transfer will be in the transferee's possession upon conclusion of the transfer.

(d) The transferee of the certificate shall file a sworn statement containing the following information:

(1) The name and address of the transferee according to one of the following:

(A) If the transferee is a corporation, the application shall designate the state in which the articles of incorporation were issued, the name and address of all officers, and a copy of the articles of incorporation;

(B) if the transferee is a limited liability company, the applicant shall designate the state in which the articles of organization were issued, the name and address of all officers, a copy of the statement of foreign qualification, and a copy of the articles of incorporation;

(C) if the transferee is a limited liability partnership, the applicant shall designate the state in which the statement of qualification was issued, the name and address

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of all partners, and a copy of the partnership agreement; or

(D) if the transferee is an individual, partnership, or association, the application shall indicate the names and addresses of all parties owning an interest in the transferee and the percentage each owns;

(2) a financial statement showing in detail the financial ability and responsibility of the transferee;

(3) a statement specifying the amount the transferee borrowed or otherwise obtained to make the purchase of the items detailed in subsection (b) and specifying all details regarding the transactions;

(4) a sworn statement from the transferee that the vehicle maintenance records, driver qualification files, driver logs, and bills of lading of the transferor will be in the transferee's possession for a period of three years from the date of the transfer. The transferee shall accept all responsibility for the books and records, and shall have them available at any time for inspection by the commission or the commission's employees; and

(5) in the event that the transferee of the certificate presently owns a certificate covering all or a part of the route authorized in the transferred certificate, a request to consolidate the transfer to eliminate the duplication of operating authority, as required in K.A.R. 82-4-27e. The request shall point out in detail which part of the commodity and geographic description of the duplicated authority is to be eliminated. (Authorized by K.S.A. 66-1,117, K.S.A. 1997 Supp. 66-1,112; implementing K.S.A. 1997 Supp. 66-1,112a, K.S.A. 66-1,117 and K.S.A. 1997 Supp. 66-1,118; modified, L. 1981, ch. 424, May 1, 1981; amended May 1, 1983; amended May 1, 1987; amended Sept. 16, 1991; amended May 10, 1993; amended Oct. 3, 1994; amended Jan. 4, 1999.)

**82-4-27c. Applications for transfer for purposes of change in the form of a business organization.** (a) Any application to transfer a certificate of convenience and necessity or a certificate of public service issued to a common motor carrier or to transfer any permit issued to a contract carrier shall be considered by the commission without a hearing, pursuant to K.S.A. 66-1,115a, and amendments thereto, when the transfer is required because of any of the following:

(1) Incorporation of the limited liability company, proprietorship, limited liability partnership, or partnership holding the certificate or permit to be transferred;

(2) the dissolution of the corporation holding the certificate or permit and the formation of a limited liability company, partnership, limited liability partnership, or sole proprietorship by the entities comprising the former corporation;

(3) the dissolution of the limited liability company holding the certificate or permit and the formation of a partnership, limited liability partnership, or sole proprietorship by the entities comprising the former limited liability company;

(4) the dissolution of the limited liability partnership holding the certificate or permit and the formation of a limited liability company, partnership, or sole proprietorship by the entities comprising the former limited liability partnership; or

(5) the dissolution of the partnership holding the certificate or permit and formation of a sole proprietorship by a former partner.

(b) The application for transfer shall contain all applicable information required by K.A.R. 82-4-27a and a signed affidavit from the transferor stating that the transfer is for the incorporation of the present limited liability company, proprietorship, partnership, or limited liability partnership; the dissolution of a corporation to form a limited liability company, partnership, limited liability partnership, or sole proprietorship; the dissolution of a limited liability company to form a partnership, limited liability partnership, or sole proprietorship; the dissolution of a limited liability partnership to form a limited liability company, partnership, or sole proprietorship; or the dissolution of partnership to form a sole proprietorship and that the management, operations, and equipment of the transferee will be the same as that of the transferor. (Authorized by K.S.A. 1997 Supp. 66-1,112, 66-1,112a, K.S.A. 66-1,117; implementing K.S.A. 1997 Supp. 66-1,112, 66-1,112a, 66-1,114, 66-1,115, 66-1,115a, K.S.A. 66-1,117; effective May 1, 1985; amended May 1, 1986; amended May 1, 1987; amended Sept. 16, 1991; amended July 6, 1992; amended Jan. 4, 1999.)

**82-4-27e. Application to merge or consolidate intrastate common or contract authority; or to acquire control or management of an intrastate common or contract motor carrier operation.** (a) This regulation shall apply to individuals, partnerships, limited liability companies, or corporations who intend to merge, consolidate or acquire control or management of a motor carrier operation that possesses common or contract interstate authority as well as intrastate authority, or possesses intrastate authority. The merger, consolidation, or acquisition may be affected by factors including stock acquisition, transfer of a partnership interest, or a conditional sales contract.

(b) Any entity who has received approval or exemption from the U.S. department of transportation or federal highway administration to make any transaction described in subsection (a) shall send a copy of that approval or exemption to the commission and provide the information set out in subsection (d) of this regulation on the required application.

(c) Any entity that desires to make any transaction described in subsection (a) and has not received approval or exemption of the USDOT or FHWA shall provide the information set out in subsections (d) and (e) of this regulation and comply with the requirements of subsection (f) of this regulation.

(d) The applicant shall file an original and two copies of the application with the commission. The application shall contain the following information:

(1) The background of the transaction, including the names of the entities involved, their addresses, the reasons for the transaction, items to be retained, including equipment, property, and any other item relevant to the transaction; and

(2) a signed affidavit stating whether or not all ad valorem taxes have been paid to the state of Kansas, and who shall be responsible for paying any outstanding ad valorem tax obligation.

(e) Those applicants who have not received approval or exemption from the USDOT or FHWA shall also provide the following information:

(1) With respect to a partnership transaction, the percentage of the partnership being transferred and the percentage of each partner as a result of the transaction;

(2) with respect to a stock transaction, the total number of shares outstanding, the total number of shares being transferred and to whom, and the total number of shares any transferee held before the stock transaction; and

(3) written testimony that sets forth a detailed explanation of why the applicant for a certificate of convenience and necessity is fit, willing, and able to provide the service sought, or in the case of an applicant for a certificate of public service, why the applicant is fit, knowledgeable, and in compliance with safety regulations. This testimony shall demonstrate the manner in which the proposed operation will be managed in a safe and reasonable manner, a thorough knowledge of the applicable rules and regulations, and any other information relevant to show that the applicant for a certificate of convenience and necessity is fit, willing, and able to perform the proposed service, or in the case of an applicant for a certificate of public service, to show that the applicant is fit, knowledgeable and in compliance with safety regulations.

(f) All applications filed under this regulation, with the exception of those from carriers that have received approval or exemption from the USDOT or FHWA, shall be noticed to the public and set for hearing as required by K.S.A. 66-1,114 and 66-1,112b, and amendments thereto. (Authorized by K.S.A. 1997 Supp. 66-1,112 and 66-1,112a; implementing K.S.A. 1997 Supp. 66-1,112a, K.S.A. 66-1,112c, K.S.A. 1997 Supp. 66-1,114 and 66-1,118; effective May 1, 1986; amended July 6, 1992; amended Jan. 4, 1999.)

**82-4-27f. Application for temporary operating authority.** (a) Each application for temporary authority to operate as a common or contract motor carrier shall meet the following requirements before consideration by the commission:

(1) Formal application for permanent authority shall be filed with the commission.

(2) Formal application for temporary authority shall be filed with the commission. The application for temporary authority shall include the following:

(A) The name and address of the principal office or place of business, and the address of the residence of the applicant;

(B) a complete current balance sheet and income statement reflecting the most recent 12 months of data available or pro forma of the applicant;

(C) the commodity or commodities that the applicant intends to transport;

(D) for a certificate of convenience and necessity, a description of the territory proposed to be served;

(E) for a certificate of convenience and necessity, a tariff schedule;

(F) proof of sufficient liability and cargo insurance, as required by K.A.R. 84-4-21 through K.A.R. 84-4-25a;

(G) the name and mailing address of a resident agent, if the applicant is nonresident;

(H) a copy of the articles of incorporation, articles of organization, or partnership agreement, if applicable to the applicant's business;

(I) a brief statement as to the nature of the emergency that makes the temporary authority necessary; and

(J) the name and business of a shipper witness supporting the application.

(b) Upon receipt of the completed application for temporary authority, the date, time, and place of the hearing on the application shall be set by the commission.

(c) The rules of procedure at the hearing shall be those that govern all proceedings before the commission, as stated in the rules of practice and procedure of the commission.

(d) In order to be granted temporary authority, the applicant shall make a satisfactory showing that an immediate and urgent transportation need constituting an emergency exists. The showing shall be demonstrated by sworn testimony of a person or persons appearing at the hearing, other than the applicant.

(e) A written order either granting or denying temporary authority shall be issued and served upon the applicant as soon as practicable after the hearing. At the request of the applicant, a letter or fax authorizing the commencement of the approved operations may be issued by the commission. An application for temporary authority shall not be granted until after a hearing and until the applicant has filed with the commission all of the information required under paragraph (a)(2) of this regulation.

(f) The order granting temporary authority shall specify the length of time for which the authority is valid, subject to any extension or renewal that may be authorized by the commission. Temporary authority shall not exceed the date on which an order granting or denying permanent authority becomes final. (Authorized by K.S.A. 1997 Supp. 66-1,112, K.S.A. 66-1,112a, K.S.A. 66-1,117; implementing K.S.A. 1997 Supp. 66-1,112, K.S.A. 66-1,112a, K.S.A. 66-1,114, and 66-1,115; effective May 1, 1986; amended May 1, 1987; amended Oct. 3, 1994; amended Jan. 4, 1999.)

**82-4-27g. Applications for transfer for purposes of name change of a motor carrier.** Any application to transfer a certificate of convenience and necessity or a certificate of public service because of a name change of an entity holding a certificate or permit shall be considered by the commission without a hearing, pursuant to K.S.A. 66-1,115a, and amendments thereto. The application shall state the reasons for the name change. (Authorized by and implementing K.S.A. 1997 Supp. 66-1,115a; effective July 6, 1992; amended Jan. 4, 1999.)

**82-4-28. Application for contract carrier permits.** Each application for a contract carrier permit shall be typewritten or printed on forms furnished by the commission. An original and two copies shall be filed and shall contain the following information: (a) The name, residence, and post office address of the applicant and the title under which the applicant proposes to operate;

(b) a list of the motor vehicles by make, year, and vehicle identification number (VIN) to be used by the ap-

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plicant. If buses are to be used, the seating capacity of buses shall be included;

(c) the commodities that the applicant intends to transport;

(d) full and detailed information concerning the financial condition of the applicant; and

(e) for contract carriers of household goods or passengers, a description of the territory proposed to be served. This territory shall be described by stating the county or counties where transportation will originate and terminate.

(1) If the territory proposed to be served cannot be stated in the manner outlined above, the applicant, upon motion, may be allowed by the commission to state the proposed territorial description as bound by described highways.

(2) A territorial description shall not be filed using a mileage radius from a fixed point. (Authorized by K.S.A. 1997 Supp. 66-1,112a, K.S.A. 66-1,117; implementing K.S.A. 1997 Supp. 66-1,112b, 66-1,115, K.S.A. 66-1,117, and K.S.A. 1997 Supp. 66-1,139; effective Jan. 1, 1971; amended May 1, 1981; amended Oct. 3, 1994; amended Jan. 4, 1999.)

**82-4-28a. Application to transfer contract carrier permits.** Applications for approval by the commission of the transfer or assignment of a contract carrier permit shall be filed on a form prescribed by the commission and shall contain the following information:

(a) The full and accurate name and address of the transferor and transferee (purchaser);

(b) a designation of the transferee as an individual, partnership, limited liability partnership, limited liability company, corporation, or other;

(c) the name and address of the officers, if the transferor is a corporation, and the name of the state where incorporated;

(d) the name and address of the officers if the transferor is a limited liability company, and the name of the state where organized;

(e) the name and address of the partners of the transferor is a limited liability partnership, and the name of the state where organized;

(f) if the transferor is an individual or partnership, the names and addresses of all parties owning an interest in the motor carrier line of the organization;

(g) a complete statement of financial condition of the transferee showing all assets of every kind and character and all liability of every kind and character, including debts secured by mortgages, judgments, current indebtedness, and all other liabilities;

(h) a list of the motor vehicles by make, year, and vehicle identification number (VIN) to be used by the applicant;

(i) for contract carriers of household goods or passengers, a complete territorial description of the permit sought to be transferred in the form required by K.A.R. 82-4-28(e); and

(j) a written contract of transfer or assignment entered into by the transferor and transferee. (Authorized by K.S.A. 1997 Supp. 66-1,112a, K.S.A. 66-1,117; implementing K.S.A. 66-1,112c, 66-1,117; effective May 1, 1981; amended Jan. 4, 1999.)

**82-4-28b. Consolidation of motor carrier certificate.** If any motor carrier holds more than one certificate, it may apply to the commission for consolidation of its common carrier authority into one certificate. (Authorized by and implementing K.S.A. 1997 Supp. 66-1,112; effective May 1, 1983; amended Jan. 4, 1999.)

**82-4-29a. Application for authorization of joint registration of equipment.** (a) Each application for authorization of joint registration of equipment shall be typewritten or printed on forms furnished by the commission. An original and two copies shall be filed and shall contain the following:

(1) The full and accurate names and addresses of the applicants;

(2) the motor carrier identification number under which authority for joint registration of equipment is sought;

(3) a balance sheet and income statement issued for the most recent 12 months of data available;

(4) a certified or sworn statement by each applicant indicating all of the following:

(A) The applicant will jointly be in compliance with the state laws and rules and regulations of the commission.

(B) Equipment utilized by the applicant will be properly marked and identified to reflect the authority under which the equipment is being jointly operated.

(C) The applicant presently has registered and is operating units of motor carrier equipment pursuant to the operating authority issued by the commission.

(D) The applicant will provide a list of the names of other carriers with whom the applicant currently has joint registration issued by the commission.

(E) The applicant will provide a list of the equipment to be registered under the joint application.

(b) Each applicant shall have the burden of proving that the approval of the application would be in the public interest. (Authorized by K.S.A. 1997 Supp. 66-1,112; implementing K.S.A. 1997 Supp. 66-1,112 and 66-1,139; effective May 1, 1983; amended Oct. 3, 1994; amended Jan. 4, 1999.)

**82-4-30a. Applications for interstate registration.**

(a) Each interstate motor carrier designating Kansas as the carrier's registration state and operating in interstate commerce over the highways of this state under authority issued by the U.S. department of transportation or federal highway administration shall file, in duplicate, the uniform application for registration issued by the USDOT, as required by 49 CFR 1023 and standards prescribed by the USDOT and FHWA, in effect on October 1, 1996.

(b) Each interstate motor carrier operating in interstate commerce that is specifically exempt from USDOT's and FHWA's jurisdiction shall file an application on forms approved by the commission.

(c) An interstate regulated motor carrier shall not operate in interstate commerce over the highways of this state unless the carrier meets these conditions:

(1) Is registered in the carrier's registration state pursuant to 49 U.S.C. §13902 and 49 CFR 1023; and

(2) has a current registration receipt in each motor vehicle. (Authorized by K.S.A. 1997 Supp. 66-1,112, 66-1,112a; implementing K.S.A. 1997 Supp. 66-1,116; modi-

fied, L. 1981, ch. 424, May 1, 1981; amended Oct. 3, 1994; amended Jan. 4, 1999.)

**82-4-30b.** (Authorized by K.S.A. 1984 Supp. 66-1333; implementing K.S.A. 1984 Supp. 66-1329, 66-1330, 66-1331, 66-1332, 66-1334; effective, T-85-48, Dec. 19, 1984; effective May 1, 1985; revoked Jan. 4, 1999.)

**82-4-31. Issuance of registration receipts to interstate regulated common and contract carriers.** (a) A registration receipt shall not be issued to an interstate regulated motor carrier until the motor carrier is in full compliance with all of the provisions of the Kansas laws.

(b) Before an interstate regulated motor carrier operates a vehicle within the borders of the state of Kansas in interstate commerce, the motor carrier shall place one current registration receipt issued by the carrier's registration state in each motor vehicle, pursuant to the provisions of the interstate commerce act, 49 CFR 1023, as in effect October 1, 1996.

(c) The registration receipt shall be maintained in the cab of the vehicle for which prepared whenever the vehicle is operated under the authority of the carrier identified on the receipt.

(d) Upon demand, a driver shall show the registration receipt to any authorized agent or representative of the commission, or to the Kansas highway patrol or any other law enforcement officer in the state.

(e) The registration receipt shall be valid through December 31 in the calendar year for which it is issued.

(f) A motor carrier shall operate only the number of motor vehicles in Kansas for which it has paid the appropriate fees.

(g) Fees in the amount of \$100.00 or less may be remitted by personal check, cash, certified check, money order, or electronic transfer of funds.

(h) Fees in an amount greater than \$100.00 shall be remitted by cash, certified check, money order, or electronic transfer of funds. (Authorized by K.S.A. 1997 Supp. 66-1,112 and 66-1,112a; implementing K.S.A. 1997 Supp. 66-1,112, 66-1,112a, and 66-1a01; effective Jan. 1, 1971; amended May 1, 1981; amended May 1, 1984; amended Oct. 3, 1994; amended Jan. 4, 1999.)

**82-4-32. Completing motor carrier applications.** (a) Each applicant filing an application for an intrastate common carrier certificate, interstate license, or intrastate contract carrier, or private carrier permit shall provide the commission with all necessary information to complete the application within 30 days of the original filing date.

(b) All necessary information required to complete a filing for a certificate of convenience and necessity, certificate of public service, intrastate contract carrier or a private carrier permit shall be provided to the commission within 30 days after the date of the hearing. If the required information is not provided within that 30-day period, the application may be dismissed by the commission without further notice.

(c) Required application fees shall not be refunded if the application is dismissed by the applicant or the commission.

(d) Fees in the amount of \$100.00 or less may be remitted by personal check, cash, certified check, money order, or electronic transfer of funds.

(e) Fees in an amount greater than \$100.00 shall be remitted by cash, certified check, money order, or electronic transfer of funds. (Authorized by K.S.A. 1997 Supp. 66-1,112, 66-1,112a, K.S.A. 66-1,112g and 66-1,117; implementing K.S.A. 66-1,117; effective Jan. 1, 1971; amended May 1, 1981; amended May 1, 1987; amended Oct. 3, 1994; amended Jan. 4, 1999.)

**82-4-33. Service of process.** (a) The applicant for a certificate, permit, or license who is not a resident of Kansas shall not be granted a certificate, permit, or license until the applicant designates an agent who is a resident of the state of Kansas to be a process agent for and on behalf of the applicant.

(b) Each interstate regulated carrier shall provide and maintain the name of the carrier's agent for service of process with the carrier's registration state, pursuant to 49 CFR 1023 as in effect on October 1, 1996.

(c) This regulation shall not apply to private carrier applicants. This regulation shall not be construed to relieve motor carriers from the obligation to comply with K.S.A. 60-305a, and amendments thereto. (Authorized by K.S.A. 1997 Supp. 66-1,112, K.S.A. 66-1,112a; implementing K.S.A. 1997 Supp. 66-1,112, K.S.A. 66-1,112a, K.S.A. 66-1,112b; effective Jan. 1, 1971; amended May 1, 1981; amended May 1, 1985; amended Oct. 3, 1994; amended Jan. 4, 1999.)

**82-4-35a. Inspections of motor carrier documents.** The following documents shall be held available upon request for inspection by any duly authorized representative of the commission, the state highway patrol, or other law enforcement officers:

- (a) Registration receipts;
- (b) authority cards;
- (c) driver logs;
- (d) bills of lading or shipping receipts;
- (e) way bills;
- (f) freight bills;
- (g) run tickets, or equivalent documents, and orders;
- (h) cab cards;
- (i) fuel receipts; and
- (j) toll road receipts. (Authorized by K.S.A. 1997 Supp. 66-1,112a, 66-1,112, and K.S.A. 66-1,112g; implementing K.S.A. 1997 Supp. 66-1,112a, 66-1,112, K.S.A. 66-1,112g, 66-1,131, and K.S.A. 1997 Supp. 66-1,139; effective May 1, 1987; amended May 10, 1993; amended Oct. 3, 1994; amended Jan. 4, 1999.)

**82-4-37. Identification cards.** Holders of certificates, permits, or licenses shall carry on every vehicle operated under the certificates, permits, or licenses, or pursuant to 49 CFR 1023, as in effect on October 1, 1996, an identification card issued by the commission during the current calendar year showing the certificate, permit or license number, and either a complete description of the vehicle or a registration receipt, or both, issued by their registration state. The identification card or registration receipt, or both, shall be carried in the driver's compartment of the vehicle. (Authorized by K.S.A. 1997 Supp. 66-1,112, 66-1,112a, K.S.A. 66-1,112g; implementing K.S.A. 1997 Supp. 66-1,112, 66-1,112a, K.S.A. 66-1,112g, K.S.A. 1997 Supp. 66-1,139; effective Jan. 1, 1971; amended May

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1, 1981; amended May 10, 1993; amended Oct. 3, 1994; amended Jan. 4, 1999.)

**82-4-42. Emergency and occasional equipment.** (a) Holders of certificates, permits, and licenses who have motor vehicles properly registered with the commission and who have complied with all lawful requirements may in case of emergency be authorized by the commission by fax, or otherwise, to operate additional equipment or special equipment in substitution of regular registered equipment.

(1) Regular registered equipment for which special equipment is being substituted shall not be operated at the same time that the special equipment is being operated.

(2) The registration fee for the additional or special equipment shall be \$2.50 for each truck or truck-tractor for a period of 72 hours.

(3) In the event of seasonal emergency, a 30-day temporary wire or letter of authority may be issued.

(b) Each truck or truck-tractor entering the state of Kansas on occasional trips, when the operator is not operating under commission authority and has no commission permit, license, or certificate number under which it is being operated but is qualified under the law to enter the state on a special permit, shall pay a special clearance fee of \$5.00 per trip. The \$5.00 fee shall be paid when the truck or truck-tractor is loaded or will be loaded or unloaded in Kansas, regardless of the number of miles traveled.

(c) The time, manner, and method of operating the additional or special equipment shall be entirely within the discretion of, and shall be determined solely by, the commission.

(d) A motor carrier operating in interstate commerce under the provisions of 49 CFR 1023, as in effect on October 1, 1996, shall not be eligible to register equipment under subsections (a) and (b) of this regulation. (Authorized by K.S.A. 1997 Supp. 66-1,112, 66-1,112a, K.S.A. 66-1,112g, 66-1,140; implementing K.S.A. 66-1,140; effective Jan. 1, 1971; amended May 1, 1981; amended Oct. 3, 1994; amended Jan. 4, 1999.)

**82-4-46. Uniform system of accounts and annual reports.** All Kansas intrastate common motor carriers of household goods or passengers shall maintain a uniform system of accounts, as formulated and compiled by the commission, and shall file annual financial reports on forms prescribed or approved by the commission. The annual financial reports for the preceding calendar year shall be filed on or after January 1, but not later than May 1, of each year. (Authorized by K.S.A. 1997 Supp. 66-1,112; implementing K.S.A. 66-123 and K.S.A. 1997 Supp. 66-1,112; effective Jan. 1, 1971; amended May 1, 1981; amended May 1, 1986; amended Jan. 4, 1999.)

**82-4-48. Bills of lading, way and freight bills.** (a) Every common and contract motor carrier of household goods electing to be governed by K.A.R. 82-4-48a, K.S.A. 66-304, and K.S.A. 84-7-101 through K.S.A. 84-7-603, and amendments thereto, shall issue a bill of lading for household goods tendered for intrastate commerce.

(b) Every common and contract motor carrier transporting property, other than household goods, and elect-

ing to be governed by K.A.R. 82-4-48a, K.S.A. 66-304, and K.S.A. 84-7-101 through K.S.A. 84-7-603, and amendments thereto, shall issue a bill of lading for property tendered for intrastate commerce.

(c) All bills of lading shall include the following:

(1) The name and address of the motor carrier;

(2) the name and address of the consignor and consignee;

(3) the date of shipment;

(4) the origin and destination of the shipment;

(5) the signature of the motor carrier or its agent;

(6) a description of the shipment, including the number of packages, or the weight or volume,

(7) a released value clause as prescribed in K.S.A. 84-7-309, and amendments thereto, printed on the front of the document, if applicable; and

(8) on request of the shipper, a written or electronic copy of the rate, classification, rules, and practices upon which any rate applicable to a shipment, or agreed to between the shipper and the carrier, is based. The copy provided by the carrier shall clearly state the dates of applicability of the rate, classification, rules, or practices.

(d) Bills of lading, way bills, and freight bills may be included on one form.

(e) All transporters of crude petroleum oil, sediment oil, water, or brine shall require their drivers to possess a run ticket or equivalent documents as specified in K.A.R. 82-3-127.

(f) The documents required in subsections (a), (b), and (e) shall be held available upon request for inspection by any duly authorized representative of the commission, the state highway patrol, or other law enforcement officers.

(g) The bill of lading, way bill, freight bill, run ticket, or equivalent documents as specified in K.A.R. 82-3-127 shall be retained by the transporter for at least three years from the date of shipment. (Authorized by K.S.A. 1997 Supp. 66-1,112; implementing K.S.A. 1997 Supp. 66-1,112a, K.S.A. 55-1504, K.S.A. 1997 Supp. 66-1,112; effective Jan. 1, 1971; amended May 1, 1981; amended, T-83-45, Dec. 8, 1982; modified, L. 1983, ch. 362, May 1, 1983; amended Jan. 4, 1999.)

**82-4-48a. Motor carriers of property other than household goods carriers electing to be subject to uniform bills of lading and antitrust immunity regulations.**

(a) Every intrastate common and contract motor carrier of property, other than household goods carriers, may elect to be subject to regulations related to the following:

(1) Uniform cargo liability rules for property being transported pursuant to K.S.A. 66-304 and amendments thereto, and K.A.R. 82-4-48 through K.A.R. 82-4-85;

(2) uniform bills of lading or receipts for property being transported pursuant to K.S.A. 66-304 and amendments thereto, K.A.R. 82-4-48, and K.S.A. 84-7-101 through 84-7-603 and amendments thereto; or

(3) antitrust immunity for joint line rates or routes, classification, and mileage guides, pursuant to K.A.R. 82-4-68 through K.A.R. 82-4-85.

(b) All motor carriers electing to be subject to an existing commission regulation dealing with one or more of the above subjects shall file written notice with the com-

mission. The written notice filed with the commission shall specify the commission regulations that apply and provide one-day notice of adoption. If the motor carrier elects to opt out of any prior commission regulation listed above, it shall file written notice with the commission providing 30-day notice of abrogation. (Authorized by and implementing K.S.A. 1997 Supp. 66-1,112, 66-1,112a, K.S.A. 66-1,112g and 66-1,129; effective Jan. 4, 1999.)

**82-4-49c. Tariff requirements for C.O.D shipments.** An intrastate common carrier of property shall not render any C.O.D. service unless the carrier has published and posted tariffs that contain the rates, charges, and rules governing the service. Rules shall conform to the regulations contained in K.A.R. 82-4-49d and K.A.R. 82-4-49e. (Authorized by and implementing K.S.A. 1997 Supp. 66-1,112; effective May 1, 1986; amended Jan. 4, 1999.)

**82-4-53. Common and contract motor carrier rates and charges.** (a) Common motor carriers and contract motor carriers of property or passengers that are engaged in intrastate commerce in Kansas shall maintain on file with the commission a copy of the tariff publications applicable to their lines between points in Kansas. The carriers shall keep open for public inspection, at their principal offices and locations at which they have employed exclusive agents, all intrastate tariff publications applicable to their lines from or to their stations.

(b) Tariff publications changes shall be made subject to 30-day notice to the public and the commission, unless otherwise authorized by the commission. Tariff publications of contract motor carriers effecting changes resulting in increases in charges, either directly or by means of any change in the regulation or practice affecting a charge or value of service, may be filed on one day's notice to the commission and the public. Applicants granted new authority may file tariffs to be effective on one day's notice. Transferees may adopt the existing tariffs of transferors to be effective on one day's notice.

(c) Tariff publication, except general rate increases, shall not go into effect without prior approval of the commission. The publications shall be subject to protest and suspension. All publications shall be accompanied by a full and complete statement citing the reasons and justifications for the changes.

(d) General rate increases shall be made only by filing an application and after approval of the commission by written order.

(e) Protests of tariff publications shall be considered only if received by the commission at least 12 days before the published effective date of publications. Pursuant to protest or on the commission's own motion without protest, postponement of an effective date may be ordered by the commission to permit the matter to be properly investigated. Unless otherwise ordered by the commission, publication shall become effective as filed. Publications shall not be postponed to exceed 90 days.

(f) All tariff publications shall be made in compliance with the commission's regulations governing the publication and filing of common and contract motor carrier rates and charges. (Authorized by K.S.A. 1997 Supp. 66-1,112, 66-1,112a, K.S.A. 66-1,112f; implementing K.S.A.

1997 Supp. 66-117, 66-1,112, 66-1,112a, 66-1,112e, K.S.A. 66-1,112f; effective Jan. 1, 1971; amended May 1, 1981; amended Jan. 4, 1999.)

**82-4-54. Tariff publication to become effective on less than 30 days notice.** (a) Departure from the commission's requirement in K.A.R. 82-4-53(b) that tariff publications become effective on 30 days' notice may be permitted by the commission, if good and sufficient cause is shown to convince the commission that publication should be made on short notice.

(b) The applicant shall provide all related facts or circumstances that may aid the commission in determining if the request is justified. If permission to establish provisions on less than required notice is sought, the applicant shall state why the proposed provisions could not have been established upon 30 days' notice.

(c) Permission to allow a tariff to become effective on less than 30 days' notice shall be granted in cases for which good cause is shown. The desire to meet tariff publications of a competing carrier that has been filed on 30 days' notice or one-day notice may be considered a factor for permitting publication on short notice. (Authorized by K.S.A. 1997 Supp. 66-1,218, 66-1,112, 66-1,112a and K.S.A. 66-1,112f; implementing K.S.A. 1997 Supp. 66-1,218, 66-1,112, 66-1,112e and K.S.A. 66-1,112f; effective Jan. 1, 1971; amended May 1, 1981; amended May 1, 1987; amended Jan. 4, 1999.)

**82-4-55. Procedure for filing a request for postponement of tariff publications.** (a) The protested tariff publication sought to be postponed shall be identified by making reference to the name of the publishing carrier or agent, to the motor carrier's K.C.C. tariff number, and to the specific items or particular provisions protested. The protest shall state the grounds, indicate in what respect the protested tariff publication is considered unlawful, and state what the protestant offers as a substitution. Protests shall be considered as addressed to the discretion of the commission. A protest shall not include a request that it also be considered as a formal complaint. Should a protestant desire to proceed further against a tariff publication that is not postponed or that has been postponed and the postponement vacated, a separate, later, formal complaint or petition shall be filed.

(b) Protests against, and requests for, postponement of tariff publications filed under this regulation shall not be considered unless made in writing and filed with the commission at Topeka, Kansas. The original and five copies of each request for postponement shall be filed with the commission at least 12 days before the effective date of the tariff publication, unless the protested publication was filed on less than 30 days' notice under the authority of this commission, in which event the protests shall be filed at the earliest possible date. In an emergency, protests submitted by fax shall be acceptable if they fully comply with subsection (a) of this regulation and copies are immediately faxed by protestants to the respondent carriers or their publishing agents. An original and five copies of the fax shall immediately be mailed by the protestants to the commission at Topeka.

(c) An original and five copies of each protest or reply filed under this regulation shall be filed with the com-

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mission, and one copy of the protest shall simultaneously be served upon the publishing carrier or agent and upon other known interested parties.

(d) A reply to a protest filed under this regulation shall be filed and served promptly.

(e) An order instituting an investigation shall be served by the commission upon respondents. If the respondent fails to comply with any requirements or time period specified in the order, the respondent shall be deemed to be in default and to have waived any further hearing. The investigation may then be decided without further proceedings. (Authorized by K.S.A. 1997 Supp. 66-1,112; implementing K.S.A. 66-108, K.S.A. 1997 Supp. 66-1,112e, K.S.A. 66-1,112f; effective Jan. 1, 1971; amended May 1, 1981; amended Jan. 4, 1999.)

**82-4-56a. Common and contract motor carrier tariffs.** (a) Tariffs shall be typewritten, printed, or reproduced by other similar, durable process, upon paper of good quality, 8 by 11 or 8½ by 11 inches in size.

(b) The title page shall show the following information:

(1) In the upper right-hand corner, the K.C.C. number of the tariff, and, immediately below that, the K.C.C. number of the tariff canceled, if any. The first tariff issued by each carrier shall be numbered "K.C.C. no. 1"; succeeding tariffs shall be numbered consecutively. This information may be shown elsewhere on the page or on the second page of the tariff, if it applies to interstate as well as intrastate traffic;

(2) the name of the carrier, individual, or organization issuing the tariff;

(3) the names of the participating carriers or a reference to the page in the tariff containing that information;

(4) if the tariff is a passenger or household goods tariff, the tariff names' class rates, commodity rates, mileages, rules, one-way fares, round-trip fares, excursion fares, and appropriate designation, if the tariff applies to local traffic, joint traffic, or both;

(5) the territories or points between which the tariff applies, briefly stated;

(6) specific reference to the classification and to publications containing any exceptions to the classification governing the rates named in the tariff;

(7) the issued and effective dates;

(8) the commission's motor carrier identification number assigned; and

(9) the name, title, and complete address of the party issuing the tariff.

(c) The requirements of subsection (a) of this regulation shall be observed in the construction of circulars and other governing tariff publications. Tariff supplements shall be numbered consecutively, beginning with the number one, and shall show the K.C.C. number of the publication amended, the number of any previous supplements or tariffs canceled, and numbers of the supplements containing all changes from the original publication. This information shall appear in the upper right-hand corner of the supplement unless the supplement applies to interstate as well as intrastate traffic, in which case it may be shown elsewhere on the title page or on the second page.

(d) All household goods tariffs shall contain the following information:

(1) In clear and explicit terms, all rules, additional charges, and privileges applicable in connection with the rates and charges named in the tariff, or specific reference to publications naming these rules, additional charges, and privileges;

(2) any exceptions to the application of rates and charges named in the tariff;

(3) a full explanation of reference marks and technical abbreviations used in the tariff;

(4) rates in cents or dollars and cents per 100 pounds or per ton of 2,000 pounds or other definite measure; and

(5) the method by which the distance rates shall be determined. Specific point-to-point rates shall be published whenever practicable.

(e) All passenger tariffs shall show the following information:

(1) Adult fares, definitely and specifically stated in cents or in dollars and cents, per passenger, together with the names of the stations or the stopping places for which they apply, arranged in a simple and systematic manner;

(2) rules that are applicable or that contain specific reference to the publications in which they will be found. (Authorized by K.S.A. 1997 Supp. 66-1,112, 66-1,112a; implementing K.S.A. 66-108, K.S.A. 1997 Supp. 66-117, K.S.A. 66-1,112f; effective May 1, 1981; amended Jan. 4, 1999.)

**82-4-57. Powers of attorney and concurrences.** (a) A common or contract carrier desiring to give a power of attorney to an agent to issue and file tariffs and supplements for the carrier shall file with the commission the same form as that prescribed by the U.S. department of transportation in 49 CFR Subsection 1312.10, as in effect on October 1, 1996, which is adopted by reference.

(b) If a common or contract carrier desires to concur in tariffs issued and filed by another carrier, or by its agent, a concurrence, in substantially the same form as that prescribed by the USDOT for use in similar instances, with reference to the interstate tariffs, shall be issued in favor of the issuing carrier.

(c) The original of all powers of attorney and concurrences shall be filed with the commission, and a duplicate of the original shall be sent to the agent or carrier on whose behalf the document is issued.

(d) If a common or contract carrier wishes to revoke a power of attorney or concurrence, a notice shall be filed with the commission, the carrier's agent or agents, and any other carrier affected by the revocation. The notice shall be filed no fewer than 30 days before the effective date. (Authorized by K.S.A. 66-108, K.S.A. 1997 Supp. 66-1,112 and 66-1,112a; implementing K.S.A. 1997 Supp. 66-1,112e, K.S.A. 66-1,112f; effective Jan. 1, 1971; amended May 1, 1981; amended May 1, 1984; amended Jan. 4, 1999.)

**82-4-58a.** (Authorized by K.S.A. 1983 Supp. 66-1,112; implementing K.S.A. 66-117, effective May 1, 1984; revoked Jan. 4, 1999.)

**82-4-58b.** (Authorized by K.S.A. 1983 Supp. 66-1,112; implementing K.S.A. 66-117, effective May 1, 1984; revoked Jan. 4, 1999.)

**82-4-58c.** (Authorized by K.S.A. 1983 Supp. 66-1,112; implementing K.S.A. 66-117, effective May 1, 1984; revoked Jan. 4, 1999.)

**82-4-58d.** **Financial filing requirements for abandonment of motor carrier passenger service.** In addition to the formal filing of an application for abandonment of intrastate motor carrier passenger service, the applicant shall also provide the following financial data on each route proposed to be abandoned:

(a) U.S. department of transportation or federal highway administration reports or shareholder annual reports for the three previous years;

(b) expense data of the intrastate route or routes in question for the three previous years and an explanation of the methodology used to determine costs;

(c) actual intrastate revenue by category, associated with the route or routes in question, on a monthly basis for the three previous years;

(d) an estimate of the off-route revenue that will be lost as a result of the abandonment and an explanation of how the estimates were derived;

(e) monthly intrastate ridership data for the intrastate route or routes in question for the three previous years;

(f) monthly intrastate variable cost computations for the three previous years; and

(g) copies of interstate tariffs applicable to the routes in question. (Authorized by and implementing K.S.A. 1997 Supp. 66-1,112; effective May 1, 1987; amended Jan. 4, 1999.)

**82-5-59.** (Authorized by K.S.A. 66-1,112a; implementing K.S.A. 66-1,112e, 66-1,112f; effective Jan. 1, 1971; amended May 1, 1981; revoked Jan. 4, 1999.)

**82-4-62.** **Contract carrier bills of lading or freight bills, or both.** Every contract carrier shall issue a bill of lading, a freight bill, or both, for property transported, on which shall be indicated the name of the carrier, the date and place of shipment, the name of the consignor, the name of the consignee, a description of the shipment, the destination of the shipment, the rate, the weight, and the charge. (Authorized by K.S.A. 1997 Supp. 66-1,112; effective Jan. 1, 1971; amended Jan. 4, 1999.)

**82-4-63.** **Contested and uncontested motor carrier hearings.** An application for a contract carrier permit or a common carrier certificate of convenience and necessity, certificate of public service, or abandonment of a common carrier certificate shall be considered as contested when either protestants or intervenors, or both, appear at the hearing held on the application and present testimony or evidence in support of their contentions, present a question or questions of law, or cross-examine the applicant's witnesses with regard to the application. When neither protestants nor intervenors appear and offer testimony or evidence in support of their contentions, raise a question of law, or cross-examine the applicant's witnesses with reference to any pending application, the same shall be considered as uncontested. (Authorized by K.S.A. 1997 Supp. 66-106, 66-1,112, 66-1,112a; implementing K.S.A. 1997 Supp. 66-106, 66-1,114, 66-1,115 and K.S.A. 66-1,119; effective Jan. 1, 1971; amended May 1, 1981; amended May 1, 1987; amended Jan. 4, 1999.)

**82-4-64.** (Authorized by K.S.A. 66-108, 66-1,112, 66-1,112a; implementing K.S.A. 66-108, 66-1,118; effective Jan. 1, 1971; amended May 1, 1981; revoked Jan. 4, 1999.)

**82-4-65.** **Protestants.** Any protest against the granting of a permit, certificate, extension, abandonment, or transfer shall be considered under the following conditions:

(a) Any interested person who believes that the public will be adversely affected by a proposed application may file a written protest. The protest shall clearly identify the name and address of the protestant and the title and docket number of the proceeding. The protest shall include specific allegations as to how the applicant is not either fit, willing, and able, or fit, knowledgeable, and in compliance with the commission safety regulations, to perform these services or how the proposed services are otherwise inconsistent with the public convenience and necessity.

(b) If the protest opposes only a portion of the proposed application, the protestant shall state with specificity the objectionable portion.

(c) The protest shall be filed in triplicate with the commission within 10 days after publication of the notice in the Kansas Register. Failure to file a timely protest shall preclude the interested person from appearing as a protestant.

(d) Each protestant shall serve the protest upon the applicant at the same time or before the protestant files the protest with the commission. The protest shall not be served on the applicant by the commission.

(e) To secure consideration of a protest, the protestant, intervenor, or a designated representative, as defined in K.A.R. 82-4-63, shall offer evidence or a statement or shall participate in the hearing. (Authorized by K.S.A. 1997 Supp. 66-1,112, K.S.A. 66-1,112a; implementing K.S.A. 1997 Supp. 66-1,114; effective Jan. 1, 1971; amended May 1, 1981; amended May 1, 1985; amended May 1, 1987; amended May 1, 1988; amended Jan. 4, 1999.)

**82-4-67.** (Authorized by and implementing K.S.A. 66-1,112; effective Jan. 1, 1971; amended May 1, 1981; revoked Jan. 4, 1999.)

**82-4-68.** **Collective rate-making agreements.** (a) Motor carriers of property and passengers, joint line rates, and national motor freight classification may enter into an agreement with one or more of these carriers concerning rates, allowances, classifications, divisions, or rules related to them or procedures for joint consideration, initiation, or establishment of them. The agreement and all amendments shall be submitted to the commission for approval by the carriers that are parties to the agreement and shall be approved by the commission upon a finding that the agreement fulfills the requirements of K.S.A. 66-1,112, and amendments thereto, and the rules and regulations of the commission. The agreement shall be administered by an organization designated by the carriers who are parties to the agreement.

(b) The agreement shall contain, at a minimum, provisions for the following:

(1) Election of rate committees and procedures for appointments to fill vacancies;

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- (2) initiation of rate proposals;
- (3) record keeping;
- (4) tariff participation fees for services;
- (5) open meetings;
- (6) quorum standards;
- (7) proxy voting by members;
- (8) role of employees in docketing proposals;
- (9) notice of docket proposals and rate committee hearings;
- (10) voting on rate proposals by member carriers;
- (11) right of independent action;
- (12) docketing of independent action;
- (13) the names, addresses, and telephone numbers of carriers who are parties to the agreement;
- (14) the names and addresses of each of its affiliates and of officers and directors of the carriers who are parties to the agreement;
- (15) the carriers' motor carrier identification number assigned by the commission;
- (16) the name, address, and telephone number of the organization that will administer the agreement;
- (17) final disposition of cases docketed;
- (18) prohibitions of the organization from protesting carrier proposals;
- (19) amendments to the agreement; and
- (20) powers of attorney. (Authorized by and implementing K.S.A. 1997 Supp. 66-1,112; effective, T-83-45, Dec. 8, 1982; effective May 1, 1983; amended Jan. 4, 1999.)

**82-4-69. Applications for approval of collective rate-making agreements.** (a) The carriers' party to the agreement shall submit an application to the commission and attach a copy of the organization's articles of incorporation, bylaws, or other documents, specifying the powers, duties, and procedures of the organization. The organization for the carriers shall provide the commission with an organization chart, a complete description of the organization, including any subunits and their functions and methods of operations, together with the territorial scope of its operation.

(b) The application and supporting documents shall specify the following items:

- (1) The full and correct name and business address of the carriers who seek approval of the agreement and whether carrier applicants are corporations, limited liability companies, individuals, partnerships, or limited liability partnerships. If a corporation, the laws under which it was incorporated shall be included. If a limited liability company, the laws under which it was organized shall be included. If a limited liability partnership, the laws under which it was organized shall be included. If a partnership, the names and addresses of all partners and the date of formation of partnership shall be included;
- (2) the motor carrier identification number assigned by the commission to each participating applicant;
- (3) the name and business address of the organization that will administer the agreement;
- (4) the facts and circumstances relied upon to establish that the agreement is in the public interest;
- (5) the name, title, and business address of counsel, officers, or any other person to whom correspondence and notice are to be addressed;

(6) a true copy of the agreement and an opinion of a counsel for the applicant that the application meets the requirements of K.S.A. 66-1,112, and amendments thereto, and commission regulations; and

(7) a prepared public notice to be published in the Kansas Register stating the fact that an application has been filed under these rules, and the date of the hearing, if required by the commission. (Authorized by and implementing K.S.A. 1997 Supp. 66-1,112; effective, T-83-45, Dec. 8, 1982; effective May 1, 1983; amended Jan. 4, 1999.)

**82-4-85. Rate applications filed by carriers party to a collective rate-making agreement.** (a) Carriers party to a collective rate-making agreement who file an application proposing a general increase or decrease in rates shall submit with the application schedules indicating to the commission the nature and extent of the proposed changes to be effected.

(b) Applications shall be based upon data submitted for a test year. The commission may disapprove, for good cause, the test year selected by the applicant.

The original and nine copies of the application and schedules shall be filed with the commission. Each application and schedule shall be bound together under one loose-leaf binder. If the bulk of the material would make this handling impractical, two or more volumes in loose-leaf form shall be filed. The size of print used in the application and schedules shall be clearly legible. Negative numbers shall be shown in parentheses. Amounts included in the application shall be cross-referenced between the appropriate summary schedule and supporting schedules, as well as among the various sections. Referencing shall include allocation ratios, when appropriate. All items shall be self-explanatory. Additional information, cross-references, or explanatory footnotes shall be presented on the schedule. The application shall be supported by schedules as set out below and shall be assembled under topical sections, with index tabs for each section and a page number for each schedule. The form, order, and titles of each section shall be prescribed as follows.

(1) Application, letter of transmittal, and authorization. This section shall contain a copy of the application, a copy of the letter of transmittal, and an appropriate document or documents authorizing the filing of the application, if any.

(2) General information and publicity. This section shall list the means employed by the carriers to acquaint the general public affected by the proposed rate change with the nature and extent of the proposal. These methods may include meetings with public officials, shippers, and citizen groups; newspaper articles; and advertisements. This section shall include general information concerning the application that will be of interest to the public and suitable for publication. That information shall include the following, when applicable:

(A) The percent and dollar amount of the aggregate annual increase or decrease that the application proposes; and

(B) any other pertinent information that the applicant may desire to submit.

(3) List of carriers participating in the application. This list shall show the motor carrier identification number

and the name and address of each carrier that is a participant in the application.

(4) List of carriers in the study group. The list shall state the carriers used in the study group. A detailed explanation of how the study group of carriers was selected shall also accompany this section.

(5) Study group carriers' operating ratios. This section shall contain the Kansas intrastate operating ratios for the actual test year for the study group carriers.

(6) Study group carriers—test year and pro forma income statements. This section shall present the following:

(A) An operating income statement for each of the study group carriers and a composite statement of all the study group carriers depicting the unadjusted test year operations for the total system; and

(B) a second schedule that expands the actual system composite income statement to a Kansas intrastate operations income statement. This statement shall be adjusted to show pro forma test year operations. Supporting schedules shall set forth a full and complete explanation of the purpose and rationale for the pro forma adjustments. The pro forma adjustments may include adjustments to reflect the elimination or normalization of non-recurring and unusual items, and adjustments for known or determinable changes in revenue and expenses.

(7) Capital and cost of money. This section shall be prepared for each participating carrier having total Kansas intrastate system revenue of one million dollars or more. It shall contain the following:

(A) A schedule indicating the amounts of the major components of the capital structures of the carrier that are outstanding at the beginning and at the end of the test year. This schedule shall contain the ratios of each component to the total capital;

(B) a schedule disclosing the cost of each issue of debt and preferred stock outstanding, with due allowance for premiums, discounts, and issuance expense. Data relating to the other components of capital shall be shown, if appropriate; and

(C) if the applicant is a part of a consolidated group or a division of another company, the consolidated capital structure shall be included in this section.

(8) The proposed tariffs. The application shall contain the proposed tariffs requested for approval.

(9) Prefiled testimony shall be required in all transportation rate cases filed by a tariff publishing organization, and all prefiled testimony shall be filed simultaneously with the filing of the application.

(10) All of the above requirements shall be completed and in proper form. Applications found to be incomplete or not in the form prescribed above shall be rejected by the commission. (Authorized by and implementing K.S.A. 1997 Supp. 66-1,112; effective, T-83-45, Dec. 8, 1982; effective May 1, 1983; amended Jan. 4, 1999.)

David J. Heinemann  
Executive Director

Doc. No. 023209

**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. This cumulative index supplements the index to the 1997 Volumes of the *Kansas Administrative Regulations* and the 1998 Supplement to the *Kansas Administrative Regulations*.

**AGENCY 1: DEPARTMENT OF ADMINISTRATION**

Reg. No.	Action	Register
1-2-46	Amended	V. 17, p. 1369
1-2-77	New	V. 17, p. 1370
1-5-9	Amended	V. 17, p. 1370
1-5-10	Amended	V. 17, p. 1370
1-5-14	Amended	V. 17, p. 1370
1-5-15	Amended	V. 17, p. 1370
1-6-22a	Amended	V. 17, p. 1371
1-6-30	Amended	V. 17, p. 1371
1-9-23	Amended	V. 17, p. 1371
1-9-25	Amended	V. 17, p. 1372
1-9-26	Amended	V. 17, p. 1375
1-10-6	Amended	V. 17, p. 1376
1-16-18	Amended	V. 17, p. 945
1-16-18a	Amended	V. 17, p. 945
1-18-1a	Amended	V. 17, p. 947
1-39-1 through 1-39-4	New	V. 17, p. 1678

**AGENCY 4: DEPARTMENT OF AGRICULTURE**

Reg. No.	Action	Register
4-7-213	New	V. 17, p. 171
4-7-213a	New	V. 17, p. 171

**AGENCY 7: SECRETARY OF STATE**

Reg. No.	Action	Register
7-34-1	Revoked	V. 17, p. 1679
7-39-1	New	V. 17, p. 1679

**AGENCY 9: ANIMAL HEALTH DEPARTMENT**

Reg. No.	Action	Register
9-7-10	Amended	V. 17, p. 364
9-10-33 through 9-10-39	New	V. 17, p. 364, 365

**AGENCY 16: ATTORNEY GENERAL**

Reg. No.	Action	Register
16-1-7	New	V. 17, p. 1620
16-2-1	Revoked	V. 17, p. 1620
16-2-1a	New	V. 17, p. 1620
16-3-1	Amended	V. 17, p. 1620
16-5-1	Amended	V. 17, p. 1621
16-6-1	Amended	V. 17, p. 1621
16-6-3	New	V. 17, p. 1621

**AGENCY 25: DEPARTMENT OF AGRICULTURE (KANSAS STATE GRAIN INSPECTION)**

Reg. No.	Action	Register
25-5-1	New	V. 17, p. 1269

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

Reg. No.	Action	Register
28-1-4	Amended	V. 17, p. 1505
28-1-13	Amended	V. 17, p. 461
28-4-525 through 28-4-529	Revoked	V. 17, p. 1149

28-19-70	Amended	V. 17, p. 588
28-19-202	Amended	V. 17, p. 122
28-19-517	Amended	V. 17, p. 144
28-19-546	Amended	V. 17, p. 144
28-19-561	Amended	V. 17, p. 144
28-19-562	Amended	V. 17, p. 145
28-19-563	Amended	V. 17, p. 146
28-19-564	New	V. 17, p. 589
28-29-12	Amended	V. 17, p. 1026
28-29-27	Amended	V. 17, p. 1026
28-29-98	Amended	V. 17, p. 1087
28-29-108	Amended	V. 17, p. 1027
28-29-109	New	V. 17, p. 1031
28-36-30	Amended	V. 17, p. 1679
28-52-2	New	V. 17, p. 168
28-52-3	New	V. 17, p. 168
28-52-4	New	V. 17, p. 168
28-68-3	Amended	V. 17, p. 547
28-70-1	New	V. 17, p. 168
28-70-2	New	V. 17, p. 168
28-70-3	New	V. 17, p. 169
28-71-1 through 28-71-12	New	V. 17, p. 959-964

**AGENCY 30: SOCIAL AND REHABILITATION SERVICES**

Reg. No.	Action	Register
30-4-39	Amended	V. 17, p. 932
30-4-50	Amended	V. 17, p. 933
30-4-52	Amended	V. 17, p. 933
30-4-54	Amended	V. 17, p. 933
30-4-55	Amended	V. 17, p. 934
30-4-64	Amended	V. 17, p. 934
30-4-70	Amended	V. 17, p. 935
30-4-110	Amended	V. 17, p. 936
30-4-111	Amended	V. 17, p. 1837
30-4-140	Amended	V. 17, p. 938
30-5-64	Amended	V. 17, p. 1838
30-5-70	Amended	V. 17, p. 1376
30-5-78	Amended	V. 17, p. 1378

(continued)

30-5-82	Amended	V. 17, p. 1839
30-5-82a	Amended	V. 17, p. 1840
30-5-88	Amended	V. 17, p. 938
30-5-118	Amended	V. 17, p. 1840
30-5-118a	Amended	V. 17, p. 1841
30-5-118b	New	V. 17, p. 1842
30-5-300	Amended	V. 17, p. 300
30-5-310	New	V. 17, p. 302
30-6-35	Amended	V. 17, p. 1580
30-6-36	Amended	V. 17, p. 1580
30-6-41	Amended	V. 17, p. 1581
30-6-52	Amended	V. 17, p. 939
30-6-54	Amended	V. 17, p. 940
30-6-65	Amended	V. 17, p. 940
30-6-70	Amended	V. 17, p. 941
30-6-77	Amended	V. 17, p. 1581
30-6-103	Amended	V. 17, p. 941
30-6-111	Amended	V. 17, p. 1844
30-6-112	Amended	V. 17, p. 943
30-10-1a	Amended	V. 17, p. 1845
30-10-2	Amended	V. 17, p. 1847
30-10-14	Amended	V. 17, p. 1168
30-10-15a	Amended	V. 17, p. 1848
30-10-15b	Amended	V. 17, p. 1850
30-10-17	Amended	V. 17, p. 1850
30-10-18	Amended	V. 17, p. 1852
30-10-25	Amended	V. 17, p. 1854
30-10-26	Amended	V. 17, p. 1855
30-10-28	Amended	V. 17, p. 1856
30-10-209	Amended	V. 17, p. 1168
30-14-1	New	V. 17, p. 1583
30-14-2	New	V. 17, p. 1583
30-14-3	New	V. 17, p. 1583
30-14-20		
through		
30-14-31	New	V. 17, p. 1584-1586
30-14-50	New	V. 17, p. 1586
30-63-1	Amended	V. 17, p. 1378
30-63-10	Amended	V. 17, p. 1378
30-63-13	Amended	V. 17, p. 1379
30-63-20		
through		
30-63-25	Amended	V. 17, p. 1380-1382
30-63-28	Amended	V. 17, p. 1383
30-63-30	Amended	V. 17, p. 1383
30-64-12	Amended	V. 17, p. 1384
30-64-22	Amended	V. 17, p. 1384
30-64-23	Amended	V. 17, p. 1385
30-64-24	Amended	V. 17, p. 1385
30-64-25	Amended	V. 17, p. 1386
30-64-27	Amended	V. 17, p. 1386
30-64-28	Amended	V. 17, p. 1386
30-64-29	Amended	V. 17, p. 1387
30-64-31	Amended	V. 17, p. 1387
30-64-32	Amended	V. 17, p. 1387

**AGENCY 40: KANSAS INSURANCE DEPARTMENT**

Reg. No.	Action	Register
40-1-35	Revoked	V. 17, p. 1837
40-1-45	New	V. 17, p. 1211
40-2-25	Amended	V. 17, p. 1546
40-4-36	Amended	V. 17, p. 689
40-5-10	Amended	V. 17, p. 1578
40-9-118	Amended	V. 17, p. 1033
40-15b-1	Amended	V. 17, p. 1547

**AGENCY 44: DEPARTMENT OF CORRECTIONS**

Reg. No.	Action	Register
44-12-601	Amended	V. 17, p. 424

**AGENCY 45: KANSAS PAROLE BOARD**

Reg. No.	Action	Register
45-9-2	Amended	V. 17, p. 143

**AGENCY 47: DEPARTMENT OF HEALTH AND ENVIRONMENT (MINED-LAND CONSERVATION AND RECLAMATION)**

Reg. No.	Action	Register
47-2-53	Amended	V. 17, p. 1108
47-2-75	Amended	V. 17, p. 1108
47-3-42	Amended	V. 17, p. 1109
47-5-5a	Amended	V. 17, p. 1110
47-6-4	Amended	V. 17, p. 1112

47-6-6	Amended	V. 17, p. 1112
47-6-8	Amended	V. 17, p. 1113
47-7-2	Amended	V. 17, p. 1113
47-8-9	Amended	V. 17, p. 1113
47-9-1	Amended	V. 17, p. 1114
47-16-6	Amended	V. 17, p. 1117
47-16-9	Amended	V. 17, p. 1117
47-16-10	Amended	V. 17, p. 1117
47-16-11	Amended	V. 17, p. 1117

**AGENCY 48: DEPARTMENT OF HUMAN RESOURCES—EMPLOYMENT SECURITY BOARD OF REVIEW**

Reg. No.	Action	Register
48-1-4	Amended	V. 17, p. 628

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

Reg. No.	Action	Register
51-1-22	Revoked	V. 17, p. 628
51-2-4	Amended	V. 17, p. 628
51-2-5	Amended	V. 17, p. 629
51-3-1	Amended	V. 17, p. 629
51-3-5	Amended	V. 17, p. 629
51-3-5a	Amended	V. 17, p. 629
51-3-6	Amended	V. 17, p. 630
51-3-8	Amended	V. 17, p. 630
51-3-17	Revoked	V. 17, p. 631
51-4-1	Revoked	V. 17, p. 631
51-7-5	Revoked	V. 17, p. 631
51-7-6	Revoked	V. 17, p. 631
51-7-8	Amended	V. 17, p. 631
51-8-2		
through		
51-8-7	Revoked	V. 17, p. 631
51-8-9	Revoked	V. 17, p. 631
51-8-10	Revoked	V. 17, p. 631
51-9-5	Amended	V. 17, p. 632
51-9-10	Amended	V. 17, p. 632
51-9-11	Amended	V. 17, p. 632
51-9-12	New	V. 17, p. 632
51-9-13	New	V. 17, p. 633
51-9-14	New	V. 17, p. 634
51-10-6	Amended	V. 17, p. 634
51-12-2	New	V. 17, p. 635
51-13-1	Amended	V. 17, p. 635
51-15-2	Amended	V. 17, p. 635
51-17-2	New	V. 17, p. 635
51-18-2	Amended	V. 17, p. 636
51-18-3		
through		
51-18-6	New	V. 17, p. 637
51-19-1	Amended	V. 17, p. 637
51-21-1	Amended	V. 17, p. 637
51-24-1	Amended	V. 17, p. 637
51-24-2	Revoked	V. 17, p. 637
51-24-7	Revoked	V. 17, p. 637

**AGENCY 60: BOARD OF NURSING**

Reg. No.	Action	Register
60-3-106a	Amended	V. 17, p. 357
60-3-107	Amended	V. 17, p. 357
60-3-112	New	V. 17, p. 357
60-4-101	Amended	V. 17, p. 358
60-7-109	New	V. 17, p. 358
60-7-110	New	V. 17, p. 358
60-8-101	Amended	V. 17, p. 358
60-9-105	Amended	V. 17, p. 358
60-9-106	Amended	V. 17, p. 359
60-9-107	Amended	V. 17, p. 360
60-11-119	Amended	V. 17, p. 361
60-11-120	New	V. 17, p. 361
60-11-121	New	V. 17, p. 361
60-15-101		
through		
60-15-104	Amended	V. 17, p. 1321-1323
60-16-101	Amended	V. 17, p. 796
60-16-102	Amended	V. 17, p. 796

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

Reg. No.	Action	Register
65-4-3	Amended	V. 17, p. 1270

**AGENCY 66: BOARD OF TECHNICAL PROFESSIONS**

Reg. No.	Action	Register
66-6-1	Amended	V. 17, p. 102
66-10-1	Amended	V. 17, p. 102

**AGENCY 68: BOARD OF PHARMACY**

Reg. No.	Action	Register
68-1-1b	Amended	V. 17, p. 1107
68-2-20	Amended	V. 17, p. 1167
68-7-12	Amended	V. 17, p. 170
68-11-1	Amended	V. 17, p. 1107
68-20-15a	Amended	V. 16, p. 1177
68-20-16	Amended	V. 17, p. 1107

**AGENCY 69: BOARD OF COSMETOLOGY**

Reg. No.	Action	Register
69-11-1	Amended	V. 17, p. 1622

**AGENCY 74: BOARD OF ACCOUNTANCY**

Reg. No.	Action	Register
74-2-7	Amended	V. 17, p. 1415
74-4-1	Amended	V. 17, p. 1415
74-4-4	Amended	V. 17, p. 1415
74-4-7	Amended	V. 17, p. 1415
74-4-8	Amended	V. 17, p. 1416
74-4-9	Amended	V. 17, p. 1416
74-4-10	Amended	V. 17, p. 1416
74-5-202	Amended	V. 17, p. 1417
74-5-203	Amended	V. 17, p. 1417
74-5-301	Amended	V. 17, p. 1417
74-5-406	Amended	V. 17, p. 1417
74-5-407	Amended	V. 17, p. 1418
74-6-2	Amended	V. 17, p. 1418
74-11-6		
through		
74-11-14	Amended	V. 17, p. 1418-142

**AGENCY 75: CONSUMER CREDIT COMMISSIONER**

Reg. No.	Action	Register
75-6-24	Amended	V. 17, p. 738

**AGENCY 82: STATE CORPORATION COMMISSION**

Reg. No.	Action	Register
82-3-800		
through		
82-3-804	New	V. 17, p. 362, 363

**AGENCY 88: BOARD OF REGENTS**

Reg. No.	Action	Register
88-2-1	Amended	V. 17, p. 1087
88-3-1	Amended	V. 17, p. 1087
88-3-2	Amended	V. 17, p. 1087
88-3-5	Revoked	V. 17, p. 1088
88-3-9	Amended	V. 17, p. 208
88-3-11	Amended	V. 17, p. 1088
88-3-13	New	V. 17, p. 1088

**AGENCY 91: DEPARTMENT OF EDUCATION**

Reg. No.	Action	Register
91-5-1	Amended	V. 17, p. 1802
91-5-1a	Amended	V. 17, p. 1802
91-5-2	Revoked	V. 17, p. 1803
91-5-4	Amended	V. 17, p. 1803
91-5-8	Revoked	V. 17, p. 1803
91-5-9	Amended	V. 17, p. 1803
91-5-10	Revoked	V. 17, p. 1803
91-5-11	Revoked	V. 17, p. 1803
91-5-13	Amended	V. 17, p. 1803

**AGENCY 92: DEPARTMENT OF REVENUE**

Reg. No.	Action	Register
92-19-1a	Revoked	V. 17, p. 949
92-19-1b	New	V. 17, p. 949
92-19-3	Amended	V. 17, p. 949
92-19-8	Revoked	V. 17, p. 950
92-19-13	Revoked	V. 17, p. 950
92-19-13a	New	V. 17, p. 950
92-19-16	Revoked	V. 17, p. 950
92-19-18	Revoked	V. 17, p. 950
92-19-18a	New	V. 17, p. 950
92-19-19	Revoked	V. 17, p. 950

92-19-25a	Revoked	V. 17, p. 951
92-19-25b	New	V. 17, p. 951
92-19-27a	Revoked	V. 17, p. 952
92-19-30	Amended	V. 17, p. 952
92-19-32	Revoked	V. 17, p. 954
92-19-34	Revoked	V. 17, p. 954
92-19-35	Revoked	V. 17, p. 954
92-19-39	Revoked	V. 17, p. 954
92-19-49	Revoked	V. 17, p. 954
92-19-49a	New	V. 17, p. 954
92-19-66a	Revoked	V. 17, p. 956
92-19-66b	Amended	v. 17, p. 956
92-19-66d	Revoked	V. 17, p. 957
92-19-66e	New	V. 17, p. 957
92-19-68	Revoked	V. 17, p. 959
92-19-78	Revoked	V. 17, p. 959
92-21-18	Revoked	V. 17, p. 959
92-21-21	Revoked	V. 17, p. 959

**AGENCY 93: DEPARTMENT OF REVENUE—  
DIVISION OF PROPERTY VALUATION**

Reg. No.	Action	Register
93-3-1		
through		
93-3-4	Revoked	V. 17, p. 948
93-4-1	Revoked	V. 17, p. 948
93-4-2		
through		
93-4-6	New	V. 17, p. 948, 949

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

Reg. No.	Action	Register
99-25-1	Amended	V. 17, p. 209
99-25-2	Revoked	V. 17, p. 209
99-25-4		
through		
99-25-8	New	V. 17, p. 209, 210
99-27-1		
through		
99-27-5	New	V. 17, p. 210-212
99-30-5	Amended	V. 17, p. 212
99-30-6	Amended	V. 17, p. 212
99-31-5	Amended	V. 17, p. 212
99-31-6	Amended	V. 17, p. 213
99-40-7	New	V. 17, p. 213

**AGENCY 100: BOARD OF HEALING ARTS**

Reg. No.	Action	Register
100-11-1	Amended	V. 17, p. 509
100-15-1	Amended	V. 16, p. 1176
100-22-1	Amended	V. 17, p. 1644
100-23-1	Amended	V. 17, p. 299
100-24-1	Amended	V. 17, p. 1644
100-24-2	New	V. 17, p. 1644
100-29-3a	New	V. 17, p. 1323
100-29-7	Amended	V. 17, p. 510
100-49-4	Amended	V. 17, p. 510
100-54-4	Amended	V. 17, p. 510
100-55-4	Amended	V. 17, p. 510
100-55-10	Revoked	V. 17, p. 510
100-60-1	Amended	V. 17, p. 510
100-69-5	Amended	V. 17, p. 510

**AGENCY 102: BEHAVIORAL SCIENCES  
REGULATORY BOARD**

Reg. No.	Action	Register
102-1-1	Amended	V. 17, p. 1799
102-1-8	Amended	V. 17, p. 1800
102-1-12	Amended	V. 17, p. 1800
102-3-7	Revoked	V. 17, p. 426
102-3-7a	New	V. 17, p. 426
102-4-7a	New	V. 17, p. 318
102-5-7	Revoked	V. 17, p. 427
102-5-7a	New	V. 17, p. 427

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

Reg. No.	Action	Register
108-1-2	New	V. 17, p. 462

**AGENCY 111: KANSAS LOTTERY**

Reg. No.	Action	Register
111-1-2	Amended	V. 7, p. 1190
111-1-3	Amended	V. 17, p. 386

111-1-5	Amended	V. 15, p. 1304
111-2-1	Amended	V. 17, p. 387
111-2-2	Amended	V. 17, p. 387
111-2-2a		
through		
111-2-2e	New	V. 14, p. 1633, 1634
111-2-2b	Amended	V. 17, p. 738
111-2-2d	Amended	V. 17, p. 739
111-2-2e	Amended	V. 17, p. 1710
111-2-4	Amended	V. 17, p. 429
111-2-6	Revoked	V. 13, p. 149
111-2-7	Revoked	V. 10, p. 1210
111-2-13	Revoked	V. 10, p. 881
111-2-14	Amended	V. 14, p. 1634
111-2-15	Revoked	V. 10, p. 881
111-2-16	Revoked	V. 10, p. 1210
111-2-17	Revoked	V. 10, p. 1210
111-2-18	Revoked	V. 11, p. 413
111-2-19	Revoked	V. 11, p. 413
111-2-20		
through		
111-2-26	Revoked	V. 13, p. 1401
111-2-27	Revoked	V. 14, p. 972
111-2-28	New	V. 12, p. 1844
111-2-29	Revoked	V. 14, p. 972
111-2-30	Amended	V. 17, p. 991
111-2-31	New	V. 14, p. 170
111-2-32		
through		
111-2-42	Revoked	V. 16, p. 448, 449
111-2-43	Amended	V. 16, p. 1807
111-2-44	New	V. 15, p. 288
111-2-45	New	V. 15, p. 288
111-2-46	New	V. 15, p. 624
111-2-47	Amended	V. 16, p. 449
111-2-48	New	V. 15, p. 1055
111-2-49	New	V. 15, p. 1055
111-2-50	New	V. 15, p. 1056
111-2-51	New	V. 15, p. 1440
111-2-52	New	V. 15, p. 1441
111-2-53	New	V. 15, p. 1710
111-2-54	New	V. 15, p. 1920
111-2-55	New	V. 15, p. 1953
111-2-56	New	V. 16, p. 449
111-2-57	New	V. 16, p. 449
111-2-58	New	V. 16, p. 689
111-2-59	New	V. 16, p. 1043
111-2-60	New	V. 16, p. 1209
111-2-61	New	V. 16, p. 1473
111-2-62	Amended	V. 17, p. 739
111-2-63	New	V. 16, p. 1808
111-2-64	New	V. 16, p. 1808
111-2-65	New	V. 16, p. 1883
111-2-66	Amended	V. 17, p. 467
111-2-67	Amended	V. 17, p. 387
111-2-68	New	V. 16, p. 2069
111-2-69	New	V. 16, p. 2070
111-2-70	New	V. 17, p. 388
111-2-71	New	V. 17, p. 389
111-2-72	New	V. 17, p. 430
111-2-73	New	V. 17, p. 467
111-2-74	New	V. 17, p. 739
111-2-75	New	V. 17, p. 991
111-2-76	New	V. 17, p. 1168
111-2-77	New	V. 17, p. 1553
111-2-78	New	V. 17, p. 1710
111-2-79	New	V. 17, p. 1710
111-3-1	Amended	V. 17, p. 389
111-3-6	Amended	V. 12, p. 677
111-3-9	Revoked	V. 11, p. 1793
111-3-10		
through		
111-3-31	New	V. 7, p. 201-206
111-3-11	Amended	V. 13, p. 35
111-3-12	Amended	V. 13, p. 1826
111-3-13	Amended	V. 17, p. 1323
111-3-14	Amended	V. 17, p. 391
111-3-16	Amended	V. 9, p. 1566
111-3-19	Revoked	V. 13, p. 1827
111-3-20	Amended	V. 11, p. 1148
111-3-21	Amended	V. 11, p. 1148
111-3-22	Amended	V. 11, p. 1148
111-3-23	Revoked	V. 10, p. 883
111-3-25	Amended	V. 17, p. 392
111-3-26	Amended	V. 11, p. 1149

111-3-27	Amended	V. 11, p. 1149
111-3-29	Revoked	V. 11, p. 1149
111-3-31	Amended	V. 8, p. 209
111-3-32	Amended	V. 10, p. 883
111-3-33	New	V. 7, p. 1434
111-3-34	New	V. 13, p. 149
111-3-35	Amended	V. 17, p. 430
111-3-36	New	V. 13, p. 877
111-3-37	New	V. 13, p. 877
111-4-1		
through		
111-4-5	Revoked	V. 12, p. 113
111-4-5a	Revoked	V. 12, p. 113
111-4-6		
through		
111-4-15	Revoked	V. 12, p. 113
111-4-66		
through		
111-4-77	New	V. 7, p. 207-209
111-4-96		
through		
111-4-114	New	V. 7, p. 1606-1610
111-4-100	Amended	V. 14, p. 972
111-4-101		
through		
111-4-106	Revoked	V. 16, p. 450
111-4-106a	Revoked	V. 16, p. 450
111-4-107		
through		
111-4-114	Revoked	V. 16, p. 450, 451
111-4-153		
through		
111-4-160	Revoked	V. 9, p. 1676, 1677
111-4-177		
through		
111-4-212	Revoked	V. 9, p. 1677, 1678
111-4-213		
through		
111-4-220	Revoked	V. 10, p. 1213
111-4-221		
through		
111-4-224	Revoked	V. 10, p. 1585
111-4-225		
through		
111-4-228	Revoked	V. 10, p. 1585
111-4-229		
through		
111-4-236	Revoked	V. 10, p. 1585, 1586
111-4-237		
through		
111-4-240	Revoked	V. 11, p. 413
111-4-241		
through		
111-4-244	Revoked	V. 12, p. 1371
111-4-245		
through		
111-4-248	Revoked	V. 12, p. 1371
111-4-249		
through		
111-4-256	Revoked	V. 12, p. 113, 114
111-4-257		
through		
111-4-286	Revoked	V. 11, p. 413, 414
111-4-287		
through		
111-4-290	Revoked	V. 12, p. 1371
111-4-291		
through		
111-4-300	Revoked	V. 12, p. 114
111-4-301		
through		
111-4-307	Revoked	V. 13, p. 1402
111-4-308		
through		
111-4-317	Revoked	V. 16, p. 451
111-4-318		
through		
111-4-321	Revoked	V. 12, p. 114
111-4-322		
through		
111-4-327	Revoked	V. 12, p. 1371
111-4-328		
through		
111-4-335	Revoked	V. 12, p. 114 (continued)

111-4-336 through							
111-4-340	Revoked	V. 16, p. 451					
111-4-341	Revoked	V. 11, p. 1473					
111-4-341a	Revoked	V. 12, p. 1372					
111-4-341b	Revoked	V. 16, p. 451					
111-4-341c	Revoked	V. 16, p. 451					
111-4-342 through							
111-4-345	Revoked	V. 16, p. 451					
111-4-346 through							
111-4-349	Revoked	V. 12, p. 114					
111-4-350 through							
111-4-355	Revoked	V. 16, p. 452					
111-4-356 through							
111-4-361	Revoked	V. 14, p. 7					
111-4-362 through							
111-4-365	Revoked	V. 12, p. 114, 115					
111-4-366 through							
111-4-369	Revoked	V. 12, p. 1373					
111-4-370 through							
111-4-379	Revoked	V. 14, p. 7, 8					
111-4-380 through							
111-4-383	Revoked	V. 12, p. 1664					
111-4-384 through							
111-4-387	Revoked	V. 12, p. 1373					
111-4-388 through							
111-4-391	Revoked	V. 12, p. 1373					
111-4-392 through							
111-4-400	Revoked	V. 16, p. 252					
111-4-401 through							
111-4-404	Revoked	V. 12, p. 1373					
111-4-405 through							
111-4-413	Revoked	V. 16, p. 452					
111-4-414 through							
111-4-428	Revoked	V. 14, p. 8					
111-4-429 through							
111-4-432	Revoked	V. 12, p. 1373					
111-4-433 through							
111-4-436	Revoked	V. 12, p. 1374					
111-4-437 through							
111-4-440	Revoked	V. 12, p. 1374					
111-4-441 through							
111-4-444	Revoked	V. 14, p. 8					
111-4-445 through							
111-4-448	Revoked	V. 12, p. 1374					
111-4-449 through							
111-4-453	Revoked	V. 14, p. 8					
111-4-454 through							
111-4-465	Revoked	V. 12, p. 1664, 1665					
111-4-466 through							
111-4-469	Revoked	V. 12, p. 1665					
111-4-470 through							
111-4-477	Revoked	V. 16, p. 452, 453					
111-4-478 through							
111-4-492	Revoked	V. 14, p. 974, 975					
111-4-493 through							
111-4-496	Revoked	V. 16, p. 453					
111-4-497 through							
111-4-512	Revoked	V. 14, p. 975					
111-4-513 through							
111-4-521	Revoked	V. 16, p. 453					
111-4-522 through							
111-4-571	Revoked	V. 14, p. 975-977					
111-4-572 through							
111-4-585	New	V. 13, p. 878-880					
111-4-572	Amended	V. 17, p. 991					
111-4-574	Amended	V. 17, p. 992					
111-4-575	Amended	V. 17, p. 992					
111-4-576	Amended	V. 16, p. 1044					
111-4-577	Amended	V. 17, p. 992					
111-4-579	Amended	V. 17, p. 992					
111-4-581	Amended	V. 17, p. 992					
111-4-582	Amended	V. 17, p. 992					
111-4-583	Amended	V. 15, p. 883					
111-4-584	Amended	V. 17, p. 992					
111-4-586 through							
111-4-606	Revoked	V. 14, p. 977, 978					
111-4-607 through							
111-4-619	New	V. 13, p. 1436-1438					
111-4-607 through							
111-4-611	Amended	V. 17, p. 1506, 1507					
111-4-607	Amended	V. 17, p. 1711					
111-4-610	Amended	V. 17, p. 1711					
111-4-613	Amended	V. 17, p. 1507					
111-4-614	Amended	V. 17, p. 1508					
111-4-615	Amended	V. 17, p. 1508					
111-4-616 through							
111-4-623	Revoked	V. 14, p. 978					
111-4-624 through							
111-4-702	Revoked	V. 16, p. 453-455					
111-4-703 through							
111-4-723	New	V. 14, p. 909-914					
111-4-724 through							
111-4-736	New	V. 14, p. 978-981					
111-4-737 through							
111-4-749	New	V. 14, p. 1095-1098					
111-4-750 through							
111-4-757	New	V. 14, p. 1408, 1409					
111-4-758 through							
111-4-761	New	V. 14, p. 1502, 1503					
111-4-762 through							
111-4-778	New	V. 14, p. 1410-1414					
111-4-769	Amended	V. 14, p. 1503					
111-4-779 through							
111-4-791	New	V. 14, p. 1504-1507					
111-4-792 through							
111-4-803	New	V. 14, p. 1635-1638					
111-4-804 through							
111-4-816	New	V. 15, p. 116-119					
111-4-817 through							
111-4-824	New	V. 15, p. 289, 290					
111-4-825 through							
111-4-838	New	V. 15, p. 449-452					
111-4-839 through							
111-4-854	New	V. 15, p. 624-627					
111-4-855 through							
111-4-859	New	V. 15, p. 884, 885					
111-4-855	Amended	V. 15, p. 1181					
111-4-860 through							
111-4-872	New	V. 15, p. 1056-1059					
111-4-871	Amended	V. 15, p. 1181					
111-4-873 through							
111-4-892	New	V. 15, p. 1181-1186					
111-4-881	Amended	V. 16, p. 1505					
111-4-893 through							
111-4-910	New	V. 15, p. 1441-1445					
111-4-911 through							
111-4-918	New	V. 15, p. 1475, 1476					
111-4-915	Amended	V. 15, p. 1954					
111-4-918	Amended	V. 15, p. 1954					
111-4-919 through							
111-4-941	New	V. 15, p. 1710-1716					
111-4-942 through							
111-4-965	New	V. 15, p. 1921-1926					
111-4-946	Amended	V. 15, p. 1954					
111-4-962	Amended	V. 16, p. 341					
111-4-963	Amended	V. 16, p. 341					
111-4-966 through							
111-4-970	New	V. 15, p. 1954, 1955					
111-4-971 through							
111-4-982	New	V. 16, p. 341-344					
111-4-983 through							
111-4-991	New	V. 16, p. 456, 457					
111-4-992 through							
111-4-1012	New	V. 16, p. 689-694					
111-4-995	Amended	V. 16, p. 2016					
111-4-996a	New	V. 16, p. 1080					
111-4-1013 through							
111-4-1016	New	V. 16, p. 1045, 1046					
111-4-1017 through							
111-4-1037	New	V. 16, p. 1081-1085					
111-4-1031	Amended	V. 16, p. 1473					
111-4-1038 through							
111-4-1041	New	V. 16, p. 1209, 1210					
111-4-1041	Amended	V. 16, p. 1473					
111-4-1042 through							
111-4-1059	New	V. 16, p. 1474-1478					
111-4-1048	Amended	V. 16, p. 1505					
111-4-1055	Amended	V. 17, p. 430					
111-4-1060 through							
111-4-1083	New	V. 16, p. 1506-1511					
111-4-1065	Amended	V. 16, p. 1849					
111-4-1084 through							
111-4-1108	New	V. 16, p. 1809-1814					
111-4-1091	Amended	V. 17, p. 430					
111-4-1092	Amended	V. 17, p. 431					
111-4-1109 through							
111-4-1117	New	V. 16, p. 1849-1851					
111-4-1118 through							
111-4-1141	New	V. 16, p. 1883-1888					
111-4-1141	Amended	V. 17, p. 431					
111-4-1142 through							
111-4-1171	New	V. 16, p. 2016-2023					
111-4-1172 through							
111-4-1180	New	V. 16, p. 2070-2072					
111-4-1181 through							
111-4-1184	New	V. 17, p. 392, 393					
111-4-1183	Amended	V. 17, p. 993					
111-4-1185 through							
111-4-1196	New	V. 17, p. 431-434					
111-4-1194	Amended	V. 17, p. 740					
111-4-1197 through							
111-4-1222	New	V. 17, p. 467-473					
111-4-1206	Amended	V. 17, p. 1324					
111-4-1207	Amended	V. 17, p. 1325					
111-4-1210	Amended	V. 17, p. 1325					
111-4-1219	Amended	V. 17, p. 993					
111-4-1223 through							
111-4-1242	New	V. 17, p. 740-745					
111-4-1243 through							
111-4-1265	New	V. 17, p. 994-1000					

111-4-1266 through  
 111-4-1278 New V. 17, p. 1169-1172  
 111-4-1279 through  
 111-4-1297 New V. 17, p. 1326-1331  
 111-4-1298 through  
 111-4-1315 New V. 17, p. 1508-1512  
 111-4-1316 through  
 111-4-1324 New V. 17, p. 1554-1556  
 111-4-1325 through  
 111-4-1350 New V. 17, p. 1712-1718  
 111-4-1351 through  
 111-4-1363 New V. 17, p. 1747-1750  
 111-5-1 through  
 111-5-23 New V. 7, p. 209-213  
 111-5-9 through  
 111-5-19 Revoked V. 15, p. 291  
 111-5-21 through  
 111-5-33 New V. 11, p. 415-418  
 111-5-21 Revoked V. 15, p. 291  
 111-5-22 Amended V. 13, p. 1438  
 111-5-23 Amended V. 16, p. 1814  
 111-5-24 Amended V. 16, p. 1815  
 111-5-25 Amended V. 16, p. 1815  
 111-5-26 Amended V. 16, p. 1815  
 111-5-27 Amended V. 16, p. 1816  
 111-5-28 Amended V. 16, p. 1816  
 111-5-29 Amended V. 15, p. 1060  
 111-5-30 Amended V. 16, p. 1817  
 111-5-31 Amended V. 16, p. 1817  
 111-5-33 Amended V. 16, p. 1817  
 111-5-34 New V. 12, p. 318  
 111-5-34a Amended V. 14, p. 1098  
 111-5-35 through  
 111-5-38 Revoked V. 13, p. 1439  
 111-5-39 through  
 111-5-44 New V. 15, p. 1022, 1023  
 111-5-45 through  
 111-5-50 New V. 15, p. 1060-1062  
 111-5-46 Amended V. 15, p. 1186  
 111-5-51 New V. 15, p. 1477  
 111-5-52 through  
 111-5-57 New V. 16, p. 458, 459  
 111-5-58 through  
 111-5-63 New V. 16, p. 1085-1087  
 111-5-60a New V. 16, p. 1818  
 111-5-62 Amended V. 16, p. 1511  
 111-5-64 through  
 111-5-72 New V. 17, p. 434-437  
 111-5-69 Amended V. 17, p. 474  
 111-5-73 New V. 17, p. 1331  
 111-5-74 New V. 17, p. 1556  
 111-6-1 through  
 111-6-15 New V. 7, p. 213-217  
 111-6-1 Amended V. 17, p. 393  
 111-6-3 Amended V. 14, p. 313  
 111-6-4 Amended V. 10, p. 1413  
 111-6-5 Amended V. 16, p. 1818  
 111-6-6 Amended V. 11, p. 1973  
 111-6-7 Amended V. 17, p. 1172  
 111-6-7a Amended V. 15, p. 1188  
 111-6-8 Revoked V. 12, p. 1263  
 111-6-9 Revoked V. 14, p. 313  
 111-6-11 Revoked V. 12, p. 1376  
 111-6-12 Amended V. 8, p. 212  
 111-6-13 Amended V. 8, p. 299  
 111-6-15 Amended V. 12, p. 677  
 111-6-17 Revoked V. 10, p. 1475  
 111-6-18 New V. 13, p. 150  
 111-6-19 New V. 13, p. 340  
 111-6-20 Amended V. 17, p. 1001  
 111-6-21 New V. 13, p. 881

111-6-22 New V. 13, p. 881  
 111-6-23 New V. 13, p. 881  
 111-7-1 through  
 111-7-10 New V. 7, p. 1192, 1193  
 111-7-11 Amended V. 8, p. 212  
 111-7-3 Amended V. 11, p. 1796  
 111-7-3a Revoked V. 13, p. 340  
 111-7-4 Amended V. 9, p. 1367  
 111-7-5 Amended V. 9, p. 986  
 111-7-6 Amended V. 9, p. 987  
 111-7-9 Amended V. 12, p. 1263  
 111-7-11 Amended V. 15, p. 1188  
 111-7-12 through  
 111-7-32 New V. 7, p. 1194-1196  
 111-7-33 through  
 111-7-43 New V. 7, p. 1197, 1198  
 111-7-33a New V. 8, p. 300  
 111-7-44 through  
 111-7-54 Revoked V. 13, p. 340  
 111-7-46 Amended V. 11, p. 1152  
 111-7-54 Amended V. 11, p. 1511  
 111-7-55 through  
 111-7-63 Revoked V. 10, p. 1217  
 111-7-60 Amended V. 10, p. 262  
 111-7-64 through  
 111-7-75 New V. 11, p. 13, 14  
 111-7-66 Amended V. 15, p. 1304  
 111-7-66a Revoked V. 13, p. 340  
 111-7-75 through  
 111-7-78 Amended V. 15, p. 1188  
 111-7-75 Amended V. 16, p. 1479  
 111-7-78 Amended V. 16, p. 1479  
 111-7-79 Revoked V. 13, p. 340  
 111-7-80 through  
 111-7-81 New V. 11, p. 1478-1480  
 111-7-83 Amended V. 15, p. 1189  
 111-7-83 Amended V. 15, p. 1189  
 111-7-84 through  
 111-7-93 Revoked V. 15, p. 291  
 111-7-94 Revoked V. 13, p. 340  
 111-7-95 through  
 111-7-118 Revoked V. 15, p. 291, 292  
 111-7-119 through  
 111-7-127 New V. 15, p. 1189-1191  
 111-7-122 Amended V. 15, p. 1477  
 111-7-123 Amended V. 15, p. 1477  
 111-7-124 Amended V. 15, p. 1477  
 111-7-126 Amended V. 15, p. 1304  
 111-7-127 Amended V. 16, p. 1479  
 111-7-128 New V. 15, p. 1446  
 111-7-128a New V. 17, p. 1512  
 111-7-129 through  
 111-7-134 New V. 17, p. 1512-1514  
 111-7-135 through  
 111-7-140 New V. 17, p. 1718, 1719  
 111-7-137 Amended V. 17, p. 1750  
 111-8-1 New V. 7, p. 1633  
 111-8-2 New V. 7, p. 1633  
 111-8-3 Amended V. 10, p. 886  
 111-8-4 New V. 7, p. 1714  
 111-8-4a Revoked V. 13, p. 1406  
 111-8-5 through  
 111-8-13 New V. 7, p. 1634  
 111-8-14 New V. 13, p. 881  
 111-8-15 New V. 13, p. 881  
 111-9-1 through  
 111-9-12 New V. 7, p. 1714-1716  
 111-9-1 through  
 111-9-6 Revoked V. 9, p. 1680

111-9-13 through  
 111-9-18 Revoked V. 9, p. 1680  
 111-9-25 through  
 111-9-30 New V. 9, p. 699, 700  
 111-9-31 through  
 111-9-36 New V. 10, p. 262  
 111-9-37 through  
 111-9-48 New V. 10, p. 1439, 1440  
 111-9-49 through  
 111-9-54 New V. 12, p. 318, 319  
 111-9-55 through  
 111-9-60 New V. 12, p. 1263, 1264  
 111-9-61 through  
 111-9-78 New V. 16, p. 1087-1089  
 111-9-79 through  
 111-9-90 New V. 17, p. 394, 395  
 111-9-91 through  
 111-9-96 New V. 17, p. 1514  
 111-10-1 through  
 111-10-9 New V. 8, p. 136-138  
 111-10-7 Amended V. 8, p. 301

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

Reg. No.	Action	Register
112-4-1	Amended	V. 17, p. 511
112-4-22	Amended	V. 17, p. 512
112-4-22a	New	V. 17, p. 512
112-4-23	Amended	V. 17, p. 590
112-7-7	Amended	V. 17, p. 512
112-12-9	Amended	V. 17, p. 213
112-16-11	Amended	V. 17, p. 590
112-18-21	Amended	V. 17, p. 60

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

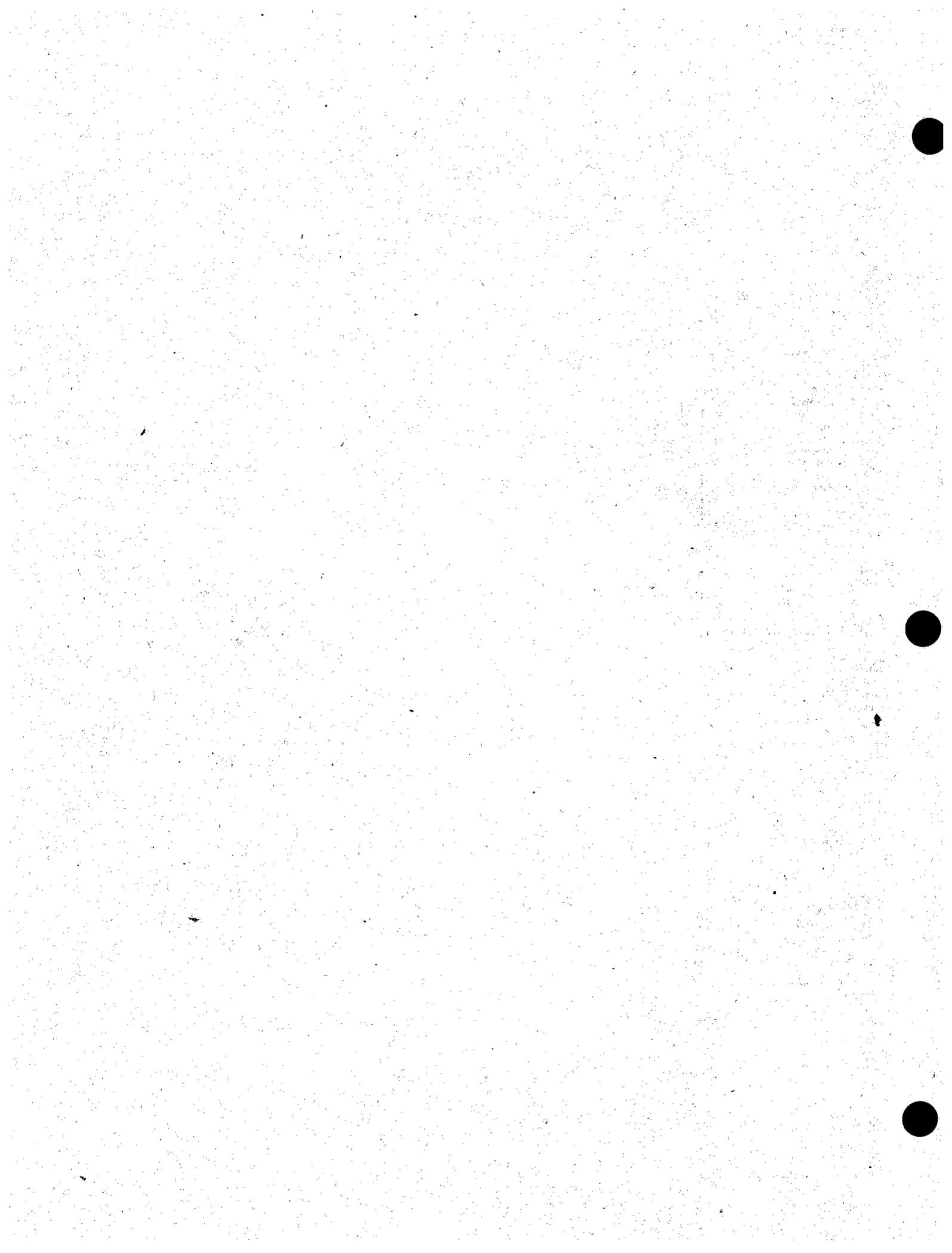
Reg. No.	Action	Register
115-2-3	Amended	V. 17, p. 462
115-2-6	New	V. 17, p. 462
115-4-1	Amended	V. 17, p. 463
115-4-7	Amended	V. 17, p. 464
115-17-1	Amended	V. 17, p. 1707
115-17-2	Amended	V. 17, p. 1707
115-17-4	Amended	V. 17, p. 1708
115-17-5	Amended	V. 17, p. 1708
115-17-6	Amended	V. 17, p. 1708
115-17-14	Amended	V. 17, p. 1709
115-18-12	Amended	V. 17, p. 1086
115-18-13	Amended	V. 17, p. 1414
115-20-2	Amended	V. 17, p. 1709
115-35-1	New	V. 17, p. 1710

**AGENCY 117: REAL ESTATE APPRAISAL BOARD**

Reg. No.	Action	Register
117-5-1	Amended	V. 17, p. 465
117-5-2	New	V. 17, p. 465
117-5-3	New	V. 17, p. 465
117-6-3	Amended	V. 17, p. 1706
117-8-1	Amended	V. 17, p. 1167
117-8-2	New	V. 17, p. 1707

**AGENCY 118: KANSAS STATE HISTORICAL SOCIETY**

Reg. No.	Action	Register
118-1-1 through		
118-1-4	Amended	V. 17, p. 1547, 1548
118-3-1 through		
118-3-16	New	V. 17, p. 1549-1553



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

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