



# Kansas Register

Ron Thornburgh, Secretary of State

Vol. 21, No. 27 July 4, 2002 Pages 1107-1146

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State of Kansas

Legislature  
Interim Committee Schedule

The following committee meetings have been scheduled during the period of July 8-21. Requests for accommodation to participate in committee meetings should be made at least two working days in advance of the meeting by contacting Legislative Administrative Services at (785) 296-2391 or TTY (785) 296-8430. When available, agendas can be found at <http://skyways.lib.ks.us/ksleg/KLRD/klrd.html>.

Date	Room	Time	Committee	Agenda
July 10	123-S	10:00 a.m.	Joint Committee on Administrative Rules and Regulations	Agenda not available.
July 10 July 11	514-S 514-S	10:00 a.m. 9:00 a.m.	Legislative Educational Planning Committee	<b>10th:</b> Workshop on USD budget preparation and post audit on USD budgets. <b>11th:</b> USD budgets continued and committee discussion of interim topics.
July 11	313-S	9:00 a.m.	Long-Term Care Task Force	Presentation of Kansas Future Retirement Income Assessment Project.
July 21	Capital Plaza Hotel, Topeka	12:30 to 6:30 p.m.	Joint Committee on Corrections and Juvenile Justice Oversight	Governor's Conference on Juvenile Justice.

Jeff Russell  
Director of Legislative  
Administrative Services

Doc. No. 028121

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Fax (785) 368-8024

## State of Kansas

**Board of Healing Arts****Notice of Hearing on Proposed  
Administrative Regulations**

A public hearing will be conducted at 10 a.m. Thursday, September 19, at the office of the Kansas State Board of Healing Arts, 235 S. Topeka Blvd., Topeka, to consider the adoption of two proposed amended rules and regulations dealing with fees.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the above referenced rules and regulations. All interested parties may submit comments prior to the hearing to the Board of Healing Arts at the address above. All interested parties will be given a reasonable opportunity to present their views, orally or in writing, concerning the amendment of the regulations during the hearing. In order to give all persons an opportunity to present their views, it may be necessary to request each participant to limit any oral presentations to five minutes.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the regulations being considered and the 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 Melissa Kipp at (785) 368-6425. Handicapped parking is located at the west end of the Hutton Building, and the northwest entrance to the building is accessible.

A summary of the proposed amended rules and regulations to be considered at the hearing and their respective economic impact is as follows:

**K.A.R. 100-11-1. Amount.****K.A.R. 100-49-4. Fees.**

These two proposed amended rules and regulations deal entirely with fees associated with license renewal collected by the board in the professions of medicine and surgery, osteopathic medicine and surgery, chiropractic and podiatry.

These two fee regulations become effective as temporary regulations August 1, 2002. The changes in revenues will not result in any economic impact to the public or to the agency. The economic impact will be on the professions of medical doctors, osteopathic doctors, chiropractors and podiatrists as they renew their licenses.

Copies of the proposed regulations and the associated economic impact statement may be obtained by contacting Betty Johnson, Kansas State Board of Healing Arts, 235 S. Topeka Blvd., Topeka, 66603, (785) 296-3680, or by visiting the board's Web site at [www.ksbha.org/pubinfo.html](http://www.ksbha.org/pubinfo.html).

Lawrence T. Buening, Jr.  
Executive Director

Doc. No. 028127

## State of Kansas

**State Records Board****Notice of Meeting**

The Kansas State Records Board will meet at 9 a.m. Thursday, July 18, at the Kansas History Center, 6425 S.W. 6th Ave., Topeka. The board will consider requests from state agencies submitting proposals for retention and disposition of noncurrent government records. In addition, general administrative matters and other business will be discussed.

Patricia A. Michaelis  
State Archivist

Doc. No. 028110

## State of Kansas

**State Conservation Commission****Notice of Meeting**

The State Conservation Commission will conduct a joint meeting with the Kansas Association of Conservation Districts at 8:30 a.m. Monday, July 22, at the Best Western Silver Spur Lodge & Convention Center, 1510 W. Wyatt Earp Blvd., Dodge City. The regular business meeting of the commission will begin at approximately 10 a.m. A copy of the agenda may be obtained by contacting Cathy Greene, State Conservation Commission, 109 S.W. 9th, Suite 500, Topeka, 66612-1299, (785) 296-3600. If special accommodations are needed, contact the agency at least three days in advance of the meeting date.

Tracy Streeter  
Executive Director

Doc. No. 028109

## State of Kansas

**Wildlife and Parks Commission****Notice of Hearing on Proposed  
Administrative Regulations**

A public hearing will be conducted by the Wildlife and Parks Commission at 7 p.m. Thursday, August 22, at the Performing Arts Center at Ellsworth High School, 211 W. 11th, Ellsworth, to consider the approval and adoption of a proposed exempt regulation of the Kansas Department of Wildlife and Parks.

A workshop meeting on business of the Wildlife and Parks Commission will begin at 1:30 p.m. August 22 at the same location. The meeting will recess at 5 p.m., then resume at 7 p.m. at the same location for the regulatory hearing. There will be public comment periods at the beginning of the afternoon and evening meetings for any issues not on the agenda, and additional comment periods will be available during the meeting on agenda items. Old and new business also may be discussed at this time. If necessary to complete the hearing or other business matters, the commission will reconvene at 9 a.m. August 23 at the same location.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulations and economic im-

(continued)

compact statements in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Sheila Kemmis, commission secretary, at (620) 672-5911. Persons with a hearing impairment may call the TDD service at 1-800-766-3777 to request special accommodations.

This 30-day notice period prior to the hearing constitutes a public comment period for the purpose of receiving written public comments on proposed exempt regulations.

All interested parties may submit written comments prior to the hearing to the chairman of the commission, Kansas Department of Wildlife and Parks, Suite 502, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612. All interested parties will be given a reasonable opportunity at the hearing to express their views orally in regard to the adoption of the proposed regulations. During the hearing, all written and oral comments submitted by interested parties will be considered by the commission as a basis for approving, amending and approving, or rejecting the proposed regulations.

The exempt regulation that will be heard during the regulatory hearing portion of the meeting, in addition to the administrative regulations for which notice has previously been published, is as follows:

**K.A.R. 115-25-14.** This exempt regulation establishes fishing creel limits, size limits, possession limits and seasons. The proposed amendment would establish a paddlefish season on the Missouri River from March 15 through May. This amendment, combined with other regulatory changes currently being undertaken by the department and by the State of Missouri, would unify fishing regulations applicable on the Missouri River as a result of negotiations between the two states.

Economic Impact Summary: The proposed amendment is intended to simplify applicable regulations, and therefore no substantial economic impact to the department, other state agencies or the public is anticipated.

Copies of the complete text of the regulations and their respective economic impact statements may be obtained by contacting the chairman of the commission at the address above or by calling (785) 296-2281.

John R. Dykes  
Chairman

Doc. No. 028108

## State of Kansas

### Board of Nursing

#### Notice of Hearing on Proposed Administrative Regulations

A public hearing will be conducted at 1:30 p.m. Friday, September 13, in Room 108 of the Landon State Office Building, 900 S.W. Jackson, Topeka, to consider the adoption of proposed changes in five existing rules and regulations relating to exempt licenses and certifications for LPN, RN and ARNP; definitions for continuing education for nurses; approval for continuing nursing education; and standards of revocation, suspension, limitation or denial of nursing licensure.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written comments on the proposed amended rules and regulations. All interested parties may submit written comments prior to the hearing to the executive administrator of the Board of Nursing, Room 551-S, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612. All interested parties will be given a reasonable opportunity to present their views, orally or in writing, concerning the adoption of the proposed regulations during the hearing. Phone comments will be taken by calling (785) 296-0445 at 1:30 p.m. the day of the hearing. In order to give all persons the opportunity to present their views, it may be necessary to request each participant to limit any oral presentations to five minutes. A summary of the proposed regulations and the economic impact follows:

**K.A.R. 60-3-110. Standards of revocation, suspension, limitation, or denial of nursing licensure.** The proposed changes are a clarification and expansion of unprofessional conduct for registered nurses and licensed practical nurses. The definitions for physical abuse and verbal abuse were expanded. Other proposed changes include clarification of delegation, leaving an assignment that has been accepted, exploitation and failing to comply with disciplinary orders.

**K.A.R. 60-3-112. Exempt license.** The proposed change will allow a registered nurse or licensed practical nurse who has been licensed in another jurisdiction for the five years previous to apply for an exempt license.

**K.A.R. 60-9-105. Definitions for continuing education for nurses.** The proposed changes have added the definition for authorship of a manuscript and professional research paper. Other proposed changes include clarification language for clinical hours and independent study.

**K.A.R. 60-9-107. Approval for continuing nursing education.** The proposed changes are a reorganization and clarification of this regulation. These proposed changes will reduce the time for providers to prepare applications for a providership for continuing nursing education and will help reduce errors in the application.

**K.A.R. 60-11-121. Exempt certification.** The proposed change will allow an advance registered nurse practitioner who has been licensed, authorized or certified in another jurisdiction for the five years previous to apply for an exempt license.

A copy of each of the proposed regulations and associated economic impact statement may be obtained by accessing the Kansas State Board of Nursing Web site at [www.ksbn.org](http://www.ksbn.org) or by contacting the executive administrator of the State Board of Nursing at the address above, (785) 296-5752, prior to the date of hearing.

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 the State Board of Nursing.

Mary Blubaugh MSN, RN  
Executive Administrator

Doc. No. 028102

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. 12-1675(b)(c)(d), 75-4201(l) and 75-4209(a)(1)(B).

Effective 7-1-02 through 7-7-02

Term	Rate
1-89 days	1.76%
3 months	1.67%
6 months	1.72%
1 year	2.01%
18 months	2.49%
2 years	2.75%

Derl S. Treff  
Director of Investments

Doc. No. 028101

State of Kansas

Kansas Development Finance Authority

Notice of Hearing

A public hearing will be conducted at 9 a.m. Thursday, July 18, in the offices of the Kansas Development Finance Authority, 555 S. Kansas Ave., Suite 202, Topeka, on the proposal for the Kansas Development Finance Authority to issue its Agricultural Development Revenue Bond for the project numbered below in the respective maximum principal amount. The bond will be issued to assist the respective borrower named below (who will be the owner and operator of the project) to finance the cost in the amount of the bond of acquiring the project or for the purpose of refunding a bond previously issued to finance the project. The project shall be located as shown:

**Project No. 000547—Maximum Principal Amount: \$121,827.41.** Owner/Operator: Richard and Ellen Gran-zow. Description: Acquisition of 320 acres of agricultural land and related improvements and equipment to be used by the owner/operator for farming purposes. The project is located at Section 2, Township 15, Range 5 East, Morris County, Kansas, approximately 9 miles north of Hering-ton on US-77 then 5 miles east on Morris County "G" Ave. then 2 miles south on Morris County 2700 Road.

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

All individuals who appear at the hearing will be given an opportunity to express their views, and all written comments previously filed with the Authority at its offices at 555 S. Kansas Ave., Suite 202, Topeka, 66603, will be considered. Additional information regarding the project may be obtained by contacting the Authority.

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

Jack H. Brier  
President

Doc. No. 028128

State of Kansas

Department of Administration

Division of Purchases

Notice to Bidders

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

**Monday, July 15, 2002**

**05207**

Kansas Highway Patrol—Police-type Work Jackets and Accessories, Salina

**Tuesday, July 16, 2002**

**05210**

Department of Corrections—Work Boots, Various Locations

**Tuesday, July 23, 2002**

**A-9262**

Parsons State Hospital and Training Center—Replace Air Conditioning Compressor and Auxiliary Equipment

**Thursday, July 25, 2002**

**A-9437**

Kansas State Historical Center—Visitors Center, William Allen White State Historic Site, Emporia

**A-9446**

University of Kansas—Replace Isolation Switches and Cabling, Landscape Zone U

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**Request for Proposals**

**Friday, July 19, 2002**

**05184**

Fulfillment Services for the Kansas Magazine for the Department of Commerce and Housing

**Tuesday, August 6, 2002**

**05218**

Network Management Services for the Information Network of Kansas

John T. Houlihan  
Director of Purchases

Doc. No. 028129

(Published in the Kansas Register July 4, 2002.)

**Summary Notice of Bond Sale  
City of Wichita, Kansas**

**\$17,765,000**

**Aggregate Principal Amount  
General Obligation Bonds  
Series 770 Series 771**

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

**\$8,000,000**

**General Obligation Bonds  
Series 956**

**(General obligation bonds payable from  
tax increments from the Gilbert & Mosley  
Redevelopment District in the city and  
backed by full faith and credit of city)**

Subject to the terms and conditions of the complete official notice of sale dated June 18, 2002, of the City of Wichita, Kansas, in connection with the city's hereinafter described general obligation bonds (collectively, the bonds), and certain general obligation temporary notes of the city, sealed, facsimile and electronic bids for the purchase of the bonds shall be received at the office of the Department of Finance, 12th Floor, City Hall, 455 N. Main, Wichita, Kansas, until 10:30 a.m. Tuesday, July 16, 2002. All bids shall be publicly read and tabulated on said date and at said time and place. The bids will be considered and the bonds will be awarded by the city council in the council chamber at City Hall, at their earliest convenience following the bid opening.

No oral or auction bid for the bonds shall be considered, and no bid for less than the entire principal amount of a series of bonds shall be considered. Sealed and facsimile bids will be accepted only on the official bid forms that have been prepared for each series of bonds, which may be obtained from the city's Department of Finance. Bids may be submitted by mail or delivered in person to the address stated above, may be submitted by telefacsimile at (316) 219-6269, or may be electronically bid through BIDCOMP/PARITY electronic bid submission system (PARITY). To the extent any instruction or directions set forth in PARITY conflict with the official notice of sale, the terms of the official notice of sale shall control. The city shall not be responsible for any failure, misdirection or error in the means of transmission selected by any bidder. For further information about the electronic bidding services of PARITY, potential bidders may contact PARITY at 395 Hudson St., New York, NY 10014, (212) 806-8304. All bids must be received at the place and not later than the date and time herein 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 sale, and shall be in an amount equal to 2 percent of the principal amount of the series of bonds for which the bid is submitted.

**Description of the Bonds**

The Series 770 Bonds will be issued in the aggregate principal amount of \$8,590,000; shall be issued as fully registered bonds in the denomination of \$5,000 or any integral multiple thereof not exceeding the principal amount maturing in each year; shall bear a dated date of August 1, 2002; and shall mature serially on September 1 in each of the years and principal amounts as follows:

**Maturity Schedule - Series 770 Bonds**

Principal Amount	Maturity Date
\$415,000	09/01/03
430,000	09/01/04
450,000	09/01/05
470,000	09/01/06
495,000	09/01/07
515,000	09/01/08
540,000	09/01/09
565,000	09/01/10
590,000	09/01/11
615,000	09/01/12
640,000	09/01/13
670,000	09/01/14
700,000	09/01/15
730,000	09/01/16
765,000	09/01/17

The Series 770 Bonds shall bear interest at the rates specified by the successful bidder, and interest shall be payable semiannually on March 1 and September 1 of each year, commencing March 1, 2003.

The Series 771 Bonds will be issued in the aggregate principal amount of \$9,175,000; shall be issued as fully registered bonds in the denomination of \$5,000 or any integral multiple thereof not exceeding the principal amount maturing in each year; shall bear a dated date of August 1, 2002; and shall mature serially on December 1 in each of the years and principal amounts as follows:

**Maturity Schedule - Series 771 Bonds**

Principal Amount	Maturity Date
\$915,000	12/01/03
915,000	12/01/04
915,000	12/01/05
915,000	12/01/06
915,000	12/01/07
920,000	12/01/08
920,000	12/01/09
920,000	12/01/10
920,000	12/01/11
920,000	12/01/12

The Series 771 Bonds shall bear interest at the rates specified by the successful bidder, and interest shall be payable semiannually on June 1 and December 1 of each year, commencing June 1, 2003.

The Series 956 Bonds will be issued in the aggregate principal amount of \$8,000,000; shall be issued as fully registered bonds in the denomination of \$5,000 or any integral multiple thereof not exceeding the principal amount maturing in each year; shall bear a dated date of August 1, 2002; and shall mature serially on December 1 in each of the years and principal amounts as follows:

**Maturity Schedule - Series 956 Bonds**

Principal Amount	Maturity Date
\$640,000	12/01/03
675,000	12/01/04
705,000	12/01/05
740,000	12/01/06
775,000	12/01/07
810,000	12/01/08
850,000	12/01/09
890,000	12/01/10
935,000	12/01/11
980,000	12/01/12

The Series 956 Bonds shall bear interest at the rates specified by the successful bidder, and interest shall be payable semiannually on June 1 and December 1 of each year, commencing June 1, 2003.

**Form of Bonds**

The bonds will be issued in book-entry-only form.

**Paying Agent & Bond Registrar;**

**Payment of Principal and Interest**

JPMorgan Chase Bank, New York, New York, shall serve as bond registrar and paying agent for the bonds. The principal amount of and the interest on the bonds shall be paid by the paying agent from funds made available by the city by wire transfer of same day funds to Cede & Co., nominee for the Depository Trust Company, New York, New York (DTC). The transfer of principal and interest payments to the participants of DTC will be the responsibility of DTC, and the transfer of principal and interest payments to beneficial owners by participants of DTC will be the responsibility of such participants and other nominees of beneficial owners. Reference is made to the official notice of sale for additional information regarding payment of principal and interest to owners of the bonds.

**Redemption**

Certain of the bonds are subject to redemption as set forth in the official notice of sale.

**Delivery**

The bonds shall be delivered at the expense of the city on or about August 22, 2002. As a condition to delivery, the successful bidders shall be required to deposit the bonds with DTC. Reference is made to the official notice of sale for additional information regarding delivery.

**Legal Opinion**

Hinkle Elkouri Law Firm L.L.C., Wichita, Kansas. All fees and expenses of bond counsel shall be paid by the city. Reference is made to the official notice of sale and the city's preliminary official statement for additional information regarding legal matters.

**Security**

The Series 770 Bonds, Series 771 Bonds and the interest thereon constitute general obligations of the city, and the full faith, credit and resources of the city will be pledged to the payment thereof. Reference is made to the official notice of sale and the city's preliminary official statement for a further discussion of the security for the Series 770 Bonds and Series 771 Bonds.

The Series 956 Bonds and the interest thereon constitute general obligations of the city, and the full faith, credit and resources of the city will be pledged to the payment thereof. Payment of the principal and interest on the Series 956 Bonds is additionally secured by a payment from tax increments from a certain redevelopment district of the city. Reference is made to the official notice of sale and the city's preliminary official statement for a further discussion of the security for the Series 956 Bonds.

**Ratings**

The city's outstanding general obligation bonds issued since 1975 have been rated by Moody's Investors Service, Inc. and by Standard & Poor's, a division of the McGraw-Hill Companies. The most recent ratings given to the city's general obligation bonds (dated February 1, 2002) by such rating agencies were "Aa 2" and "AA" respectively. The city has applied to both of said rating services for ratings on the bonds described herein.

**Financial Matters**

The city's equalized assessed tangible valuation for computation of bonded debt limitations is \$2,514,971,481. The total outstanding general obligation bonded indebtedness of the city, at August 1, 2002, will be \$357,132,307. This amount includes the within described bonds and the following described pending indebtedness.

**Pending Indebtedness**

Concurrently with the public sale of the bonds described herein, the city will offer at public sale \$94,640,000 principal amount of General Obligation Renewal and Improvement Temporary Notes, Series 206.

**Official Statement**

The city has authorized and directed preparation of a preliminary official statement in connection with the bonds herein described. Said preliminary official statement is in a form "deemed final" by the city for purposes of Securities and Exchange Commission Rule 15c2-12(b)(1), but is subject to revision, amendment and completion in the final official statement. Not later than seven business days after the date of the sale of the bonds, the city shall furnish the successful bidder with a reasonable number of copies of the final official statement, without cost.

**Continuing Disclosure**

The city has adopted an ordinance establishing a master undertaking to provide ongoing disclosure concerning the city in connection with its general obligation bonds for the benefit of owners of the bonds, as required under Section (b)(5)(i) of Securities and Exchange Commission Rule 15c2-12. A copy of that ordinance is included as an appendix to the official statement.

**Additional Information**

Copies of the official notice of sale, official bid forms and preliminary official statement may be obtained from the city's Department of Finance, City Hall, 12th Floor, 455 N. Main, Wichita, KS 67202-1679 (Kristi McMinville, Debt Coordinator, 316-268-4143).

City of Wichita, Kansas  
by Pat Burnett, City Clerk

Doc. No. 028103

State of Kansas

**Office of Judicial Administration  
Court of Appeals Docket**

(Note: Dates and times of arguments are subject to change.)

Kansas Court of Appeals  
Court of Appeals Courtroom  
Kansas Judicial Center  
301 S.W. 10th Ave.  
Topeka, Kansas

Before Rulon, C.J.; Lewis, J.; and Paddock, S.J.

Monday, July 22, 2002

9:30 a.m.

Case No.	Case Name	Attorneys	Jurisdiction
87,714	In the Matter of the Appeal of HCA Health Services, Inc., d/b/a Columbia Wesley Medical Center, From an Order of the Division of Taxation on Assessment of Sales/Use Tax.	Mark A. Burghart John Michael Hale	Tax Appeal
88,284	Richard Hines and Amy Rottinghaus, Appellants, v. I.L.C. of Topeka and Lawrence L.L.C., Appellees.	William F. Logan Louis F. Eisenbarth Melissa D. Hillman	Shawnee
86,493	State of Kansas, Appellee, v. Jeremy Kinderknecht, Appellant.	Attorney General Russ Roe, Asst. C.A. Randall L. Hodgkinson, Deputy A.D.	Saline
87,578	Robert Pitts, D.D.S., Appellant, v. Kansas Dental Board, Appellee.	Jeff Griffith Randall J. Forbes	Shawnee
<b>1:30 p.m.</b>			
87,743	Bryan Williams, Appellant, v. State of Kansas, Appellee.	Nathan Webb, Asst. A.D. Attorney General Steve Stockard, Asst. C.A.	Crawford
87,332	State of Kansas, Appellee, v. Christi L. Steeves, Appellant.	Attorney General Rod Ludwig, C.A. Sandra Carr, Asst. A.D.	Mitchell
87,286	Myrtle Lemon, Appellant, v. Blind Tiger Brewery & Restaurant, LLC, and Royal & Sunalliance Insurance Group, Appellees.	Cheryl D. Myers Paul Hasty, Jr.	Shawnee
88,073	Sunflower Bank, N.A., Appellant, v. Sarah J. Cooke, Defendant, Judgment Debtor, v. Bristol Hotel Management Corp., d/b/a Holiday Inn Express, Appellee.	Terry D. Criss George W. Yarnevich James R. Angell	Saline
87,683	Lawrence M. Drake and Sharon M. Drake, Appellees, v. Lionel Q. Drake and Ola Drake, Appellants.	Henry O. Boaten Bruce Plenk	Shawnee

Tuesday, July 23, 2002

9:30 a.m.

Case No.	Case Name	Attorneys	Jurisdiction
87,055	In the Matter of the Marriage of James W. Dodge, Appellant/Cross-Appellee, and Cynthia D. Dodge, Appellee/Cross-Appellant.	David E. Watson Robert E. Keeshan	Shawnee
87,309	State of Kansas, Appellee, v. Jason Vermillion, Appellant.	Attorney General Kristin G. Heck, Asst. C.A. Sarah Ellen Johnson, Asst. A.D.	Saline
87,410	State of Kansas, Appellee, v. Billy Lee Wiles, Appellant.	Attorney General Darrell E. Miller, C.A. Theresa Barr, Asst. A.D.	Jewell
87,985	In the Matter of the Marriage of Aaron Rama Hughes, Appellant, and Elizabeth Mary Hughes, Appellee.	Alan F. Alderson Frank S. Eschmann	Shawnee

**Summary Calendar—No Oral Argument**

Case No.	Case Name	Attorneys	Jurisdiction
88,417	In the Interest of: J.S., DOB: 03/04/92 A.S., DOB: 10/24/90 B.S., DOB: 03/14/85 A.S., DOB: 12/15/86 All Children Under the Age of 18 Years.	Terry P. Todd Kellie E. Hogan	Montgomery
87,120	State of Kansas, Appellee, v. Marteaus L. Carter, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Richard A. Olmstead, Asst. D.A. Kristen Chowning, Asst. A.D.	Sedgwick
86,698	State of Kansas, Appellee, v. James A. Taylor, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Boyd K. Isherwood, Asst. D.A. Geary N. Gorup	Sedgwick
87,675	Wade Patterson, Appellant, v. State of Kansas, Appellee.	Randall L. Hodgkinson, Deputy A.D. Attorney General Debra S. Peterson, Asst. D.A. Richard A. Olmstead, Asst. D.A.	Sedgwick
88,060	In the Interest of: K.L.D., DOB: 11/15/83 M.L.D., DOB: 11/20/86 Children Under 18 Years of Age.	Roger Batt Larry S. Vernon	Sedgwick
87,585	Jerry L. Falke, Appellant, v. Kansas Department of Revenue, Appellee.	John E. Stang James G. Keller	Sedgwick
88,029	State of Kansas, Appellant, v. Steven E. Potter, Appellee.	Attorney General James R. Watts, Asst. C.A. Libby K. Snider, Asst. A.D.	Butler
87,851	William Taylor, Appellant, v. Allstate Indemnity Company, Appellee.	Kala Spigarelli Paul Hasty, Jr.	Linn

(continued)

87,699	State of Kansas, Appellee, v. Robert L. Hollumn, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Jeffery V. Rowe, Asst. D.A. Steven R. Zinn, Deputy A.D.	Sedgwick
87,694	State of Kansas, Appellee, v. Michael A. Purcell, Appellant.	Attorney General Ellen Mitchell, C.A. Shawn Minihan, Asst. A.D.	Saline
87,356	State of Kansas, Appellee, v. Jason R. Stone, Appellant.	Attorney General Ernest H. Richardson, C.A. Shawn Minihan, Asst. A.D.	Kiowa
88,214	Thomas Hearst, #48599, Appellant, v. Kansas Parole Board and Secretary of Corrections Charles Simmons, et al., Appellees.	Thomas L. Hearst, #48599, Pro Se Michelle A. Davis, Asst. A.G.	Ellsworth
87,824	State of Kansas, Appellee, v. Rene Gonzalez, a/k/a Rogelio Gorostiza III, Appellant.	Attorney General Keri A. Kish, Asst. C.A. Peter Maharry, Asst. A.D.	Ford
88,443	State of Kansas, Appellee, v. Steven Michael Puhr, Appellant.	Attorney General William T. North, C.A. Steven Michael Puhr, Pro Se	Chase

**Kansas Court of Appeals  
Old Sedgwick County Courthouse  
510 N. Main, 3rd Floor  
Wichita, Kansas**

**Before Elliott, P.J.; Gernon and Marquardt, JJ.**

**Monday, July 22, 2002**

**9:30 a.m.**

Case No.	Case Name	Attorneys	Jurisdiction
87,154	State of Kansas, Appellee, v. Tim L. Foster, Appellant.	Attorney General James David Garner F. William Cullins, C.A. Theresa L. Barr, Asst. A.D.	Montgomery
87,673	In the Matter of the Trusteeship of the Will of Frances M. Bunte.	James S. Oswalt Gerald E. Hertach S. Eric Steinle	Reno
86,453	State of Kansas, Appellee, v. Chanthara Leuthiphonh, Appellant.	Attorney General James R. Spring, C.A. Darla Lilley	Cowley
87,555	State of Kansas, Appellee, v. Michael R. Popp, Appellant.	Attorney General Thomas R. Stanton, Deputy D.A. Kristen L. Chowning, Asst. A.D.	Reno

**1:30 p.m.**

87,363	State of Kansas, Appellee, v. Jeffrey S. Taylor, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Jeffery V. Rowe, Asst. D.A. Kristen L. Chowning, Asst. A.D.	Sedgwick
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87,011	State of Kansas, Appellee, v. Lisa Marie Sanchez, Appellant.	Attorney General Daryl E. Hawkins, Asst. C.A. Shawn E. Minihan, Asst. A.D.	Dickinson
85,595	State of Kansas, Appellee, v. Jamal Bey, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Ian H. Taylor, Asst. D.A. Patrick H. Dunn, Asst. A.D.	Sedgwick
87,623	Gladys Jefferies, as Administrator of the Estate of Ormond L. Graham, Deceased, and Gladys Jefferies, Individually, and Bobby Graham, Individually, as Heirs- at-Law of Ormond L. Graham, De- ceased, Appellants, v. Owens-Illinois, Inc., Appellee.	Derek S. Casey Virginia Giokaris	Cowley
86,548	In the Matter of the Marriage of Delores K. Conley, Appellee, and John P. Conley, Appellant.	James S. Oswalt Thomas A. Dower	Reno

**Tuesday, July 23, 2002**

**9:30 a.m.**

Case No.	Case Name	Attorneys	Jurisdiction
87,746	David Shields, Appellant, v. K A T Transportation, and ACE-USA, Appellee.	Joseph Seiwert Vincent A. Burnett	Work Comp.
87,187 87,188	State of Kansas, Appellee, v. Justin Vogt, Appellant.	Attorney General Franklin Terrill Bruce, Asst. C.A. Michael C. Robinson	Reno
87,340	State of Kansas, Appellee, v. Timothy D. Coleman, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Boyd K. Isherwood, Asst. D.A. Libby K. Snider, Asst. A.D.	Sedgwick
87,378	State of Kansas, Appellee, v. Chad D. Cox, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Boyd K. Isherwood, Asst. D.A. Sandra Carr, Asst. A.D.	Sedgwick
88,157	State of Kansas, Appellee, v. Robin Richmond, Appellant.	Attorney General Steve Stockard, Asst. C.A. Michael Gayoso, Jr.	Crawford

**Summary Calendar—No Oral Argument**

Case No.	Case Name	Attorneys	Jurisdiction
88,072	Bank of Blue Valley, Appellant, v. Roger W. Hood, Appellee.	Stewart Stein Mark Hinderks	Johnson
86,451	State of Kansas, Appellee, v. John E. Goins III, Appellant.	Sarah Ellen Johnson, Asst. A.D.	Leavenworth
88,437	State of Kansas, Appellant, v. Benjamin Gwinner, Appellee.	Attorney General James B. Pattison, Asst. C.A. Mike Sheahon	Saline
87,571	Jay D. Breazeale, Appellant, v. State of Kansas, Appellee.	J. Patrick Lawless, Acting Chief A.D. Attorney General Debra S. Peterson, Asst. D.A. Lesley A. Isherwood, Asst. D.A.	Sedgwick

(continued)

88,729	Robert E. Murphy, #32777, Appellant, v. Charles E. Simmons, et al., Appellees.	Robert E. Murphy, #32777, Pro Se Julie Riddle	Butler
86,824	In the Matter of the Marriage of Barbara E. Doherty, Appellee, and Larry E. Doherty, Appellant.	Ronald W. Nelson Donald R. Whitney Keith Martin	Miami
88,352	George Zook, Appellee, v. Rick Ussery and Terri Ussery, Appellants, and Eldon Turner and Virginia Turner.	Mark Doty Robert W. Green	Franklin
87,890	State of Kansas, Appellee, v. Evonne Canady, Appellant.	Attorney General Robert D. Hecht, D.A. Kathleen Downey Ambrosio	Shawnee
87,371	Juan A. Olivares, Appellant, v. State of Kansas, Appellee.	Kristen Chowning, Asst. A.D. Attorney General Debra S. Peterson, Asst. D.A. Jeffery V. Rowe, Asst. D.A.	Sedgwick
87,773	Darryl Wayne Bagley, Appellant, v. State of Kansas, Appellee.	Janine Cox, Asst. A.D. Attorney General Michael A. Russell, Asst. D.A.	Wyandotte
87,686	State of Kansas, Appellee, v. Travis J. Brownlee, Appellant.	Attorney General Angela M. Wilson, Asst. D.A. Randall L. Hodgkinson, Deputy A.D.	Douglas
86,189 86,636	State of Kansas, Appellee, v. Brian Gene Hemphill, Appellant.	Attorney General Franklin Terrill Bruce, Asst. D.A. Janine Cox, Asst. A.D.	Reno
88,134	In the Interest of S.M.N.	Rachel I. Hockenbarger Robert D. Hecht, D.A.	Shawnee

**Kansas Court of Appeals  
Sedgwick County Courthouse  
Courtroom 11-1  
525 N. Main  
Wichita, Kansas**

**Before Green, P.J.; Wahl, S.J.; and John J. Bukaty, Jr., D.J., assigned.**

**Monday, July 22, 2002**

**9:30 a.m.**

Case No.	Case Name	Attorneys	Jurisdiction
87,151	Travis Queen, Appellant, v. Lynch Jewelers, LLC, A Limited Liability Company, and James Lynch, Appellees.	Barry L. Arbuckle Stanford J. Smith, Jr.	Sedgwick
86,158	State of Kansas, Appellee, v. Jeffrey L. Davis, Appellant.	Attorney General Douglas W. McNett, Asst. C.A. Peter Maharry, Asst. A.D.	Pawnee
87,183	State of Kansas, Appellee, v. Dennis Riggs Engler, Appellant.	Attorney General Ty Kaufman, C.A. Theresa Barr, Asst. A.D.	McPherson

87,544	State of Kansas, Appellee, v. Michael Lee Mitchell, Appellant.	Attorney General Scott Showalter, Acting C.A. Peter Maharry, Asst. A.D.	Sherman
<b>1:30 p.m.</b>			
87,956	State of Kansas, Appellee, v. Hector Mosqueda, Jr., Appellant.	Attorney General Matt Treaster, Asst. C.A. Vincent J. Garcia	Harvey
87,899	Phillip W. Haywood, Appellee, v. Cessna Aircraft Company, and Kemper Insurance Companies, Appellants.	Andrew L. Oswald Kirby A. Vernon	Work Comp.
87,682	City of Hutchinson, Appellant, v. Robert Davenport, Appellee.	Michael C. Robinson James S. Oswalt	Reno
88,218	In the Matter of the Estate of Rugh I. Lasater, Deceased.	Brian M. Vazquez Timothy P. O'Sullivan	Harvey
87,415	State of Kansas, Appellee, v. Marcus Epps, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Boyd K. Isherwood, Asst. D.A. Rick Kittel, Asst. A.D.	Sedgwick

**Tuesday, July 23, 2002****9:30 a.m.**

Case No.	Case Name	Attorneys	Jurisdiction
87,436	State of Kansas, Appellee, v. Anthony Lee Williams, Appellant.	Attorney General Ty Kaufman, C.A. Nathan Webb, Asst. A.D.	McPherson
87,390	Scott Arnold Reinhardt, Appellant, v. Kansas Department of Revenue, Appellee.	Michael S. Holland II James G. Keller	Russell
87,386	Neil Wellbrock, Appellant, v. Kansas Department of Revenue, Appellee.	Michael S. Holland II James G. Keller	Russell
88,081	State of Kansas, ex rel., and Tamara Page, Appellant, v. Jeffrey A. Davison (Robert and Debbie Blake), Appellees.	Christopher J. Vinduska Ted L. Peters	Sedgwick

**Summary Calendar—No Oral Argument**

Case No.	Case Name	Attorneys	Jurisdiction
87,879	In the Matter of the Appeal of Monticello Community Historical Society from an Order of the Board of Tax Appeals on the Exemption of Property from Ad Va- lorem Taxation in Johnson County, Kansas.	Frank H. Jenkins, Jr.	Tax Appeal
87,802	In the Interest of: N.A.R., DOB: 11/26/92 J.S.R., DOB: 01/12/99 M.A.R., DOB: 08/12/99 Children Under 18 Years of Age.	Michael Lazzo Larry S. Vernon	Sedgwick

*(continued)*

87,417	State of Kansas, Appellee, v. Chalmers G. Spinden, a/k/a Chambers G. Spinder, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Lesley A. Isherwood, Asst. D.A. Korey A. Kaul, Asst. A.D.	Sedgwick
87,474	State of Kansas, Appellee, v. Richard A. Miller, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Ian H. Taylor, Asst. D.A. Richard A. Miller, #35100, Pro Se	Sedgwick
87,995	In the Interest of: R.S., DOB: 08/14/01 A Person Under 18 Years of Age.	Debra S. Peterson, Asst. D.A. Ian H. Taylor, Asst. D.A. William R. Griffith Michael Lazzo	Sedgwick
87,964	Harold Jones, Appellant, v. Kansas Parole Board, Appellee.	Harold Jones, #37088, Pro Se Michelle A. Davis, Asst. A.G.	Reno
87,627	Byron C. Davis, Appellant, v. State of Kansas, Appellee.	Michael P. Whalen Attorney General Debra S. Peterson, Asst. D.A. Lesley A. Isherwood, Asst. D.A.	Sedgwick
87,400	State of Kansas, Appellee, v. Damien J. Fralin, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Jeffery V. Rowe, Asst. D.A. Rick Kittel, Asst. A.D.	Sedgwick
87,487	Scott Rivard, Appellant, v. State of Kansas, Appellee.	Kathryn B. Wall, Asst. A.D. Attorney General James R. Spring, C.A.	Cowley
87,550	State of Kansas, Appellee, v. Ronnie V. Lawrence, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Ian H. Taylor, Asst. D.A. Sarah Ellen Johnson, Asst. A.D.	Sedgwick

**Kansas Court of Appeals  
Wyandotte County Courthouse  
Division 17  
710 N. 7th St., 3rd Floor  
Kansas City, Kansas  
Before Johnson, P.J.; Pierron, J.; and Buchele, S.J.  
Wednesday, July 24, 2002  
9:30 a.m.**

Case No.	Case Name	Attorneys	Jurisdiction
87,644	Farm Bureau Mutual Insurance Company, Inc., Appellee, v. Enterprise Leasing Company of Kansas, Appellant.	Todd N. Thompson Steve R. Fabert	Douglas
87,983	State of Kansas, Appellant, v. Henry L. Davis, Appellee.	Attorney General Angela M. Wilson, Asst. D.A. Edward G. Collister, Jr.	Douglas
87,715	Farmers Insurance Company, Inc., Appellee, v. Bernadette Jokan, Bernadette Jokan, Natural Mother of Alexander Jokan, and Bernadette Jokan, Natural Mother of Malia Jokan, Appellants, and Robert D. Long, Intervenor.	Bren Abbott Steven A. Ediger	Johnson

87,748 87,749	City of Merriam, Kansas, Appellee, v. John D. Fryer and Gerald E. Cole, Appellants.	Chauncey M. Depew Gerald E. Cole, Pro Se John Fryer, Pro Se	Johnson
87,193	William R. Gaupp, Jr., Appellant, v. State of Kansas, Appellee.	Korey A. Kaul, Asst. A.D. Attorney General John J. Bryant, Asst. D.A.	Wyandotte
<b>1:30 p.m.</b>			
85,125	State of Kansas, Appellee, v. Ramon Rodriguez, Appellant.	Attorney General Steven J. Obermeier, Asst. D.A. Janine Cox, Asst. A.D.	Johnson
87,495	State of Kansas, Appellee, v. Amy N. Helton, Appellant.	Attorney General Vernon E. Buck, Asst. C.A. Steven R. Zinn, Deputy A.D.	Lyon
87,350	State of Kansas, Appellee, v. Ronald Timothy Bliss, Appellant.	Attorney General Marc Goodman, C.A. Sandra Carr, Asst. A.D.	Lyon
87,801	Royce Gilreath, Appellant, v. J.D. Reece Realtors, et al., Appellees.	Royce Gilreath, Pro Se Robert S. Caldwell	Johnson
87,310	In the Matter of the Marriage of Donna Niblock, Appellee, v. Philip Niblock, Appellant.	Charles E. Wetzler Carrie E. Josserand Paula D. Hofaker	Johnson

**Thursday, July 25, 2002****9:30 a.m.**

Case No.	Case Name	Attorneys	Jurisdiction
87,217	State of Kansas, Appellee, v. James L. Graham, Appellant.	Attorney General Arthur Rhodes, Asst. D.A. Rick Kittel, Asst. A.D.	Wyandotte
87,269	State of Kansas, Appellee, v. Darryl Payton, Appellant.	Attorney General Terra D. Morehead, Asst. D.A. Peter Maharry, Asst. A.D.	Wyandotte
87,280	State of Kansas, Appellee, v. Kareen A. Austin, Appellant.	Attorney General Bradley R. Burke, Asst. D.A. Patrick H. Dunn, Asst. A.D.	Douglas
86,628	Charles E. Brown, Appellant, v. State of Kansas, Appellee.	Jeffrey M. Goodwin Attorney General Michael A. Russell, Asst. D.A.	Wyandotte

**Summary Calendar—No Oral Argument**

Case No.	Case Name	Attorneys	Jurisdiction
86,269	In the Matter of the Marriage of Michael Reeder, Appellee, and Darryl J. Brazill, Appellant.	Michael D. Gibbens Douglas M. Greenwald	Leavenworth
87,149	Farmon Williams, Appellant, v. State of Kansas, Appellee.	Sarah Ellen Johnson, Asst. A.D. Attorney General Steven J. Obermeier, Asst. D.A.	Johnson
87,619	George Morgan, Appellant, v. District Court of Riley County and State of Kansas, Appellees.	Patrick H. Dunn, Asst. A.D. Attorney General William E. Kennedy III, C.A.	Riley

(continued)

87,471	State of Kansas, Appellee, v. David Estell, Appellant.	Attorney General Tristram W. Hunt, Asst. D.A. Peter Maharry, Asst. A.D.	Wyandotte
87,888	Dan Martinez, d/b/a Insurance Claims Consultants, Appellant, v. Marc Powell, Individual, and Powell & Brewer, L.L.P., and State Farm Fire & Casualty; Don Mustin, Individual; and Peggy Schmidt, Individual, Appellees.	Dan Martinez, Pro Se Jay F. Fowler Holly A. Dyer Kenneth M. Clark	Sedgwick
87,957	Tractor 1110, Inc., Appellee, v. John Raymond Johnson and Cherrie Lynn Johnson, Appellants.	Daniel F. Meara Patrick S. Bishop	Bourbon
87,469	State of Kansas, Appellee, v. Amos R. Cole, Jr., Appellant.	Attorney General Michael A. Halleran, Asst. C.A. Theresa Barr, Asst. A.D.	Lyon
87,794	Steve Moses, Appellant, v. State of Kansas, Appellee.	Kristen L. Chowning, Asst. A.D. Attorney General Robbin L. Wasson, Asst. D.A.	Wyandotte
88,071	Rick Ross, Bonnie Ross Clifton, Joe Ross, Jr., Kristen Ross, Gina Ross Boos, and Frank Ross, Appellants, v. Royal Alliance Associates, Inc., Appellee.	Steven A. Ediger Anne M. Kindling	Shawnee
88,007	Karen L. Dahl, Appellee, v. The Jones Store Company, and Liberty Mutual Insurance Company, Appellants, and Kansas Workers Compensation Fund, Appellee.	James R. Shetlar Stephanie Warmund	Work Comp.
88,173	In the Matter of D.K.N.	Dennis J. Stanchik Steven J. Obermeier, Asst. D.A.	Johnson
87,926	State of Kansas, Appellee, v. Steven M. Allen, Appellant.	Attorney General John H. Taylor, Asst. C.A. Autumn L. Fox	Geary
88,496	City of Lawrence, Appellee, v. Dale E. McCormick, Appellant.	Gerard Little, City Prosecutor Dale E. McCormick, Pro Se	Douglas

Carol G. Green  
Clerk of the Appellate Courts

## State of Kansas

## Secretary of State

## Code Mortgage Rate for July

Pursuant to the provisions of K.S.A. 2001 Supp. 16a-1-301, Section 11, the code mortgage rate during the period of July 1, 2002 through July 31, 2002, is 12 percent.

Ron Thornburgh  
Secretary of State

Doc. No. 028106

## State of Kansas

## State Corporation Commission

## Notice of Motor Carrier Applications

The following motor carriers have filed various applications. All applications listed herein are for statewide authority, unless otherwise stated.

Requests to inspect and copy the notices provided to the parties and questions in regard to these applications should be addressed to the State Corporation Commission, Transportation Division, 1500 S.W. Arrowhead Road, Topeka, 66604-4027, (785) 271-3225 or 271-3151. For general inquiries, contact Vickie Berg at (785) 271-3225. To lodge an official complaint, submit your protest in writing, supported by relevant facts, to Mike J. Hoeme, Director of Transportation, at the address above within 10 days of the date of publication of this notice.

## Applications for Certificate of Public Service:

**James Bond, dba J. Bond Trucking**, Route 2, Box 165, Liberal, KS 67901; MC ID No. 161243; General commodities (except household goods and hazardous materials)

**Robert Chambers, dba Double R Trucking**, 302 W. Hall, Oberlin, KS 67749; MC ID No. 159886; General commodities (except household goods and hazardous materials)

**Gaylene Cook, dba Cook Delivery**, 5530 S.W. Wanamaker Road, Topeka, KS 66610; MC ID No. 159878; General commodities (except household goods and hazardous materials)

**Alfred L. Devling, dba Sunflower Mobile Homes**, 1731 S.W. Shaver Road, Plattsburg, MO 64477; MC ID No. 108248; Mobile homes

**Jim Dunbar, dba Dunbar Trucking**, 404 W. Prairie Ave., Girard, KS 66743; MC ID No. 161677; General commodities (except household goods and hazardous materials)

**Edward E. and Vickie C. Earnest, dba Earnest Trucking**, 3003 Douglas Road, Richmond, KS 66080; MC ID No. 161835; General commodities (except household goods and hazardous materials)

**Ed's Truck Service, Inc.**, 308 Broadway, Tribune, KS 67879; MC ID No. 161701; Wrecked, disabled, repossessed and replacement vehicles

**Fink Transport L.L.C.**, Route 1, Box 145, South Coffeyville, OK 74072; MC ID No. 159889; General commodities (except household goods and hazardous materials)

**Tiffin D. Fritz, dba Hounddog Express**, 118 Hillview, Burlington, KS 66839; MC ID No. 159876; General commodities (except household goods and hazardous materials)

**Dennis Harpster, dba Harpster Oil**, 4517 W. 89th, Valley Center, KS 67147; MC ID No. 159887; William Barker, Attorney; General commodities (except household goods and hazardous materials)

**JNT Trucking, Inc.**, 712 Wilkerson, Groom, TX 79039; MC ID No. 145354; General commodities (except household goods and hazardous materials)

**Verlin Kahn, dba Isabella Ag Service**, 323 E. Main, Goltry, OK 73739; MC ID No. 156654; General commodities (except household goods and hazardous materials)

**G. L. Keim**, 631 210th St., Fairview, KS 66425; MC ID No. 159890; General commodities (except household goods and hazardous materials)

**Bryan Larson, dba Larson Trucking**, 2228 Melholland Road, Lawrence, KS 66047; MC ID No. 159884; General commodities (except household goods and hazardous materials)

**David M. Lauer, Mary E. Lauer and Douglas J. Lauer, dba Lauer Custom Services**, 5118 N.E. 42nd, Kansas City, MO 64117; MC ID No. 210246; General commodities (except household goods and hazardous materials)

**Chong Min Lee, dba Kansas Farm Express**, 2213 Village Lane, Salina, KS 67401; MC ID No. 161856; General commodities (except household goods and hazardous materials)

**Wendy Perkins and Norman Gresens, dba Montana Starr Transport**, 11535 Plum Creek Circle, St. George, KS 66535; MC ID No. 159879; William Barker, Attorney; General commodities (except household goods and hazardous materials)

**Piland Auto Dismantling LLC**, 804 W. Maple, Garden City, KS 67846; MC ID No. 159881; Wrecked, disabled, repossessed and replacement vehicles

**CR Pumping Unit Service, Inc.**, 7701 E. Kellogg, Suite 710, Wichita, KS 67207; MC ID No. 159877; General commodities (except household goods and hazardous materials)

**Quality Transportation, Inc.**, I-44 at Exit 58 and O Hwy., Halltown, MO 65664; MC ID No. 159888; General commodities (except household goods)

**Rich's Roustabout Service, Inc.**, North Hwy. 283, Ness City, KS 67560; MC ID No. 159883; General commodities (except household goods and hazardous materials)

**Ronco, Inc., dba Prairie Village Phillips 66**, 6901 Mission Road, Shawnee Mission, KS 66208; MC ID No. 159885; Wrecked, disabled, repossessed and replacement vehicles

**D K Schenk Enterprises, Inc., dba Auto West Towing**, 86 N. Silicon, Pueblo West, CO 81007; MC ID No. 159880; Wrecked, disabled, repossessed and replacement vehicles and trailers

**The Body Shop, Inc.**, 636 Market Street, Osage City, KS 66523; Wrecked, disabled, repossessed and replacement vehicles

**Western Co-op Transport Association**, 4501 72nd St. S.W., Montevideo, MN 56265; MC ID No. 153747; General commodities (except household goods)

## Application for Extension of Certificate of Public Service:

**Vincent J. Werth, dba Werth Tank Service**, 1003 Canterbury Road, Hays, KS 67601; MC ID No. 119928; General commodities (except household goods)

## Application for Transfer of Certificate of Public Service:

**Kendall Helton, dba Broke Farmer Trucking**, Route 2, Box 80, St. Francis, KS 67756, MC ID No. 158271, to: Broke Farmer Trucking LLC, Route 2, Box 80, St. Francis, KS 67756; General commodities (except household goods and hazardous materials)

## Application for Name Change of Certificate of Public Service:

**Glass Trucking Co.**, 200 E. 6th, Newkirk, OK 74647, MC ID No. 116121, to: General commodities (except household goods and hazardous materials)

Mike J. Hoeme, Director  
Transportation Division

Doc. No. 028125

## State of Kansas

## Secretary of State

## Usury Rate for July

Pursuant to the provisions of K.S.A. 2001 Supp. 16-207, the maximum effective rate of interest per annum for notes secured by all real estate mortgages and contracts for deed for real estate (except where the note or contract for deed permits adjustment of the interest rate, the term of the loan or the amortization schedule) executed during the period of July 1, 2002 through July 31, 2002, is 8.05 percent.

Ron Thornburgh  
Secretary of State

Doc. No. 028107

## State of Kansas

## State Corporation Commission

## Notice of Motor Carrier Hearings

The following motor carriers have filed various applications and are scheduled for hearing at 9:30 a.m. July 23 before the commission at its offices, 1500 S.W. Arrowhead Road, Topeka, as indicated below. All applications listed herein are for statewide authority unless otherwise stated. This list does not include cases that have been continued from earlier assigned hearing dates for which parties of record have received notice.

Requests to inspect and copy the notices provided to the parties and questions in regard to these hearings should be addressed to the State Corporation Commission, Transportation Division, 1500 S.W. Arrowhead Road, Topeka, 66604-4027, (785) 271-3225 or 271-3151. The presiding officer for these matters is Paula Lentz, Assistant General Counsel, (785) 271-3279. Anyone needing special accommodations should give notice to the commission 10 days prior to the scheduled hearing date.

Attention should be directed to Kansas Administrative Regulation 82-1-228, "Rules of Practice and Procedure Before the Commission."

#### Application for Certificate of Convenience and Necessity:

**G.E.D. Specialized Transportation, Inc.**, 1726 Millair, Wichita, KS 67219-4534; MC ID No. 159882; Passengers

#### Applications for Abandonment of Certificate of Public Service:

**Robert H. Brenneman, dba Brenneman's**, 812 W. 1st, Newton, KS 67114-3325; MC ID No. 131201

**Livestock Logistx, Inc.**, Off Highway 514, Hall Summit, LA 71034; MC ID No. 159684

**Dale E. Roll, dba Roll Tank Service**, 1003 Canterbury Road, Hays, KS 67601; MC ID No. 100544

Mike J. Hoeme, Director  
Transportation Division

Doc. No. 028126

## 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 May 2002 for failure to timely file an annual report and pay the annual franchise tax as required by the Kansas general corporation code:

#### Domestic Corporations

B. Morrison Family, Inc., Olathe, KS.  
Bennington Aerial Spraying, Inc., Bennington, KS.  
Billiard & Games Etc., Inc., Wichita, KS.  
Boelling Pharmacy, Inc., Herington, KS.  
Briarwood Enterprises, Inc., Paola, KS.  
Carter Vocational Assessment, Inc., Wichita, KS.  
Center for Independent Living for Southwest Kansas, Inc., Garden City, KS.  
Centurion Homes, Inc., Shawnee, KS.  
Centurion Structures, Inc., Shawnee, KS.  
Childress Chemical, Inc., Nortonville, KS.  
Colby Sixth Street Club, Inc., Colby, KS.  
Communications Insurance Consultants, Inc., Prairie Village, KS.  
Conrady Implement Co., Inc., Anthony, KS.  
Construction Design, Inc., Pleasanton, KS.  
Creative Expressions International, Inc., Olathe, KS.  
David F. Mendoza, DMD, PA, Inc., Wichita, KS.  
Dicks Enterprises, Inc., Hutchinson, KS.  
Eaglebilt Construction, Inc., Rose Hill, KS.  
Emporia Main Street, Inc., Emporia, KS.  
Egnuity Technologies, Inc., Fort Collins, CO.  
Fandom, Inc., Whitewater, KS.  
Felipe's Restaurants, Inc., Wichita, KS.  
Fleet Care, Inc., Olathe, KS.  
Fordon Corporation, Lenexa, KS.  
Guardian Protection Products Heartland, Inc., Shawnee, KS.  
H.E.M., L.L.C., Lyons, KS.  
Heasty and Son, Inc., Lawrence, KS.  
Highland Games, Inc., Shawnee Mission, KS.  
HOA Investments, Inc., Mission, KS.  
Hoisington Post #286 The American Legion, Hoisington, KS.  
Jack Pot Inc., Wichita, KS.  
Jayhawk Siding, Inc., Lawrence, KS.  
JCJ Trucking, Inc., Kansas City, KS.  
JFW, Inc., Hutchinson, KS.  
Jim Garvey Ranches, Inc., Fort Worth, TX.  
JSB Farms, Inc., Brewster, KS.  
Kane Investments, Inc., Gardner, KS.  
Kansas Association SkillsUSA-VICA, Pittsburg, KS.  
Kansas Health Care Association, Inc., Topeka, KS.  
Kansas Insurance Foundation, Topeka, KS.  
Kaw Valley Quilters' Guild, Inc., Lawrence, KS.  
Kiddie Korral, Inc., Louisburg, KS.  
Leroy Loder Tires, LLC, Salina, KS.  
M. E. Spikes, Inc., Wichita, KS.  
Mahoney Implement Company, Inc., Russell, KS.  
Masonry Craftsman, Inc., Mission, KS.  
Maxima Corporation, Garden City, KS.  
Mega Construction & Roofing, Inc., Topeka, KS.  
Meis Electric, LLC, Cimarron, KS.  
Mid-Continent Fulfillment, LLC, Wichita, KS.

Midland Development, Inc., Rogers, AR.  
 Midwest Recruiters, Inc., Arkansas City, KS.  
 Mill Creek Development Co., Overland Park, KS.  
 Mort's Sandwich Shop, Inc., Overland Park, KS.  
 MSI HP Design, L.L.C., Wichita, KS.  
 National Auctioneers Association, Overland Park, KS.  
 Neodesha Family Restaurant, Inc., Neodesha, KS.  
 Oasis Tanning Salon, Inc., Leavenworth, KS.  
 Olivet Hill L.L.C., Emporia, KS.  
 Open Roads Ministry, Inc., Goff, KS.  
 Pawnee Street Association of Condominium Owners, Inc.,  
 Garden City, KS.  
 Prime Meridian Associates, Inc., Merritt, NC.  
 Producers Chemical and Supply, L.L.C., Leoti, KS.  
 Proffitt Farms, Inc., Lyons, KS.  
 Prosper Automotive Group Ltd., Overland Park, KS.  
 Ron Boden, Inc., Beloit, KS.  
 Rural Housing Associates, Inc., Wichita, KS.  
 S & S Service, Inc., Summerfield, KS.  
 S.M.N. and R. Post #163 of the American Legion,  
 Marysville, KS.  
 S.E.K. Humane Society of Crawford County, Kansas,  
 Pittsburg, KS.  
 Seaman Booster Club Inc., Topeka, KS.  
 Sertoma Luncheon Club of Manhattan, Inc., Manhattan, KS.  
 Shaw Enterprises, Inc., Chanute, KS.  
 Smith Brothers, Incorporated, Berryton, KS.  
 Southwest Kansas Publications, Inc., Ulysses, KS.  
 SS&G, Inc., Great Bend, KS.  
 Success Team Unlimited, Inc., Parsons, KS.  
 Swinney Industrial Adhesives Co., Inc., Kansas City, KS.  
 TB Enterprises of Wichita, L.L.C., Wichita, KS.  
 The Associated Landlords of Kansas, Inc., Topeka, KS.  
 The Pratt County Humane Society, Pratt, KS.  
 The Wichita Corporation, Wichita, KS.  
 Theatre for Young America, Inc., Mission, KS.  
 Tonn Grain, Inc., Haven, KS.  
 Trust Financial Group, Inc., Lee's Summit, MO.  
 Typographic Communications, Inc., Shawnee Mission, KS.  
 Unified Outreach Ministry Church of Wichita, Incorporated,  
 Wichita, KS.  
 United Biomedical, Inc., Andover, KS.  
 Unruh-Foster Management Corporation, Montezuma, KS.  
 W.P.S. Inc., Syracuse, KS.  
 Walter S. Cheers Post #106, American Legion, Larned, KS.  
 Weilert Oil Company, Inc., Hays, KS.  
 Westside Auto Parts, Inc., Emporia, KS.  
 Wichita Hospitality, Inc., Houston, TX.

### Foreign Corporations

Ace Pipe Cleaning, Inc., Kansas City, MO.  
 Agilent Technologies, Inc., Palo Alto, CA.  
 America One Communications, Inc., Falls Church, VA.  
 Anadarko Development Company, Amarillo, TX.  
 Annie Sullivan Enterprises, Inc., Lawrence, KS.  
 Architecture + A Professional Corporation, Monroe, LA.  
 Association of Operative Millers, Leawood, KS.  
 Astrazeneca LP, Wilmington, DE.  
 Astrazeneca Pharmaceuticals LP, Wilmington, DE.  
 Atlas Alchem Plastics, Inc., Clayton, MO.  
 Autologic Information International, Inc., Thousand Oaks, CA.  
 B. Dalton Bookseller, Inc., New York, NY.  
 Bar Boot Ranch Inc., Alva, OK.  
 Barnes & Noble Booksellers, Inc., New York, NY.  
 Barton Protective Services Incorporated, Atlanta, GA.  
 Battery Research and Testing, Inc., Oswego, NY.  
 Blue Hills Homes Corporation, Kansas City, MO.  
 BRW, Inc., Minneapolis, KS.

BSCO, Incorporated, St. Louis, MO.  
 Central Tractor Farm & Family Center, Inc., Muskegon, MI.  
 Christian Appalachian Project, Inc., Lancaster, KY.  
 Chuck's Boots, Inc., Lee's Summit, MO.  
 Cicero Graphic Resources, Inc., Overland Park, KS.  
 Country General, Inc., Muskegon, MI.  
 Creeden Sales, Inc., Northbrook, IL.  
 Crosslands Construction Co., Highlands Ranch, CO.  
 Cruzen Drilling Co., Inc., Cleveland, OK.  
 Delta Gulf Corporation, Independence, MO.  
 Design Products, Inc., Independence, MO.  
 Dicarolo Construction Company, Kansas City, MO.  
 Dicarolo/B.A. Green Healthcare Construction Managers, LLC,  
 Kansas City, MO.  
 E.V. Cox Construction Co., Oklahoma City, OK.  
 Econocom-USA, Inc., Memphis, TN.  
 Energy Three, Inc., Jackson, MS.  
 Federation of Pentecostal Churches, Alpha & Omega, Inc.,  
 Vineland, NJ.  
 Fellowship of Christian Athletes, Kansas City, MO.  
 FGI Print Management, Inc., Hanover Park, IL.  
 Fiddlehead, Inc., Lenexa, KS.  
 Greater Midwest Builders, Ltd., St. Charles, MO.  
 Grede Foundries, Inc., Milwaukee, WI.  
 Groundwater Technology Government Services, Inc.,  
 Monroeville, PA.  
 GSM Telecom, Inc., Tustin, CA.  
 HK Systems, Inc., New Berlin, WI.  
 Homezipr.com Corp., Atlanta, GA.  
 ICS Deloitte Management L.L.C., New York, NY.  
 Infinia at Kensington, Inc., Bountiful, UT.  
 International Truck and Engine Corporation, Chicago, IL.  
 J.D. Edwards World Solutions Company, Denver, CO.  
 J.T. Thorpe & Son, Inc., Richmond, CA.  
 Kansas City Partners, LLC, Denver, CO.  
 King & King Enterprises, Inc., Claycomo, MO.  
 L & M Beverage Equipment, Inc., Lenexa, KS.  
 LCB Resources Inc., Kingfisher, OK.  
 Liehs Drilling, Inc., Lexington, NE.  
 Loan Funding Corporation of America, Newport Beach, CA.  
 Long's Lazy L Cattle Co., Inc., Scottsdale, AZ.  
 Mack Energy Co., Duncan, OK.  
 McCrary Industrial Sales, Inc., Stilwell, KS.  
 Medsource Corporation, Bartlesville, OK.  
 Meridien Hotels Reservations, Inc., New York, NY.  
 Microage Computer Centers, Inc., Tempe, AZ.  
 Microage Technology Services, L.L.C., Tempe, AZ.  
 Mid-West Interiors, Inc., Pleasant Hill, MO.  
 Miller & Schroeder Investments Corporation,  
 Minneapolis, MN.  
 Murphy Farms, Inc., Smithfield, VA.  
 National Power Rodding Corporation, Chicago, IL.  
 Nims Associates, Inc., Decatur, IL.  
 Petrotech, Inc., Belle Chasse, LA.  
 Plato, Inc., Bloomington, MN.  
 Pollard (U.S.) Ltd., Winnipeg, Manitoba, Canada.  
 Professional Dental Hygienists, Inc., Batesville, AR.  
 Rapidmoney Corporation, San Antonio, TX.  
 Red Man Pipe & Supply Co., Tulsa, OK.  
 S.Q.I. Farms, Inc., Ruskin, NE.  
 Secor International Incorporated, Redmond, WA.  
 Shasta Midwest, Inc., Plantation, FL.  
 Smarttec, Inc., Kansas City, MO.  
 Spectera, Inc., Baltimore, MD.  
 Spencer Refrigeration Company, Manhattan, KS.  
 SW Commercial Management U.S., Inc., Dallas, TX.  
 The Meridian Interests, Inc., Kansas City, KS.

(continued)

The Pack America Corp., New York, NY.  
 The Sales Force Companies, Inc., Dallas, TX.  
 Thomas Industrial Coatings, Inc., Pevely, MO.  
 Thurman Stout, Inc., Blue Springs, MO.  
 Tim Sheil, Inc., Mission, KS.  
 Tri-State Hospital Supply Corporation, Howell, MI.  
 United Savings, Inc., Stromsburg, NE.  
 Volt Telecommunications Group, Inc., New York, NY.  
 Wiegmann & Associates Inc., St. Charles, MO.  
 Wise Optical Vision Group, Inc., Yonkers, NY.  
 Xeta Technologies, Inc., Broken Arrow, OK.

Ron Thornburgh  
 Secretary of State

Doc. No. 028090

## State of Kansas

### Department of Health and Environment

#### Request for Comments

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality operating permit. Eldorado National has applied for a Class II operating permit in accordance with the provisions of K.A.R. 28-19-540. Emissions of volatile organic compounds (VOCs) and hazardous air pollutants (HAPs) were evaluated during the permit review process. The purpose of a Class II permit is to limit the potential-to-emit for these pollutants to below major source thresholds.

Eldorado National operates a small transit bus manufacturing facility located at 1655 Wall St., Salina.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during the permit application review process is available for public review for a period of 30 days from the date of publication during normal business hours at the KDHE, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka; and at the KDHE North Central District Office, 2501 Market Place, Suite D, Salina. To obtain or review the proposed permit and supporting documentation, contact Rasha Allen, (785) 296-1693, at the KDHE central office; or Joan Ratzlaff, (785) 827-9639, at the KDHE North Central District Office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Rasha Allen, KDHE, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka, 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received by the close of business August 5.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Connie Carreno, Bureau of Air and Radiation, not later than the close of business August 5 in order for the Secretary of Health and Environment to consider the request.

Clyde D. Graeber  
 Secretary of Health  
 and Environment

Doc. No. 028117

## State of Kansas

### Department of Health and Environment

#### Notice of Variance Request from Hazardous Waste Regulations

The Kansas Department of Health and Environment is providing public notice that on October 4, 2001, Kansas Plating, Inc., 1110 N. Mosley, Wichita, submitted a request to continue a variance from specific hazardous waste regulations. The request for continuing the variance was submitted in accordance with K.A.R. 28-31-13.

The variance is requested from K.A.R. 28-31-4(g)(1) and 40 CFR 265.176, which require the storage of containers holding ignitable hazardous waste must be located at least 50 feet from the facility's property line.

Kansas Plating, Inc.'s variance request would allow the storage of ignitable hazardous waste in a metal storage building within 50 feet of the property line. The original variance was approved by KDHE without condition.

KDHE has reviewed the variance request and concluded that the variance is justified. In accordance with K.A.R. 28-31-13(b), public notice is being provided of the tentative decision to grant the variance. Copies of the variance request will be available for public review through July 31 from 8 a.m. to 5 p.m. weekdays at the KDHE, Suite 320, Curtis State Office Building, 1000 S.W. Jackson, Topeka; and at the KDHE South Central District Office, 130 S. Market, Suite 6050, Wichita.

Comments concerning this variance request may be directed to David E. Branscum, Waste Compliance, Enforcement & Policy Section, Bureau of Waste Management, KDHE, Suite 320, Curtis State Office Building, 1000 S.W. Jackson, Topeka, 66612-1366. Comments must be submitted in writing prior to July 31. Requests for additional information may be made by contacting John Mitchell at (785) 296-1608. Upon the written request of any interested person, a public meeting may be held to consider comments on this tentative decision. The person requesting a meeting shall state the issues to be raised and shall explain why written comments would not suffice to communicate the person's views. If a decision is made to conduct a public meeting, a separate public notice detailing the date and place of a public meeting will be issued.

After evaluating all public comments, a final decision shall be made by the KDHE secretary and a notice of the final decision shall be published in the Kansas Register. If approved, any conditions or time limitations needed to comply with all applicable state or federal laws or to protect human health or safety or the environment shall be specified by the secretary. A date upon which the variance will no longer be valid shall be prescribed in the final decision.

Clyde D. Graeber  
 Secretary of Health  
 and Environment

Doc. No. 028116

## State of Kansas

**Department of Health  
and Environment****Notice of Variance Request from  
Hazardous Waste Regulations**

The Kansas Department of Health and Environment is providing public notice that on September 28, 2001, Raytheon Aircraft Company, 9709 E. Central, Wichita, submitted a request for a variance from specific hazardous waste regulations. The request for a variance was submitted in accordance with K.A.R. 28-31-13.

The variance is requested from K.A.R. 28-31-4(j)(1), which limits the accumulation of not more than 55 gallons of each type of hazardous waste in not more than one satellite container at or near each point of generation where waste initially accumulates, and which is under the control of the operator of the process generating the waste.

Raytheon Aircraft Company's variance request would allow the use of a one cubic yard container to collect hazardous waste paint-related filters and material generated at paint booths in various locations of the facility. The use of this one cubic yard accumulation container would reduce the risk of accidental releases of hazardous waste because of the ease of loading the container and reduce the number of times the container is handled because of its size. These factors function to reduce the potential exposure of Raytheon Aircraft Company's employees to hazardous wastes.

KDHE has reviewed the variance request and concluded that the variance is justified. In accordance with K.A.R. 28-31-13(b), public notice is being provided of the tentative decision to grant the variance. Copies of the variance request will be available for public review through July 31 from 8 a.m. to 5 p.m. weekdays at the KDHE, in Suite 320, Curtis State Office Building, 1000 S.W. Jackson, Topeka; and at the KDHE South Central District Office, 130 S. Market, Suite 6050, Wichita.

Comments concerning this variance request may be directed to David E. Branscum, Waste Compliance, Enforcement & Policy Section, Bureau of Waste Management, KDHE, Suite 320, Curtis State Office Building, 1000 S.W. Jackson, 66612-1366. Comments must be submitted in writing prior to July 31. Requests for additional information may be made by contacting John Mitchell at (785) 296-1608. Upon the written request of any interested person, a public meeting may be held to consider comments on this tentative decision. The person requesting a meeting shall state the issues to be raised and shall explain why written comments would not suffice to communicate the person's views. If a decision is made to conduct a public meeting, a separate public notice detailing the date and place of a public meeting will be issued.

After evaluating all public comments, a final decision shall be made by the KDHE secretary and a notice of the final decision shall be published in the Kansas Register. If approved, any conditions or time limitations needed to comply with all applicable state or federal laws or to protect human health or safety or the environment shall be specified by the secretary. A date upon which the vari-

ance will no longer be valid shall be prescribed in the final decision.

Clyde D. Graeber  
Secretary of Health  
and Environment

Doc. No. 028114

## 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. Builders Choice Concrete Company, dba Concrete Supply, has applied for an air quality construction permit in accordance with the provisions of K.A.R. 28-19-300 for a concrete batch plant. Emissions of particulate matter (PM) and particulate matter equal to or less than 10 microns in diameter (PM<sub>10</sub>) were evaluated during the permit review process.

Builders Choice Concrete Company, dba Concrete Supply, owns and operates the stationary source located at 2601 Centennial Road, Salina, at which the concrete batch plant is to be installed and operated.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during review of the permit application is available for public inspection for a period of 30 days from the date of publication during normal business hours at the KDHE, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka; and at the KDHE North Central District Office, 2501 Market Place, Suite D, Salina. To obtain or review the proposed permit and supporting documentation, contact Cheryl Evans, (785) 296-1574, at the KDHE central office; or Joan Ratzlaff, (785) 827-9639, at the KDHE North Central District Office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Cheryl Evans, KDHE, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka, 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received by the close of business August 5.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Connie Carreno, Bureau of Air and Radiation, not later than the close of business August 5 in order for the Secretary of Health and Environment to consider the request.

Clyde D. Graeber  
Secretary of Health  
and Environment

Doc. No. 028113

## State of Kansas

**Department of Health  
and Environment**

**Notice of Variance Request from  
Hazardous Waste Regulations**

The Kansas Department of Health and Environment is providing public notice that on September 28, 2001, The Metal Finishing Company, Inc., 1423 S. McLean Blvd., Wichita, submitted a request for a variance from specific hazardous waste regulations. The request for a variance was submitted in accordance with K.A.R. 28-31-13.

The variance is requested from K.A.R. 28-31-4(j)(1), which limits the accumulation of not more than 55 gallons of each type of hazardous waste in not more than one satellite container at or near each point of generation where waste initially accumulates, and which is under the control of the operator of the process generating the waste.

The Metal Finishing Company's variance request would allow the use of a one cubic yard container to collect sludge from the wastewater treatment of dewatered sludge. The use of this one cubic yard accumulation container would reduce the risk of accidental releases of hazardous waste because of the ease of loading the container and reduce the number of times the container is handled because of the its size. These factors function to reduce the potential exposure of The Metal Finishing Company's employees to hazardous wastes.

KDHE has reviewed the variance request and concluded that the variance is justified. In accordance with K.A.R. 28-31-13(b), public notice is being provided of the tentative decision to grant the variance. Copies of the variance request will be available for public review through July 31 from 8 a.m. to 5 p.m. weekdays at the KDHE, Suite 320, Curtis State Office Building, 1000 S.W. Jackson, Topeka; and at the KDHE South Central District Office, 130 S. Market, Suite 6050, Wichita.

Comments concerning this variance request may be directed to David E. Branscum, Waste Compliance, Enforcement & Policy Section, Bureau of Waste Management, KDHE, Suite 320, Curtis State Office Building, 1000 S.W. Jackson, Topeka, 66612-1366. Comments must be submitted in writing prior to July 31. Requests for additional information may be made by contacting John Mitchell at (785) 296-1608. Upon the written request of any interested person, a public meeting may be held to consider comments on this tentative decision. The person requesting a meeting shall state the issues to be raised and shall explain why written comments would not suffice to communicate the person's views. If a decision is made to conduct a public meeting, a separate public notice detailing the date and place of a public meeting will be issued.

After evaluating all public comments, a final decision shall be made by the KDHE secretary and a notice of the final decision shall be published in the Kansas Register. If approved, any conditions or time limitations needed to comply with all applicable state or federal laws or to protect human health or safety or the environment shall be specified by the secretary. A date upon which the vari-

ance will no longer be valid shall be prescribed in the final decision.

Clyde D. Graeber  
Secretary of Health  
and Environment

Doc. No. 028115

## 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. The City of Winfield has applied for an air quality construction permit in accordance with the provisions of K.A.R. 28-19-300 for a generating engine for the Strother Field Substation. Emissions of oxides of nitrogen (NOx), carbon monoxide, (CO) and volatile organic compounds (VOCs) were evaluated during the permit review process.

The City of Winfield owns and operates the stationary source located at Section 19, Township 33 South, Range 4 East, Winfield, at which the generating engine is 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 for a period of 30 days from the date of publication during normal business hours at the KDHE, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka; and at the KDHE South Central District Office, 130 S. Market, Suite 6050, Wichita. To obtain or review the proposed permit and supporting documentation, contact Rick Bolfig, (785) 296-1576, at the KDHE central office; or David Butler, (316) 337-6020, at the KDHE South Central District Office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Rick Bolfig, KDHE, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka, 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received by the close of business August 5.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Connie Carreno, Bureau of Air and Radiation, not later than the close of business August 5 in order for the Secretary of Health and Environment to consider the request.

Clyde D. Graeber  
Secretary of Health  
and Environment

Doc. No. 028118

State of Kansas

Department of Health and Environment

Notice Concerning Kansas Water Pollution Control Permits

In accordance with Kansas Administrative Regulations 28-16-57 through 63, 28-18-1 through 15, 28-18a-1 through 32, 28-16-150 through 154, 28-46-7, and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, draft permits have been prepared and/or permit applications have been received for discharges to the waters of the United States and the State of Kansas for the class of discharges described below.

The determinations for permit content are based on staff review, applying the appropriate standards, regulations and effluent limitations of the State of Kansas and the EPA, and when issued will result in a State Water Pollution Control Permit and National Pollutant Discharge Elimination System Authorization subject to certain conditions.

All Kansas Department of Health and Environment district office addresses and telephone numbers are listed below.

Public Notice No. KS-AG-02-158 Application(s) for New or Expansion of Existing Swine Facilities

Table with 2 columns: Name and Address of Applicant, Owner of Property Where Facility Will Be Located, Legal Description, Receiving Water

This is an application for a permit for the expansion of an existing swine facility. A new permit will not be issued without additional public notice.

The application is for the expansion of an existing facility of 600 head of swine greater than 55 pounds, 160 head of cattle greater than 700 pounds and 1 horse by adding 1,000 head of swine each weighing greater than 55 pounds, for a total capacity of 1,600 head of swine greater than 55 pounds (640 animal units), 160 head of cattle greater than 700 pounds (160 animal units) and 1 horse (2 animal units), for a grand total of 802 animal units.

Public Notice No. KS-AG-02-159/160 Pending Permits for Confined Feeding Facilities

Table with 3 columns: Name and Address of Applicant, Legal Description, Receiving Water

Kansas Permit No. A-BBRP-B001

This is a permit renewal for an existing facility for a maximum of 200 head of cattle weighing more than 700 pounds [200 animal units (a.u.)] and 200 head of cattle weighing less than 700 pounds (100 a.u.), for a total of 400 head (300 a.u.) of cattle.

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

waste management plan developed by the designer and approved by the department shall be adhered to as a condition of the permit.

Table with 3 columns: Name and Address of Applicant, Legal Description, Receiving Water

Kansas Permit No. A-UAFO-C015 Federal Permit No. KS0090140

This is a permit renewal for an existing cattle feedyard for 1,200 head (1,200 animal units) of cattle weighing more than 700 pounds.

Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided that meets or exceeds KDHE minimum requirements. The manure/waste management plan developed by the designer and approved by the department shall be adhered to as a condition of the permit.

Persons wishing to comment on or object to the draft permits and/or permit applications must submit their comments in writing to the Kansas Department of Health and Environment if they wish to have the comments or objections considered in the decision making process. Comments or objections should be submitted to the attention of Glenda Newquist for agricultural permits or applications, or to the permit clerk for all other permits, at the Kansas Department of Health and Environment, Division of Environment, Bureau of Water, 1000 S.W. Jackson, Suite 420, Topeka, 66612-1367.

All comments regarding the draft permit or application notice postmarked or received on or before August 3 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate Kansas permit number (KS-AG-02-158/160) and name of applicant/application as listed when preparing comments.

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

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

- Northwest District Office, 2301 E. 13th, Hays, 67601-2651, (785) 625-5664
North Central District Office, 2501 Market Place, Salina, 67401-7699, (785) 827-9639
Northeast District Office, 800 W. 24th, Lawrence, 66046-4417, (785) 842-4600
Southwest District Office, 302 W. McArtor Road, Dodge City, 67801-6098, (620) 225-0596
South Central District Office, 130 S. Market, 6th Floor, Wichita, 67202-3802, (316) 337-6020
Southeast District Office, 1500 W. 7th, Chanute, 66720, (620) 431-2390

(continued)

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

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

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

Clyde D. Graeber  
Secretary of Health  
and Environment

Doc. No. 028119

#### 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 for Wide-awake Booster Station. 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 NE 1/4 of the NW 1/4 of Section 27, Township 34 South, Range 34 West, Seward County, Kansas, at which a compressor engine is 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 for a period of 30 days from the date of publication during normal business hours at the KDHE, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka; and at the KDHE South Central District Office, 130 S. Market, Suite 6050, Wichita. To obtain or review the proposed permit and supporting documentation, contact Rick Bolfig, (785) 296-1576, at the KDHE central office, or David Butler, (316) 337-6020, at the KDHE South Central District Office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Rick Bolfig, KDHE, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka, 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received by the close of business August 5.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The

written request must be submitted to Connie Carreno, Bureau of Air and Radiation, not later than the close of business August 5 in order for the Secretary of Health and Environment to consider the request.

Clyde D. Graeber  
Secretary of Health  
and Environment

Doc. No. 028120

#### 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. Environmental Chemical Corporation has applied for an air quality construction permit in accordance with the provisions of K.A.R. 28-19-300 for an incinerator for a soil remediation project at the Kansas Army Ammunition Plant in Parsons. Emissions of particulate matter (PM) were evaluated during the permit review process.

Environmental Chemical Corporation, Burlingame, California, owns and operates the stationary source located at 23018 Rooks Road, Parsons, Kansas, at which an incinerator for a soil remediation project at the Kansas Army Ammunition Plant in Parsons is to be constructed.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during review of the permit application is available for public inspection for a period of 30 days from the date of publication during normal business hours at the KDHE, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka; and at the KDHE Southeast District Office, 1500 W. 7th, Chanute. To obtain or review the proposed permit and supporting documentation, contact John S. Ramsey, (785) 296-1992, at the KDHE central office; or Lynelle Stranghoner, (620) 431-2390, at the KDHE Southeast District Office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to John S. Ramsey, KDHE, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka, 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received by the close of business August 5.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Connie Carreno, Bureau of Air and Radiation, not later than the close of business August 5 in order for the Secretary of Health and Environment to consider the request.

Clyde D. Graeber  
Secretary of Health  
and Environment

Doc. No. 028122

State of Kansas

Board of Healing Arts

Temporary Administrative Regulations

Article 11.—FEES

100-11-1. Amount. The following fees shall be collected by the board:

Table with 2 columns: Item description and Fee amount. Items include application for license, annual renewal of active and inactive licenses, conversion from inactive to active license, late renewal of active license, institutional license, biennial renewal of institutional license, visiting clinical professor license, annual renewal of visiting clinical professor license, limited permit, annual renewal of limited permit, reinstatement of limited permit, visiting professor license, postgraduate training permit, reinstatement of cancelled license, reinstatement of revoked license, temporary permit, special permit, certified statement of license, and duplicate license.

This regulation shall be effective on and after August 1, 2002. (Authorized by K.S.A. 65-2865; implementing K.S.A. 2001 Supp. 65-2809 and 65-2852; effective Jan. 1, 1966; amended Jan. 1, 1970; amended Feb. 15, 1977; amended May 1, 1979; amended May 1, 1980; amended May 1, 1981; amended, T-83-33, Nov. 10, 1982; amended May 1, 1983; amended, T-85-50, Dec. 19, 1984; amended May 1, 1985; amended May 1, 1986; amended, T-87-42, Dec. 19, 1986; amended May 1, 1987; amended, T-88-11, May 18, 1987; amended May 1, 1988; amended, T-100-4-24-89, April 24, 1989; amended Aug. 21, 1989; amended June 24, 1991; amended, T-100-7-1-92, July 1, 1992; amended Aug. 10, 1992; amended Dec. 27, 1993; amended May 1, 1998; amended Aug. 4, 2000; amended, T-100-6-27-02, Aug. 1, 2002.)

Article 49.—PODIATRY

100-49-4. Fees. The following fees shall be collected by the board:

Table with 2 columns: Item description and Fee amount. Items include application for license, examination, annual renewal of license and exempt license, conversion from exempt to active license, late renewal of active and exempt license, temporary license, duplicate license, reinstatement of license, temporary permit, and certified statement of license.

This regulation shall be effective on and after August 1, 2002. (Authorized by K.S.A. 65-2013; implementing

K.S.A. 2001 Supp. 65-2012; effective May 1, 1980; amended May 1, 1981; amended May 1, 1983; amended May 1, 1984; amended May 1, 1987; amended April 24, 1989; amended Aug. 21, 1989; amended, T-100-12-28-89, Dec. 28, 1989; amended April 9, 1990; amended Dec. 27, 1993; amended May 1, 1998; amended Aug. 4, 2000; amended, T-100-6-27-02, Aug. 1, 2002.)

Lawrence T. Buening, Jr.
Executive Director

Doc. No. 028124

State of Kansas

Department of Agriculture
Division of Water Resources

Temporary Administrative Regulations

Article 3.—APPROPRIATION RIGHTS

5-3-26. Availability of water for appropriation from portions of the Pawnee sub-basin in Ness and Hodgeman counties. (a) Each application received on or after January 1, 1989 for a permit to appropriate surface or groundwater from Buckner Creek, Saw Log Creek and the Pawnee River, their tributaries, their alluviums, and hydraulically connected sources of water supply in Ness and Hodgeman counties for beneficial use, except for domestic use, temporary permits, and term permits for five years or less, shall be accepted for filing and given a file number, if acceptable for filing.

(b) All applications described in subsection (a) above that do not meet the safe yield, well spacing, or any other applicable regulations in effect at the time they were filed shall be dismissed.

(c) All applications described in subsection (a) above that are not dismissed pursuant to subsection (b) shall not be processed and shall be held until the chief engineer determines whether additional water is available for appropriation in the area described in subsection (a). Those applications shall be held until the chief engineer amends this regulation, or October 25, 2002, whichever comes first. If the chief engineer amends this regulation, the applications being held shall be processed in accordance with the provisions of those new regulations.

(d) On October 25, 2002, if the chief engineer has not adopted any new regulations pertaining to the applications being held pursuant to subsection (c), all pending applications to appropriate surface and groundwater from the alluvial aquifer and hydraulically connected sources of water supply being held pursuant to subsection (c) shall be processed in accordance with K.A.R 5-3-11 and all regulations that were in effect at the time the applications were filed.

(e) Each applicant with a pending application shall be notified by the chief engineer that the application is being held and the reason why it is being held. (Authorized by K.S.A. 82a-706a; implementing K.S.A. 2001 Supp. 82a-711 and K.S.A. 82a-721; effective Sept. 22, 2000; amended, T-5-6-27-02, June 27, 2002.)

Jamie Clover Adams
Secretary of Agriculture

Doc. No. 028123

## State of Kansas

## Behavioral Sciences Regulatory Board

Permanent Administrative  
Regulations

## Article 3.—PROFESSIONAL COUNSELORS; FEES

**102-3-3a. Educational requirements.** To qualify for licensure as a professional counselor, the applicant's educational qualifications and background shall meet the requirements provided in the following subsections.

(a) Degree requirements. At the time of application, each applicant shall have fulfilled these requirements:

(1) Received either a master's or doctoral degree in counseling; and

(2) as a part of or in addition to the coursework completed for the counseling graduate degree, completed a minimum of 60 graduate semester hours acceptable to the board, of which at least 45 graduate semester hours shall clearly satisfy the coursework requirements provided in subsection (b).

(b) Coursework requirements. Each applicant shall have satisfactorily completed a minimum of 45 graduate semester hours of formal academic coursework that is distributed across the substantive content areas provided in this subsection. There shall be a minimum of at least two discrete and unduplicated semester hours or their academic equivalent, neither of which may be taken by independent study, in each of the following substantive content areas:

(1) Counseling theory and practice, which shall include studies in basic theories, principles, and techniques of counseling and their applications to professional settings;

(2) the helping relationship, which shall include studies in the philosophic bases of helping relationships, application of the helping relationship to counseling practice, and an emphasis on development of practitioner and client self-awareness;

(3) group dynamics, processes, and counseling approaches and techniques, which shall include studies in theories and types of groups, as well as descriptions of group practices, methods, dynamics, and facilitative skills;

(4) human growth and development, which shall include the following:

(A) Studies that provide a broad understanding of the nature and needs of individuals at all developmental levels, with emphasis on psychological, sociological, and physiological models; and

(B) studies in normal and abnormal behavior, personality theory, and learning theory;

(5) career development and lifestyle foundations, which shall include studies in vocational theory, the relationship between career choice and lifestyle, sources of occupational and educational information, approaches to career decision-making processes, and career development exploration techniques;

(6) appraisal of individuals, which shall include studies and training in the development of a framework for understanding the individual, including methods of data

gathering and interpretation, individual and group testing, and the study of individual differences;

(7) social and cultural foundations, which shall include studies in change processes, ethnicity, subcultures, families, gender issues, changing roles of women, sexism, racism, urban and rural societies, population patterns, cultural mores, use of leisure time, and differing life patterns. These studies may come from the behavioral sciences, economics, political science, and similar disciplines;

(8) research and evaluation, which shall include the following:

(A) Studies in the areas of statistics, research design, development of research, development of program goals and objectives, and evaluation of program goals and objectives; and

(B) thesis preparation;

(9) professional orientation, which shall include studies in the goals and objectives of professional organizations, codes of ethics, legal considerations, standards of preparation and practice, certification, licensing, and role identities of counselors and others in the helping professions; and

(10) supervised practical experience, which shall include studies in the application and practice of the theories and concepts presented in formal study. This experiential practice shall be performed under the close supervision of the instructor with the use of direct observation, one-way mirrors in a counseling laboratory, the use of videotaped or audiotaped sessions, and written case notes.

(c) Program requirements. In order to be approved by the board, each educational program in professional counseling shall meet the following conditions:

(1) Have established program admission requirements acceptable to the board that are at least partially based upon objective measures or standardized achievement test results;

(2) require an established curriculum that encompasses a minimum of two academic years of graduate study. At least one of the academic years shall include at least 12 semester hours in residency at the college or university granting the degree;

(3) have clear authority and primary responsibility for the core and specialty areas of training in professional counseling;

(4) have an established, organized, and comprehensive sequence of study that is planned by administrators who are responsible for providing an integrated educational experience in professional counseling;

(5) be chaired or directed by an identifiable person who holds a graduate degree that was conferred by a regionally accredited college or university upon that person's actual completion of a formal academic training program in professional counseling;

(6) have an identifiable full-time, professional faculty whose members hold conferred graduate degrees in professional counseling or a related field;

(7) have established and recognized an identifiable body of students who are formally enrolled in the program for a degree;

(8) have clearly identified and established residency requirements that are substantially equivalent to those in Kansas college or university graduate programs in professional counseling;

(9) require an appropriate practicum, internship, field, or laboratory training in professional counseling that integrates didactic learning with supervised clinical experience; and

(10) conduct ongoing, objective review and evaluation of student learning and progress, and report this evaluation in the official student transcripts.

(d) College or university requirements. In order for an applicant to qualify for licensure, the college or university at which the applicant completed the counseling degree requirements shall meet these requirements:

(1) Be institutionally accredited to award the graduate counseling degree;

(2) be regionally accredited, with accreditation standards equivalent to those met by Kansas colleges and universities;

(3) document in official publications, including course catalogs and announcements, the description, standards, and admission requirements of the professional counseling education and training program;

(4) identify and clearly describe in pertinent institutional catalogs the coursework, experiential, and other academic program requirements that must be satisfied before conferral of the graduate degree in counseling;

(5) clearly identify and specify in pertinent institutional catalogs its intent to educate and train professional counselors;

(6) have clearly established as a coherent entity within the college or university a professional counseling education and training program that, at the time the applicant's graduate degree was conferred, met the program standards provided in subsection (c); and

(7) have conferred the graduate degree in counseling upon the applicant's successful completion of an established and required formal program of studies.

(e) The following types of study shall not be substituted for or counted toward the coursework requirements of subsections (a) and (b):

(1) Academic coursework that the applicant completed as a part of or in conjunction with the undergraduate degree requirements;

(2) academic coursework that has been audited rather than graded;

(3) academic coursework for which the applicant received an incomplete or failing grade;

(4) coursework that the board determines is not closely related to the field or practice of counseling;

(5) graduate or postgraduate coursework or training provided by any college, university, institute, or training program that does not meet the requirements of subsections (c) and (d); and

(6) any continuing education, in-service activity, or on-the-job training.

(f) The following types of study may be counted toward the 60 graduate semester hours required under paragraph (a)(2):

(1) No more than six graduate semester hours of independent study that is related to the field or practice of

counseling, except that independent study shall not be used to meet the substantive content area requirements specified in subsection (b); and

(2) no more than four graduate semester hours for thesis research and writing. (Authorized by K.S.A. 2001 Supp. 74-7507; implementing K.S.A. 2001 Supp. 65-5804a; effective Dec. 19, 1997; amended July 19, 2002.)

**102-3-4a. Applications for licensure.** (a) Each applicant for licensure as a professional counselor or clinical professional counselor shall request the appropriate licensure application forms from the director of the board.

(b) Each applicant for licensure as a professional counselor shall complete the following application procedures as established by the board:

(1) Submit the completed application forms;

(2) submit the full payment of the licensure application fee as provided in K.A.R. 102-3-2;

(3) submit three references on board-approved forms from individuals, one of whom shall have provided direct clinical supervision of the applicant's graduate program practicum or internship. If this individual is unavailable, the graduate program director or any person with knowledge of the applicant's practicum or postgraduate work experience shall submit the reference. At least one reference shall be from a licensed clinical professional counselor. Each individual submitting a reference shall meet the following conditions:

(A) Is not related to the applicant; and

(B) can address the applicant's professional conduct, competence, and merit of the public trust;

(4) arrange for the applicant's transcripts covering all applicable graduate college or university coursework to be sent directly from each academic institution to the board office. Each applicant who graduated from a college or university outside the United States shall additionally arrange for the applicant's transcript to be translated and evaluated for degree equivalency by a source and in a manner that are acceptable to the board; and

(5) demonstrate satisfactory completion of educational requirements as specified in K.S.A. 65-5804a, and amendments thereto, and in K.A.R. 102-3-3a.

(c) Each applicant for licensure as a clinical professional counselor shall complete the following application procedures as established by the board:

(1) Submit the completed application forms;

(2) submit the full payment of the licensure application fee as provided in K.A.R. 102-3-2;

(3) demonstrate that the applicant is licensed by the board as a professional counselor or meets all requirements for licensure as a professional counselor;

(4) if not previously provided to the board, submit three references on board-approved forms from individuals, one of whom shall have provided direct clinical supervision of the applicant's graduate program practicum or internship. If this individual is unavailable, the graduate program director or any person with knowledge of the applicant's practicum or postgraduate work experience shall submit the reference. At least one reference shall be from a licensed clinical professional counselor. Each individual submitting a reference shall meet the following conditions:

(continued)

(A) Is not related to the applicant; and  
 (B) can address the applicant's professional conduct, competence, and merit of the public trust;

(5) if not previously provided to the board, arrange for the applicant's transcripts covering all applicable graduate college or university coursework to be sent directly from each academic institution to the board office. Each applicant who graduated from a college or university outside the United States shall additionally arrange for the applicant's transcript to be translated and evaluated for degree equivalency by a source and in a manner that are acceptable to the board;

(6) if not previously provided to the board, demonstrate satisfactory completion of educational requirements as specified in K.S.A. 65-5804a, and amendments thereto, and in K.A.R. 102-3-3a;

(7) for any applicant earning a degree in professional counseling after July 1, 2003, demonstrate completion of graduate education requirements as specified in K.S.A. 65-5804a, and amendments thereto, and in K.A.R. 102-3-3a. If an applicant who earns a degree in professional counseling on or after July 1, 2003 has not completed the 350 hours of clinical practice required by K.S.A. 65-5804a(c)(1), and amendments thereto, as a part of a graduate-level practicum or internship, the applicant may complete this requirement through 350 hours of postgraduate, supervised experience as set out in K.A.R. 102-3-7a, in addition to the 4,000 hours of postgraduate, supervised experience required by K.S.A. 65-5804a(c)(1);

(8) submit an attestation from the clinical supervisor that the applicant has satisfactorily completed the postgraduate supervised professional experience requirements in accordance with a clinical supervision training plan approved by the board as specified in K.A.R. 102-3-7a; and

(9) demonstrate that the applicant is current with continuing education requirements as prorated for the applicant's present licensing renewal period.

(d) The following provisions shall apply to each applicant for licensure as a professional counselor and to each applicant for licensure as a clinical professional counselor:

(1) Upon the board's determination that the applicant has met the applicable educational requirements, each applicant for licensure shall pass the appropriate nationally administered, standardized written examination approved by the board in accordance with K.A.R. 102-3-5a.

(2) An applicant or prospective applicant shall not be given a judgment on the applicant's eligibility for licensure until all application materials are received and all application procedures are completed.

(3) Upon notification from the board that all eligibility requirements have been satisfied, each applicant shall submit the fee as provided in K.A.R. 102-3-2 for the original two-year licensure period.

(4) If the applicant fails to qualify for and obtain licensure, or for incompleteness, be suspended for a period not to exceed one year. At the end of one year, the application shall expire under any of the following conditions:

(A) If the applicant has not met the qualifications;

(B) if the applicant has not submitted a complete application; or

(C) if the applicant has not submitted the original license fee.

(5) Upon expiration, the applicant shall submit a new application, the required fee, and all supporting documents, if the applicant wishes to reapply for licensure.

(e) If an applicant for licensure as a professional counselor qualifies for and obtains a temporary license, the applicant's application shall remain active until the temporary license or the renewed temporary license expires.

(f) Any person who has been actively engaged in the practice of professional counseling as a licensed or registered professional counselor in Kansas within the five years before July 1, 2000, may apply for a license as a clinical professional counselor by completing the following application procedures as established by the board:

(1) Submit the completed transition application materials;

(2) submit the full payment of the licensure application fee as provided in K.A.R. 102-3-2;

(3) demonstrate that the applicant held Kansas licensure or registration as a professional counselor in good standing at any time during the five years immediately before July 1, 2000;

(4) demonstrate active engagement in the practice of professional counseling at any time during the five years immediately before July 1, 2000; and

(5) demonstrate competence to diagnose and treat mental disorders by meeting two of the three following requirements:

(A)(i) Completion of at least nine credit hours of graduate-level coursework, as documented on the transcript, which shall address clinical theory, assessment, and treatment issues, including three credit hours addressing psychopathology; or

(ii) passage of the national clinical examination in professional counseling as specified by K.A.R. 102-3-5a at the time of taking the examination;

(B) three years of clinical practice, including at least eight hours of client contact per week for at least nine months of each year in a community mental health center or its affiliate, a state mental hospital, or a setting in which the applicant engaged in clinical practice that included diagnosis or treatment of mental disorders; or

(C) one attestation, on a form provided by the board, from a licensed psychologist, a licensed specialist clinical social worker, or a person licensed to practice medicine and surgery that the applicant has demonstrated competence in diagnosis or treatment of mental disorders. (Authorized by K.S.A. 2001 Supp. 74-7507; implementing K.S.A. 2001 Supp. 65-5804a and 65-5808; effective Dec. 19, 1997; amended Aug. 4, 2000; amended July 19, 2002.)

**102-3-6a.** (Authorized by K.S.A. 1996 Supp. 74-7507; implementing K.S.A. 1996 Supp. 65-5808 and 65-5811; effective Dec. 19, 1997; revoked July 19, 2002.)

**102-3-12a. Unprofessional conduct.** (a) Any license may be suspended, limited, conditioned, qualified, restricted, revoked, not issued, or not renewed upon a finding of unprofessional conduct.

(b) Any of the following acts by a licensed professional counselor, a licensed clinical professional counselor, or an applicant for a professional counselor license or a clinical professional counselor license shall constitute unprofessional conduct:

(1) Obtaining or attempting to obtain a license or registration for oneself or another by means of fraud, bribery, deceit, misrepresentation, or concealment of a material fact;

(2) failing to notify the board within a reasonable time that any of the following circumstances apply to any person regulated by the board or applying for licensure or registration, including oneself:

(A) Had a professional license, certificate, permit, registration, certification, or professional membership granted by any jurisdiction, professional association, or professional organization that has been limited, conditioned, qualified, restricted, suspended, revoked, refused, voluntarily surrendered, or allowed to expire in lieu of investigatory or disciplinary proceedings;

(B) been subject to any other disciplinary action by any credentialing board, professional association, or professional organization;

(C) been demoted, terminated, suspended, reassigned, asked to resign, or has resigned from employment for some form of misfeasance, malfeasance, or nonfeasance;

(D) been convicted of a crime; or

(E) practiced the licensee's or registrant's profession in violation of the laws or regulations regulating the profession;

(3) knowingly allowing another person to use one's license or registration;

(4) impersonating another person holding a license or registration issued by this or any other board;

(5) having been convicted of a crime resulting from or relating to the licensee's professional practice of professional counseling or clinical professional counseling;

(6) furthering the licensure or registration application of another person who is known or reasonably believed to be unqualified in respect to character, education, or other relevant eligibility requirements;

(7) knowingly aiding or abetting any individual who is not credentialed by the board to represent that individual as a person credentialed by the board;

(8) failing to recognize, seek intervention, and otherwise appropriately respond when one's own personal problems, psychosocial distress, or mental health difficulties interfere with or negatively impact professional judgment, professional performance and functioning, or the ability to act in the client's best interests;

(9) refusing to cooperate in a timely manner with any request for a response, information, or assistance from the board with respect to the investigation of any report of an alleged violation filed against the licensee or applicant, any other licensee or applicant, or any professional licensed or registered by the board. Any person taking longer than 30 days to provide the requested response, information, or assistance shall have the burden of demonstrating that the person has acted in a timely manner;

(10) offering to perform or performing professional counseling, assessments, consultations, or referrals

clearly inconsistent or incommensurate with training, education, experience, and accepted professional standards;

(11) treating any client, student, directee, or supervisee in a cruel manner;

(12) discriminating against any client, student, directee, or supervisee on the basis of color, race, gender, religion, national origin, or disability;

(13) failing to advise and explain to each client the respective rights, responsibilities, and duties involved in the professional counseling relationship;

(14) failing to provide each client with a description of what the client may expect in the way of services, consultation, reports, fees, billing, and therapeutic regimen or schedule, or failing to reasonably comply with the description;

(15) failing to provide each client with a description of the possible effects of the proposed treatment when the treatment is experimental or when there are clear and known risks to the client;

(16) failing to inform each client, student, directee, or supervisee of any financial interests that might accrue to the professional counselor or clinical professional counselor from a referral to any other service or from using any tests, books, or apparatus;

(17) failing to inform each client that the client is entitled to the same services from a public agency if the professional counselor or clinical professional counselor is employed by that public agency and also offers services privately;

(18) failing to inform each client, student, directee, or supervisee of the limits of client confidentiality, the purposes for which the information is obtained, and the manner in which it may be used;

(19) revealing information, a confidence, or a secret of any client, or failing to protect the confidences, secrets, or information contained in a client's records, except when any one or more of these conditions is met:

(A) Disclosure is required or permitted by law;

(B) failing to disclose the information presents a clear and present danger to the health and safety of an individual or the public; or

(C) the professional counselor or clinical professional counselor is a party to a civil, criminal, or disciplinary investigation or action arising from the practice of professional counseling or clinical professional counseling, in which case disclosure is limited to that action;

(20) failing to obtain written, informed consent from each client, or the client's legal representative or representatives, before performing any of these actions:

(A) Electronically recording sessions with that client;

(B) permitting a third-party observation of their activities; or

(C) releasing information, except as required or permitted by law, to a third person concerning a client;

(21) failing to protect confidences, secrets, or information concerning other persons when providing a client with access to that client's records;

(22) failing to exercise due diligence in protecting the information, confidences, and secrets of the client from disclosure by other persons in the professional counselor's work or practice setting;

*(continued)*

(23) engaging in professional activities, including billing practices or advertising, involving dishonesty, fraud, deceit, or misrepresentation;

(24) using alcoholic liquor or illegally using a controlled substance while performing the duties or services of a professional counselor or clinical professional counselor;

(25) making sexual advances toward or engaging in physical intimacies or sexual activities with any client, student, directee, or supervisee of that professional counselor or clinical professional counselor;

(26) making sexual advances toward, engaging in physical intimacies or sexual activities with, or exercising undue influence over any person who, within the past 24 months, has been a client of the professional counselor or clinical professional counselor;

(27) exercising undue influence over any client, student, directee, or supervisee, including promoting sales of services or goods in a manner that will exploit the client, student, directee, or supervisee for the financial gain, personal gratification, or advantage of the professional counselor, clinical professional counselor, or a third party;

(28) directly or indirectly offering, giving, soliciting, receiving, or agreeing to receive any fee or other consideration, to or from a third party, for the referral of the client or in connection with performing professional counselor or clinical professional counselor services;

(29) permitting any person to share in the fees for professional services other than a partner, employee, associate in a professional firm, or consultant authorized to practice as a professional counselor or clinical professional counselor;

(30) soliciting or assuming professional responsibility for clients of another agency or colleague without attempting to coordinate continuity of client services with that agency or colleague;

(31) making claims of professional superiority that cannot be substantiated by the professional counselor or clinical professional counselor;

(32) guaranteeing that satisfaction or a cure will result from the performance of professional services;

(33) claiming or using any secret or special method of treatment or techniques that the professional counselor or clinical professional counselor refuses to disclose to the board;

(34) continuing or ordering tests, procedures, or treatment or using treatment facilities or services not warranted by the condition, best interests, or preferences of the client;

(35) failing to maintain a record for each client that conforms to the following minimal requirements:

(A) Contain adequate client identification;

(B) indicate the client's initial reason for seeking the services of the professional counselor or clinical professional counselor;

(C) contain pertinent and significant information concerning the client's condition;

(D) reflect the interventions, treatments, tests, procedures, and services obtained, performed, ordered, and recommended and the findings and results of each;

(E) document the client's progress during the course of intervention or treatment provided by the professional counselor;

(F) be legible;

(G) contain only those terms and abbreviations that are comprehensible to similar professional practitioners;

(H) indicate the date and nature of any professional service that was provided; and

(I) indicate the manner and process of termination of the professional counseling or clinical professional counseling relationship;

(36) taking credit for work not personally performed, whether by giving inaccurate or misleading information or failing to disclose accurate or material information;

(37) if engaged in research, failing to perform the following:

(A) Consider carefully the possible consequences for human beings participating in the research;

(B) protect each participant from unwarranted physical and mental harm;

(C) ascertain that the consent of the participant is voluntary and informed; and

(D) preserve privacy and protect anonymity of the subjects within the terms of informed consent;

(38) making or filing a report that the professional counselor or clinical professional counselor knows to be false, distorted, erroneous, incomplete, or misleading;

(39) failing to notify the client promptly when termination or interruption of service to the client is anticipated;

(40) failing to seek continuation of service, or abandoning or neglecting a client under or in need of professional care, without making reasonable arrangements for such care;

(41) abandoning employment under circumstances that seriously impair the delivery of professional care to clients, without providing reasonable notice to the employer;

(42) failing to terminate the professional counseling or clinical professional counseling services when it is apparent that the relationship no longer serves the client's needs or best interests;

(43) if the professional counselor or clinical professional counselor is the owner or custodian of client records, failing to retain these records for at least five years after the date of termination of the professional relationship, unless otherwise provided by law;

(44) supervising or directing in a negligent manner anyone over whom the professional counselor or clinical professional counselor has supervisory or directory responsibility;

(45) failing to inform a client if professional counseling services are provided or delivered under supervision or direction;

(46) engaging in a dual relationship with a current client, student, supervisee, or directee, or with any person who, within the past 24 months, has been a client of the professional counselor or clinical professional counselor;

(47) failing to inform the proper authorities as provided in K.S.A. 38-1522 and amendments thereto when the professional counselor or clinical professional counselor suspects or knows that a client has been involved in

injuring or has injured a child, whether by physical, mental, or emotional abuse or neglect, or sexual abuse;

(48) failing to inform the proper authorities as required by K.S.A. 39-1431 and amendments thereto that a resident, as defined by K.S.A. 39-1401(a) and amendments thereto, has been or is being abused, neglected, or exploited, is in a condition that is the result of abuse, neglect, or exploitation, or is in need of protective services;

(49) failing to inform the proper authorities, as required by K.S.A. 39-1431 and amendments thereto, that an adult, as defined in K.S.A. 39-1430 and amendments thereto, is being or has been abused, neglected, or exploited, or is in need of protective services;

(50) intentionally or negligently failing to file a report or record required by state or federal law, willfully impeding or obstructing the filing of a report or record required by state or federal law, or inducing another person to take any of those actions;

(51) offering to perform or performing any service, procedure, or therapy that, by the accepted standards of professional counseling or clinical professional counseling practice in the community, constitutes experimentation on human subjects without first obtaining the full, informed, and voluntary written consent of the client or the client's legal representative or representatives;

(52) practicing professional counseling or clinical professional counseling in an incompetent manner;

(53) practicing professional counseling or clinical professional counseling after the expiration of the professional counselor's or clinical professional counselor's license;

(54) using without a license, or continuing to use after the expiration of a license, any title or abbreviation prescribed by law for use solely by persons currently holding that type or class of license;

(55) diagnosing or treating any client who a professional counselor practicing under direction or a clinical professional counselor has reason to believe is suffering from a mental illness or disease, as opposed to a mental disorder; or

(56) violating any provision of this act or any rule or regulation adopted under it. (Authorized by K.S.A. 2001 Supp. 65-5809 and 74-7507; implementing K.S.A. 2001 Supp. 65-5809; effective Dec. 19, 1997; amended July 19, 2002.)

**102-3-17. Definition of "day."** For purposes of determining whether or not a non-resident individual has engaged in the practice of professional counseling activities or services within this state for more than the 30-day threshold in K.S.A. 65-5812 and amendments thereto, any professional counseling activities or services rendered within any 24-hour period shall count as one day of professional counseling activities and services. (Authorized by K.S.A. 2001 Supp. 74-7507; implementing K.S.A. 2001 Supp. 65-5812; effective July 19, 2002.)

Phyllis Gilmore  
Executive Director

Doc. No. 028100

## State of Kansas

### Department of Wildlife and Parks

#### Permanent Administrative Regulations

#### Article 5.—FURBEARERS

**115-5-1. Furbearers and coyotes; legal equipment, taking methods, and general provisions.** (a) Hunting equipment permitted during furbearer hunting seasons and during coyote hunting seasons shall consist of the following:

- (1) Firearms, except fully automatic firearms;
- (2) archery equipment; and
- (3) crossbows.

(b) Trapping equipment permitted during furbearer and coyote trapping seasons shall consist of the following:

- (1) Foothold traps;
- (2) body-gripping traps;
- (3) box traps;
- (4) live traps;
- (5) snares; and
- (6) dead falls.

(c) The following general provisions shall apply to the taking of furbearers and coyotes:

(1) Calls may be used in the taking of furbearers and coyotes.

(2) Handheld, battery-powered flashlights, hat lamps, and handheld lanterns may be used while trapping furbearers or coyotes or while running furbearers.

(3) .22 caliber rimfire rifles and handguns may be used to take trapped furbearers or trapped coyotes when using a light to check traps.

(4) .22 caliber rimfire rifles and handguns may be used while using a handheld, battery-powered flashlight, hat lamp, or handheld lantern to take furbearers treed with the aid of dogs.

(5) Lures, baits, and decoys may be used in the taking of furbearers and coyotes.

(6) The use of horses and mules shall be permitted while hunting, trapping, or running furbearers and coyotes.

(7) The use of motor vehicles for taking coyotes shall be permitted while hunting coyotes.

(8) The use of radios in land or water vehicles shall be permitted for the taking of coyotes.

(9) The use of dogs for hunting and during running seasons shall be permitted.

(10) Any conibear-type, body-gripping trap with a jawsread of eight inches or greater shall be used only in a water set.

(11) Only landowners or tenants of land immediately adjacent to the right-of-way of a public road, or their immediate family members or authorized agents, may set slide-locking wire or snare-type cable traps as dryland sets within five feet of a fence bordering a public road or within 50 feet of the outside edge of the surface of a public road. Only these landowners or tenants, or their immediate family members or authorized agents, may possess

(continued)

the fur, pelt, skin, or carcass of any furbearer or coyote removed from these devices located within these specified limits.

(12) A person shall not have in possession any equipment specified in subsection (a) while pursuing or chasing furbearers with hounds during the running season.

(13) All trapping devices included in subsection (b) shall be tagged with the user's name and address and shall be tended and inspected at least once every calendar day. (Authorized by K.S.A. 32-807; implementing K.S.A. 32-807, K.S.A. 32-1002, and K.S.A. 32-1003; effective March 19, 1990; amended Nov. 15, 1993; amended July 19, 2002.)

**115-5-2. Furbearers and coyotes; possession, disposal, and general provisions.** (a) Raw furs, pelts, or skins of furbearers may be possessed for the shorter of the following time periods:

(1) Not more than 30 days following the closing of the season in which that species of furbearer may legally be taken; or

(2) until the day before the beginning of the running season in which that species of furbearer may legally be run.

(b) Requests to possess raw furs, pelts, or skins beyond the possession period as specified in subsection (a) shall be submitted to the department and, if granted, shall be authorized in writing by the secretary. Each request shall specify the number of each species of furbearers possessed and the applicant's name, address, and furharvester license number.

(c) Live furbearers legally taken during a furbearer season may be possessed only through the last day of the season in which taken.

(d) Unskinned carcasses of furbearers, except bobcat and swift fox carcasses, may be possessed for not more than 48 hours following the closing of the season in which that species of furbearer may legally be taken. Skinned carcasses and meat of furbearers may be possessed without limit in time.

(e) Legally acquired skinned carcasses and meat of furbearers may be sold or given to and possessed by another, and legally acquired raw furs, pelts, and skins of furbearers may be given to and possessed by another, if a written notice that includes the seller's or donor's name, address, and furharvester license number accompanies the carcass, pelt, or meat. A bobcat or swift fox tag as described in subsection (h) shall meet the requirements of written notice.

(f) Legally taken raw furs, pelts, skins, or carcasses of coyotes or legally taken live coyotes may be possessed without limit in time.

(g) Any person in lawful possession of raw furbearer or coyote furs, pelts, skins, or carcasses may sell or ship or offer for sale or shipment the same to licensed fur dealers or any person legally authorized to purchase raw furbearer or coyote furs, pelts, skins, or carcasses.

(h) Any bobcat or swift fox pelt legally taken in Kansas may be sold to any fur dealer or shipped from the state for the purpose of selling if an export tag provided by the department has been affixed to the pelt.

(1) The pelt of any bobcat or swift fox taken in Kansas shall be presented to the department for tagging within

seven days following closure of the bobcat or swift fox hunting and trapping season.

(2) Each pelt presented for tagging shall be accompanied by the furharvester license number under which the pelt was taken.

(i) Bobcat or swift fox pelts tagged by the department may be possessed without limit in time.

(j) Properly licensed persons may legally salvage furbearers and coyotes found dead during the established open seasons for hunting or trapping of furbearers or coyotes. Salvaged furbearers and coyotes may be possessed or disposed of as authorized by this regulation. (Authorized by K.S.A. 32-807; implementing K.S.A. 32-807 and K.S.A. 32-1002; effective March 19, 1990; amended Oct. 17, 1994; amended Nov. 29, 1999; amended July 19, 2002.)

**115-5-3. Furbearers and coyotes; management units.** The management unit for furbearers and coyotes shall be statewide. (Authorized by and implementing K.S.A. 32-807; effective Oct. 17, 1994; amended July 19, 2002.)

## Article 16.—WILDLIFE DAMAGE CONTROL

**115-16-5. Wildlife control permit; operational requirements.** (a) Each person holding a valid wildlife control permit issued according to K.A.R. 115-16-6 shall be authorized to take, transport, release, and euthanize wildlife subject to the restrictions described in this regulation and on the permit.

(b) Wildlife may be taken under the authorization of a wildlife control permit only when one or more of the following circumstances exist:

(1) The wildlife is found in or near buildings.

(2) The wildlife is destroying or about to destroy property.

(3) The wildlife is creating a public health or safety hazard or other nuisance.

(c) Subject to the restrictions described in this regulation and on the permit, a wildlife control permit shall allow the taking of the following species, notwithstanding other season, open unit, or limit restrictions that may be established by the department:

(1) Furbearers;

(2) small game;

(3) reptiles;

(4) amphibians;

(5) coyotes;

(6) nongame mammals, except house mice and Norway rats;

(7) pigeons, English sparrows, and starlings; and

(8) migratory birds and waterfowl, subject to K.S.A. 32-1008, and amendments thereto.

(d) Subject to applicable federal, state, and local laws and regulations, the wildlife listed in subsection (c) may be taken with the following equipment or methods:

(1) Trapping equipment, if each trapping device is equipped with a metal tag with the permittee's name and address and is checked at least once each calendar day, and if snares are not attached to a drag. Trapping equipment shall consist of the following:

(A) Foothold traps;

(B) body-gripping traps;

- (C) box traps;
- (D) live traps; and
- (E) snares;
- (2) firearms, except that BB guns and pellet guns also shall be authorized;
- (3) archery equipment;
- (4) dogs;
- (5) falconry;
- (6) toxicants registered by the Kansas department of agriculture, except that such use may be subject to K.A.R. 115-16-1, K.A.R. 115-16-2, or K.A.R. 115-16-3;
- (7) habitat modification;
- (8) net or seine;
- (9) glue board;
- (10) hand; and
- (11) any other methods to exclude or frighten wildlife, including repellents.

(e) No person shall possess a live species of wildlife taken under the authority of a wildlife control permit beyond the close of the calendar day following capture, unless specifically authorized by the department. Live wildlife shall not be used for display purposes, programs, training dogs, or otherwise kept in captivity, except that pigeons may be used for training dogs.

(f) Subject to applicable federal, state, and local laws and regulations, wildlife taken pursuant to a wildlife control permit shall be disposed of using one or more of the following methods:

(1) Wildlife taken alive may be controlled using lethal methods including those listed in paragraphs (d)(2), (d)(3), and (d)(6).

(2) Wildlife taken alive may be relocated and released, subject to the following requirements:

(A) Wildlife may be released only in suitable habitat located at least 10 miles from the original capture site and only with the prior written permission of the person in legal possession of the release site.

(B) Wildlife shall not be released in a location so close to human dwellings that the release is likely to result in recurrence of the reason the wildlife was taken.

(C) Wildlife shall not be released within the limits of any municipality without prior written permission from the appropriate municipal authority.

(D) Wildlife may be released on department lands or waters only with the prior written approval of the department.

(E) Wildlife shall not be released if injured or if displaying common symptoms of disease, including any of the following:

- (i) Lack of coordination;
- (ii) unusual lack of aggressiveness;
- (iii) unusual secretions from the eyes, nose, or mouth;
- (iv) rapid or uneven respiration;
- (v) malnourishment;
- (vi) loss of muscle control; or
- (vii) loss of large patches of hair.

(F) Wildlife shall not be transported from the state except as authorized by the department.

(3) Wildlife species listed in K.A.R. 115-15-1 or K.A.R. 115-15-2, or other wildlife species designated by the department, shall be released according to paragraph (f)(2) if unharmed. If harmed or injured, these species shall be

submitted to either the department or a person holding a valid wildlife rehabilitation permit issued according to K.A.R. 115-18-1.

(4) Wildlife controlled by poison shall be removed immediately, and all dead wildlife shall be disposed of using one of the following methods:

(A) The wildlife may be submitted to a licensed landfill, renderer, or incinerator.

(B) The wildlife may be disposed of on private property with the prior written permission of the person in legal possession of the property, except that the wildlife shall not be disposed of within the limits of any municipality without prior written permission from the appropriate municipal authority.

(C) Any part of the wildlife, excluding the flesh, may be sold, given, purchased, possessed and used for any purpose, with the following restrictions and exceptions:

(i) The raw fur, pelt, or skin of furbearers may be sold only to a licensed fur dealer.

(ii) The carcass and meat of a furbearer may be sold, given, purchased, possessed, and used for any purpose.

(iii) No part of any migratory bird or waterfowl shall be sold, given, purchased, possessed, and used for any purpose.

(iv) Each person purchasing unprocessed parts of the wildlife shall maintain a bill of sale for one calendar year.

(D) Dead wildlife controlled by poison or showing symptoms of disease shall be either buried below ground or disposed of as authorized by paragraph (f)(4)(A).

(g) Each bobcat or swift fox taken under authority of a wildlife control permit shall be subject to tagging requirements established by K.A.R. 115-5-2. (Authorized by K.S.A. 32-807; implementing K.S.A. 32-807, K.S.A. 32-911, K.S.A. 32-919, K.S.A. 32-1002, and K.S.A. 32-1003; effective July 19, 2002.)

**115-16-6. Wildlife control permit; application and reporting requirements.** (a) Each person 16 years of age or older wishing to obtain a wildlife control permit shall apply to the department on a form provided by the department and shall provide the following information:

(1) The applicant's name, address, and telephone number;

(2) the wildlife species to be controlled;

(3) the county or counties where wildlife control activities will be conducted;

(4) unless specifically exempted by the department based on previous use of the applicable methods or equipment as an authorized wildlife control operator, proof of completion of the following courses, if applicable:

(A) Department-approved hunter education training, if a firearm would be used to take wildlife; and

(B) department-approved furharvester education training, if furharvester equipment would be used to take wildlife; and

(5) any other information required by the department.

(b) Each applicant shall take a course of instruction approved by the department, which shall include instruction concerning applicable laws and regulations, methods for wildlife control, methods for handling wildlife, and

(continued)

other relevant material, and which shall include eight hours of instruction or the equivalent. The course may be offered by the department or by other approved agencies or organizations, and may be offered in person, by correspondence, or by electronic transmission. No applicant shall be required to take this course of instruction if the applicant has successfully completed an approved course within the previous five years.

(c) Successful completion of the course of instruction described in subsection (b) shall require that the applicant pass a department examination with a minimum score of 80 percent. No applicant shall be eligible to retake the examination within 30 days of failing the examination, and no applicant shall take the examination more than two times within the period of one year.

(d) A wildlife control permit may be refused issuance, denied, suspended, or revoked by the secretary for any of the following reasons:

(1) The application is incomplete or contains false information.

(2) The applicant does not meet the qualifications specified in this regulation.

(3) The applicant has failed to maintain or to submit required reports.

(4) The applicant has violated department laws or regulations, or has had any other department license or permit revoked or suspended.

(5) Issuance of the permit would not be in the best interests of the public, for reasons including complaints or inappropriate conduct while holding a previous wildlife control permit.

(e) Each wildlife control permit shall expire on December 31, but may be renewed for the next calendar year before expiration.

(f) Each permittee shall be in possession of a valid wildlife control permit while conducting wildlife control activities, in addition to any other federal, state, or local permits that may be required. Upon request by any person in lawful possession of property where control activities are being conducted or by any person requesting control activities, the permittee shall make the wildlife control permit available for inspection. A permittee shall not act as an employee or an agent of the department.

(g) Upon request by any person to control wildlife, a wildlife control permittee shall make a reasonable attempt to identify the wildlife species in question, and shall advise the person requesting assistance of the proposed control method and the estimated cost before conducting any wildlife control activities. In no case shall the permittee conduct wildlife control activities without the authorization of the person in lawful control of the property.

(h) Each wildlife control permittee shall submit an annual report by January 31 following the permit year, on a form supplied by the department. The report shall be kept current and available for inspection throughout the permit year. Each report shall contain the following information:

(1) The name, address, and permit number of the permittee;

(2) the date of any control activity;

(3) the species, number, and condition of the wildlife controlled; and

(4) the control method or methods used.

(i) Each wildlife control permittee shall retain the following information for a minimum of three years and shall make this information available for inspection by the department on request:

(1) The name and postal zip code of the legal occupant where control activities were conducted; and

(2) the disposition of any wildlife taken, including any of the following:

(A) The name and postal zip code of the person in lawful possession of the property where the wildlife was released and the number of wildlife released;

(B) the method used if wildlife was euthanized; or

(C) the name of any licensed wildlife rehabilitator to whom the wildlife was submitted.

(j) Subject to applicable federal or state laws and regulations, any governmental body may be authorized by the secretary to conduct wildlife control activities. (Authorized by K.S.A. 32-807; implementing K.S.A. 32-807 and K.S.A. 32-1002; effective July 19, 2002.)

J. Michael Hayden  
Secretary of Wildlife and Parks

Doc. No. 028111

**INDEX TO ADMINISTRATIVE REGULATIONS**

This index lists in numerical order the new, amended and revoked administrative regulations and the volume and page number of the *Kansas Register* issue in which more information can be found. Temporary regulations are designated with a (T) in the Action column. This cumulative index supplements the 2000 Volumes and 2001 Supplement to the *Kansas Administrative Regulations*.

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1-2-42	Amended	V. 21, p. 767
1-2-42a	Amended	V. 21, p. 767
1-2-48	Revoked	V. 21, p. 767
1-5-8	Amended	V. 20, p. 730
1-5-9	Amended	V. 20, p. 730
1-5-19b	Amended	V. 20, p. 730
1-5-19c	Amended	V. 20, p. 730
1-5-20	Amended	V. 20, p. 731
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28-34-55	Revoked	V. 20, p. 457
28-34-55a	New	V. 20, p. 457
28-34-56	Revoked	V. 20, p. 457
28-34-56a	New	V. 20, p. 457
28-34-57	Amended	V. 20, p. 457
28-34-58	Revoked	V. 20, p. 458
28-34-58a	New	V. 20, p. 458
28-34-59	Revoked	V. 20, p. 459
28-34-59a	New	V. 20, p. 459
28-34-60	Revoked	V. 20, p. 459
28-34-60a	New	V. 20, p. 459
28-34-61	Revoked	V. 20, p. 460
28-34-61a	New	V. 20, p. 460
28-34-62a	Amended	V. 20, p. 460
28-34-75 through 28-34-93	Revoked	V. 20, p. 323
28-34-94a	Revoked	V. 20, p. 323
28-36-30	Amended (T)	V. 20, p. 1122
28-36-30	Amended	V. 20, p. 1675
28-36-60	New (T)	V. 20, p. 1122
28-36-60	New	V. 20, p. 1675
28-36-120	New (T)	V. 20, p. 1122
28-36-120	New	V. 20, p. 1675
28-39-144	Amended	V. 20, p. 1756
28-39-155	Amended	V. 20, p. 1758
28-39-410	Revoked	V. 20, p. 323
28-55-3	Amended	V. 21, p. 311
28-55-5	Amended	V. 21, p. 311
28-59-1 through 28-59-5	Amended	V. 20, p. 295, 296
28-59-5a	Amended	V. 20, p. 297
28-59-6	Amended	V. 20, p. 297
28-59-7	Amended	V. 20, p. 298
28-59-8	Amended	V. 20, p. 298
28-61-1 through 28-61-10	Amended	V. 20, p. 298-303
28-61-11	New	V. 20, p. 304

**AGENCY 30: SOCIAL AND REHABILITATION SERVICES**

Reg. No.	Action	Register
30-4-64	Amended	V. 20, p. 490
30-4-90	Amended	V. 21, p. 1005
30-5-58	Amended	V. 20, p. 1023
30-5-64	Amended	V. 20, p. 1393
30-5-76	Amended	V. 20, p. 1846
30-5-92	Amended	V. 20, p. 1029
30-5-94	Amended	V. 20, p. 1030
30-5-100	Amended	V. 20, p. 1846
30-5-101	Revoked	V. 21, p. 1007
30-5-108	Amended	V. 20, p. 491
30-5-300	Amended	V. 21, p. 1007
30-6-88	New	V. 21, p. 1010
30-6-89	New	V. 20, p. 1394
30-6-94	Amended	V. 21, p. 506
30-6-103	Amended	V. 21, p. 1010
30-6-107	Amended	V. 21, p. 1011
30-6-109	Amended	V. 21, p. 1011
30-6-112	Amended	V. 21, p. 1013
30-10-1a	Amended	V. 21, p. 506
30-10-2	Amended	V. 21, p. 508

(continued)

30-10-6	Amended	V. 21, p. 1014
30-10-7	Amended	V. 21, p. 509
30-10-11	Amended	V. 21, p. 1015
30-10-15a	Amended	V. 21, p. 1017
30-10-15b	Amended	V. 21, p. 1018
30-10-17	Amended	V. 21, p. 1019
30-10-18	Amended	V. 21, p. 1020
30-10-19	Amended	V. 21, p. 1023
30-10-21	Amended	V. 21, p. 1024
30-10-23a	Amended	V. 21, p. 1024
30-10-24	Amended	V. 21, p. 1025
30-10-25	Amended	V. 21, p. 1026
30-10-27	Amended	V. 21, p. 1027
30-10-29	Revoked	V. 21, p. 1028
30-12-16		
through		
30-12-22	Revoked	V. 21, p. 331
30-13-17		
through		
30-13-26	Revoked	V. 21, p. 331
30-64-20	Amended	V. 21, p. 80
30-64-22	Amended	V. 21, p. 80
30-64-23	Amended	V. 21, p. 80
30-64-30	Amended	V. 21, p. 81
30-64-31	Amended	V. 21, p. 81
30-64-32	Amended	V. 21, p. 82
30-64-34	Revoked	V. 21, p. 82

AGENCY 40: KANSAS INSURANCE DEPARTMENT

Reg. No.	Action	Register
40-1-8	Revoked	V. 20, p. 946
40-1-13	Revoked	V. 20, p. 946
40-1-30	Revoked	V. 20, p. 723
40-1-37	Amended	V. 20, p. 1343
40-1-42	Amended	V. 20, p. 723
40-1-43	Amended	V. 21, p. 451
40-1-43	Amended (T)	V. 20, p. 1896
40-1-46	Amended	V. 21, p. 212
40-1-47	New	V. 21, p. 588
40-1-48	Amended	V. 21, p. 1056
40-2-22	Revoked	V. 21, p. 589
40-3-29	Revoked	V. 20, p. 946
40-4-35	Amended	V. 20, p. 1307
40-4-37	Amended	V. 21, p. 741
40-4-37s	New	V. 21, p. 743
40-4-41	Amended	V. 20, p. 946
40-4-41b		
through		
40-4-41g	Amended	V. 20, p. 949-953
40-4-41h	New	V. 20, p. 953
40-4-41i	New	V. 20, p. 954
40-4-41j	New	V. 20, p. 954
40-5-106	Revoked	V. 20, p. 1161
40-5-111	Revoked	V. 20, p. 1161
40-7-6	Revoked	V. 20, p. 1161
40-9-100	Amended	V. 20, p. 954
40-12-1	Revoked	V. 20, p. 723

AGENCY 44: DEPARTMENT OF CORRECTIONS

Reg. No.	Action	Register
44-4-103	Revoked	V. 21, p. 309
44-4-104	Revoked	V. 21, p. 309
44-4-106		
through		
44-4-109	Revoked	V. 21, p. 309
44-5-101	Revoked	V. 21, p. 309
44-5-103	Revoked	V. 21, p. 309
44-5-107		
through		
44-5-110	Revoked	V. 21, p. 309
44-5-113	Revoked	V. 21, p. 309
44-5-114	Revoked	V. 21, p. 309
44-7-102	Revoked	V. 21, p. 309
44-7-103	Revoked	V. 21, p. 309
44-7-105	Revoked	V. 21, p. 309
44-7-106	Revoked	V. 21, p. 309
44-7-107	Revoked	V. 21, p. 309
44-7-109	Revoked	V. 21, p. 309
44-7-112	Revoked	V. 21, p. 309
44-7-114	Revoked	V. 21, p. 309
44-7-115	Revoked	V. 21, p. 309
44-7-116	Revoked	V. 21, p. 309
44-8-110		
through		
44-8-114	Revoked	V. 21, p. 309
44-11-111	Amended	V. 21, p. 335
44-11-112	Revoked	V. 21, p. 336
44-11-113	Amended	V. 21, p. 336

44-11-114	Revoked	V. 21, p. 336
44-11-115	Revoked	V. 21, p. 336
44-11-119	Amended	V. 21, p. 336
44-11-120	Amended	V. 21, p. 336
44-11-121	Amended	V. 21, p. 337
44-11-122	Revoked	V. 21, p. 337
44-11-123	Amended	V. 21, p. 337
44-11-124	Revoked	V. 21, p. 337
44-11-127	Amended	V. 21, p. 337
44-11-129	Amended	V. 21, p. 338
44-11-130	Amended	V. 21, p. 338
44-11-131	Amended	V. 21, p. 339
44-11-132	Amended	V. 21, p. 339
44-11-133	Amended	V. 21, p. 339
44-11-135	Amended	V. 21, p. 339
44-12-103	Amended	V. 21, p. 117
44-12-105	Amended	V. 21, p. 117
44-12-106	Amended	V. 21, p. 117
44-12-107	Amended	V. 21, p. 117
44-12-201		
through		
44-12-205	Amended	V. 21, p. 118
44-12-210	Amended	V. 21, p. 118
44-12-303	Amended	V. 21, p. 118
44-12-305	Amended	V. 21, p. 118
44-12-306	Amended	V. 21, p. 119
44-12-307	Amended	V. 21, p. 119
44-12-309	Amended	V. 21, p. 119
44-12-310	Amended	V. 21, p. 119
44-12-312	Amended	V. 21, p. 119
44-12-313	Amended	V. 21, p. 119
44-12-314	Amended	V. 21, p. 119
44-12-318	Amended	V. 21, p. 120
44-12-320	Revoked	V. 21, p. 120
44-12-321	Amended	V. 21, p. 120
44-12-325	Amended	V. 21, p. 120
44-12-326	Revoked	V. 21, p. 120
44-12-327	Amended	V. 21, p. 120
44-12-328	Amended	V. 21, p. 120
44-12-401	Amended	V. 21, p. 120
44-12-501	Amended	V. 21, p. 121
44-12-503	Amended	V. 21, p. 121
44-12-504	Amended	V. 21, p. 121
44-12-505b	Amended	V. 21, p. 121
44-12-601	Amended	V. 21, p. 121
44-12-602	Amended	V. 21, p. 123
44-12-702	Amended	V. 21, p. 123
44-12-801	Amended	V. 21, p. 123
44-12-902	Amended	V. 21, p. 123
44-12-1002	Amended	V. 21, p. 123
44-12-1306	Amended	V. 21, p. 123
44-12-1307	Amended	V. 21, p. 124
44-13-101	Amended	V. 21, p. 151
44-13-104	Revoked	V. 21, p. 151
44-13-105	Amended	V. 21, p. 151
44-13-106	Amended	V. 21, p. 151
44-13-201	Amended	V. 21, p. 152
44-13-201b	Amended	V. 21, p. 153
44-13-202	Amended	V. 21, p. 153
44-13-302a	Revoked	V. 21, p. 153
44-13-304	Revoked	V. 21, p. 153
44-13-306	New	V. 21, p. 154
44-13-307	New	V. 21, p. 154
44-13-401	Amended	V. 21, p. 154
44-13-401a	Revoked	V. 21, p. 154
44-13-402	Amended	V. 21, p. 154
44-13-403	Amended	V. 21, p. 155
44-13-404	Amended	V. 21, p. 156
44-13-405a	Amended	V. 21, p. 157
44-13-406	Amended	V. 21, p. 158
44-13-408	Amended	V. 21, p. 158
44-13-409	Amended	V. 21, p. 158
44-13-501	Amended	V. 21, p. 158
44-13-502a	Amended	V. 21, p. 158
44-13-506		
through		
44-13-509	Amended	V. 21, p. 158, 159
44-13-601	Amended	V. 21, p. 159
44-13-603	Amended	V. 21, p. 159
44-13-610	Amended	V. 21, p. 159
44-13-701		
through		
44-13-704	Amended	V. 21, p. 159, 160
44-13-705	Revoked	V. 21, p. 161
44-13-706	Amended	V. 21, p. 161
44-13-707	Amended	V. 21, p. 161
44-14-101	Revoked	V. 21, p. 83
44-14-102	Revoked	V. 21, p. 83
44-14-201	Revoked	V. 21, p. 83

44-14-202	Revoked	V. 21, p. 83
44-14-301		
through		
44-14-318	Revoked	V. 21, p. 83
44-15-101	Amended	V. 21, p. 84
44-15-101a	Amended	V. 21, p. 84
44-15-102	Amended	V. 21, p. 85
44-15-201	Amended	V. 21, p. 86
44-16-102	Amended	V. 21, p. 86
44-16-103	Revoked	V. 21, p. 86
44-16-104	Revoked	V. 21, p. 86
44-16-105	Amended	V. 21, p. 86
44-16-106	Revoked	V. 21, p. 86
44-16-107	Revoked	V. 21, p. 86
44-16-108	Revoked	V. 21, p. 86

AGENCY 50: DEPARTMENT OF HUMAN RESOURCES—DIVISION OF EMPLOYMENT

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

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

Reg. No.	Action	Register
51-2-6	New	V. 21, p. 864
51-3-1		
through		
51-3-4	Amended	V. 21, p. 864-865
51-9-7	Amended	V. 20, p. 1755
51-9-12		
through		
51-9-14	Revoked	V. 21, p. 865
51-10-6	Revoked	V. 21, p. 865
51-17-1	Revoked	V. 21, p. 865
51-24-1	Amended	V. 21, p. 865
51-24-3	Amended	V. 21, p. 865
51-24-4	Amended	V. 21, p. 866

AGENCY 60: BOARD OF NURSING

Reg. No.	Action	Register
60-2-101	Amended	V. 21, p. 840
60-3-106	Amended	V. 21, p. 840
60-3-111	Amended	V. 20, p. 1522
60-4-101	Amended	V. 20, p. 449
60-4-103	Amended	V. 21, p. 841
60-7-102	Amended	V. 20, p. 449
60-7-108	Amended	V. 20, p. 449
60-8-101	Amended	V. 20, p. 449
60-9-105	Amended	V. 20, p. 449
60-9-106	Amended	V. 20, p. 450
60-11-116	Amended	V. 21, p. 316
60-11-119	Amended	V. 20, p. 451
60-12-106	Amended	V. 20, p. 1522
60-13-101	Amended	V. 20, p. 451
60-13-103	Amended	V. 21, p. 316
60-13-110	Amended	V. 21, p. 317
60-13-112	Amended	V. 20, p. 1523
60-16-101	Amended	V. 21, p. 841
60-16-103	Amended	V. 21, p. 842
60-16-104	Amended	V. 21, p. 842

AGENCY 65: BOARD OF EXAMINERS IN OPTOMETRY

Reg. No.	Action	Register
65-4-3	Amended	V. 21, p. 183
65-8-5	New	V. 20, p. 944

AGENCY 63: BOARD OF MORTUARY ARTS

Reg. No.	Action	Register
63-1-23	New	V. 21, p. 659
63-3-22	New	V. 21, p. 659
63-3-23	New	V. 21, p. 659
63-4-1	Amended	V. 21, p. 659

63-7-1 through 63-7-8 New V. 21, p. 660-662

**AGENCY 66: BOARD OF TECHNICAL PROFESSIONS**

Reg. No.	Action	Register
66-6-1	Amended	V. 20, p. 1647
66-6-4	Amended	V. 20, p. 1647
66-10-1	Amended	V. 20, p. 103
66-10-4	Amended	V. 20, p. 103
66-10-11	Amended	V. 20, p. 104
66-10-12	Amended	V. 20, p. 1648
66-10-13	Amended	V. 20, p. 1648
66-14-5	Amended	V. 20 pp. 1649
66-14-10	Amended	V. 20, p. 104

**AGENCY 68: BOARD OF PHARMACY**

Reg. No.	Action	Register
68-1-1a	Amended	V. 21, p. 746
68-1-1e	Revoked	V. 21, p. 308
68-1-2a	Amended	V. 21, p. 746
68-1-3	Revoked	V. 21, p. 308
68-1-3a	Amended	V. 21, p. 746
68-2-5	Amended	V. 21, p. 308
68-9-1	Amended	V. 21, p. 308
68-9-2	New	V. 20, p. 1020

**AGENCY 74: BOARD OF ACCOUNTANCY**

Reg. No.	Action	Register
74-4-3a	Amended	V. 20, p. 1650
74-4-4	Amended	V. 20, p. 1650
74-4-8	Amended	V. 20, p. 1650
74-5-2	Amended	V. 20, p. 1651
74-5-202	Amended	V. 20, p. 1652
74-5-205	Amended	V. 20, p. 1652
74-5-302	Amended	V. 20, p. 1652
74-5-404a	Amended	V. 20, p. 1652
74-7-3	New	V. 20, p. 1652
74-11-6	Amended	V. 20, p. 1653
74-11-7	Amended	V. 20, p. 1653
74-11-8 through 74-11-14	Revoked	V. 20, p. 1653
74-11-15	New	V. 20, p. 1653
74-12-1	Amended	V. 20, p. 1654

**AGENCY 75: STATE BANKING DEPARTMENT**

Reg. No.	Action	Register
75-6-32	New	V. 20, p. 175

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

Reg. No.	Action	Register
80-5-19 through 80-5-22	New	V. 20, p. 1649, 1650
80-9-1	New	V. 20, p. 1650
80-9-2	New	V. 20, p. 1650

**AGENCY 81: OFFICE OF THE SECURITIES COMMISSIONER**

Reg. No.	Action	Register
81-3-1	Amended	V. 20, p. 1604
81-3-2	Amended	V. 20, p. 1606
81-3-3	Revoked	V. 20, p. 1606
81-3-5	New	V. 20, p. 1606
81-4-3	Revoked	V. 20, p. 1607
81-5-7	Amended	V. 20, p. 1607
81-14-1 through 81-14-8	New	V. 20, p. 1607-1617

**AGENCY 82: STATE CORPORATION COMMISSION**

Reg. No.	Action	Register
82-1-250	New	V. 20, p. 1094
82-3-111	Amended	V. 21, p. 43
82-3-120	Amended	V. 21, p. 44
82-3-120a	Revoked	V. 21, p. 45
82-3-123	Amended	V. 21, p. 45
82-3-133	Amended	V. 20, p. 771
82-3-133a	New	V. 20, p. 771
82-3-201	Amended	V. 20, p. 771
82-3-206	Amended	V. 20, p. 771
82-3-300	Amended	V. 20, p. 772
82-3-304	Amended	V. 21, p. 45
82-3-306	Amended	V. 20, p. 772
82-3-307	Amended	V. 20, p. 773
82-3-310	Amended	V. 20, p. 773
82-3-312	Amended	V. 21, p. 117

82-3-400	Amended	V. 21, p. 383
82-3-401	Amended	V. 21, p. 383
82-3-401a	Revoked	V. 21, p. 384
82-3-401b	Revoked	V. 21, p. 384
82-3-402 through 82-3-410	Amended	V. 21, p. 384-389
82-3-411	New	V. 21, p. 389
82-3-412	New	V. 21, p. 390
82-4-3	Amended (T)	V. 20, p. 1723
82-4-3	Amended	V. 20, p. 1868
82-4-26a	New (T)	V. 20, p. 1723
82-4-26a	New	V. 20, p. 1869

**AGENCY 86: REAL ESTATE COMMISSION**

Reg. No.	Action	Register
86-1-10	Amended	V. 20, p. 1825

**AGENCY 88: BOARD OF REGENTS**

Reg. No.	Action	Register
88-16-1a	Revoked (T)	V. 21, p. 501
88-16-1b	New (T)	V. 21, p. 501

**AGENCY 91: DEPARTMENT OF EDUCATION**

Reg. No.	Action	Register
91-1-70a	Amended	V. 20, p. 1894
91-1-146a through 91-1-146e	Revoked	V. 21, p. 178
91-1-206	Amended	V. 21, p. 178
91-1-215 through 91-1-219	New	V. 21, p. 178-180
91-5-14	Amended	V. 20, p. 108
91-37-2	Amended	V. 20, p. 724
91-37-3	Amended	V. 20, p. 724
91-37-4	Amended	V. 20, p. 724
91-40-2	Amended	V. 20, p. 541
91-40-7	Amended	V. 20, p. 541
91-40-9	Amended	V. 20, p. 542
91-40-10	Amended	V. 20, p. 542
91-40-17	Amended	V. 20, p. 543
91-40-18	Amended	V. 20, p. 544
91-40-27	Amended	V. 20, p. 544
91-40-33	Amended	V. 20, p. 544
91-40-36	Amended	V. 20, p. 545
91-40-37	Amended	V. 20, p. 545
91-40-38	Amended	V. 20, p. 545
91-40-52	Amended	V. 20, p. 545
91-40-53	Amended	V. 20, p. 546
91-41-1 through 91-41-4	New	V. 20, p. 546, 547

**AGENCY 92: DEPARTMENT OF REVENUE**

Reg. No.	Action	Register
92-1-1	Revoked	V. 21, p. 332
92-1-2	Revoked	V. 21, p. 332
92-1-3	Revoked	V. 21, p. 332
92-5-4	Revoked	V. 21, p. 312
92-5-5 through 92-5-10	Amended	V. 21, p. 312, 313
92-5-11	Revoked	V. 21, p. 313
92-5-12	Amended	V. 21, p. 313
92-5-13	Amended	V. 21, p. 313
92-8-20	Revoked	V. 21, p. 332
92-9-1	Amended	V. 21, p. 332
92-9-3	Amended	V. 21, p. 332
92-9-4	Amended	V. 21, p. 332
92-9-5	Amended	V. 21, p. 332
92-9-7	Revoked	V. 21, p. 332
92-9-8	Revoked	V. 20, p. 1124
92-11-1 through 92-11-16	Revoked	V. 21, p. 332, 333
92-12-4	Amended	V. 21, p. 586
92-12-11	Amended	V. 21, p. 586
92-12-29	Revoked	V. 21, p. 586
92-12-47	Amended	V. 21, p. 586
92-12-56	Revoked	V. 21, p. 587
92-12-58	Amended	V. 21, p. 587
92-12-66	Revoked	V. 20, p. 1124
92-12-66a	New	V. 20, p. 1124
92-12-67	Amended	V. 21, p. 587
92-12-68	Revoked	V. 21, p. 587
92-12-105	Amended	V. 21, p. 587
92-12-106	Amended	V. 21, p. 587

92-12a-1 through 92-12a-23	Revoked	V. 21, p. 333, 334
92-14-4 through 92-14-9	Amended	V. 21, p. 334, 335
92-15-3	Amended	V. 21, p. 335
92-15-4	Amended	V. 21, p. 335
92-15-6	Amended	V. 20, p. 1126
92-15-8	Amended	V. 21, p. 335
92-17-1 through 92-17-6	Amended	V. 21, p. 313, 314
92-19-4a	Revoked	V. 20, p. 1126
92-19-4b	New	V. 20, p. 1126
92-19-16a	New	V. 20, p. 1128
92-19-24	Amended	V. 20, p. 1129
92-19-33	Amended	V. 20, p. 1129
92-19-64	Revoked	V. 20, p. 1129
92-19-64a	New	V. 20, p. 1129
92-19-73	Amended	V. 20, p. 1130
92-19-75	Revoked	V. 20, p. 1130
92-22-4	Amended	V. 21, p. 450
92-22-19	Revoked	V. 21, p. 450
92-22-22	Revoked	V. 21, p. 450
92-22-23	Amended	V. 21, p. 450
92-22-24	Revoked	V. 21, p. 450
92-22-25	Amended	V. 21, p. 450
92-22-33	New	V. 21, p. 450
92-22-34	New	V. 21, p. 450
92-23-10	Amended	V. 21, p. 180
92-23-15	Amended	V. 21, p. 180
92-23-16	Amended	V. 21, p. 180
92-23-17 through 92-23-23	New	V. 21, p. 181
92-23-25	New	V. 21, p. 181
92-23-30	New	V. 21, p. 181
92-23-31	New	V. 21, p. 182
92-23-38	Amended	V. 21, p. 182
92-23-38a	Amended	V. 21, p. 182
92-23-40	Amended	V. 21, p. 182
92-24-9 through 92-24-15	Amended	V. 21, p. 314, 315
92-24-18	Amended	V. 21, p. 315
92-24-22	Amended	V. 21, p. 316
92-24-23	Amended	V. 20, p. 1895
92-24-24	Amended	V. 21, p. 316
92-25-1	Amended	V. 20, p. 1130
92-51-33	Revoked	V. 20, p. 1130
92-51-40	Revoked (T)	V. 20, p. 1580
92-51-40	Revoked	V. 20, p. 1895
92-51-50	Revoked	V. 20, p. 1130
92-51-51	Revoked	V. 20, p. 1130
92-51-52	Revoked	V. 20, p. 1130
92-51-54	Revoked	V. 20, p. 1130
92-51-55	Revoked	V. 20, p. 1131
92-52-9	Amended	V. 20, p. 1603
92-52-9a	Amended	V. 20, p. 1604
92-53-1 through 92-53-7	Revoked	V. 20, p. 1131
92-54-1 through 92-54-5	Revoked	V. 20, p. 1131
92-56-1 through 92-56-5	Amended	V. 21, p. 1057-1059

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

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

**AGENCY 94: BOARD OF TAX APPEALS**

Reg. No.	Action	Register
94-2-1 through 94-2-18	Amended	V. 21, p. 703-708
94-2-19	New	V. 21, p. 708

(continued)

94-2-20	New	V. 21, p. 708
94-3-1	Amended	V. 21, p. 709
94-3-2	Amended	V. 21, p. 709
94-4-1	New	V. 21, p. 710
94-4-2	New	V. 21, p. 710

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

Reg. No.	Action	Register
99-8-8	Revoked	V. 21, p. 12
99-8-9	Revoked	V. 21, p. 12
99-9-1	Revoked	V. 21, p. 12
99-10-1	Revoked	V. 21, p. 12
99-25-1	Amended	V. 21, p. 12
99-25-3	Amended	V. 21, p. 13
99-25-4	Amended	V. 21, p. 13
99-25-6	Amended	V. 21, p. 13
99-25-7	Amended	V. 21, p. 13
99-25-9	Amended	V. 21, p. 14
99-26-1	Amended	V. 21, p. 14
99-27-2		
through		
99-27-5	Amended	V. 21, p. 14, 15
99-30-2		
through		
99-30-6	Amended	V. 21, p. 15, 16
99-31-2		
through		
99-31-6	Amended	V. 21, p. 16
99-40-1	Revoked	V. 21, p. 16
99-40-3	Amended	V. 21, p. 17
99-40-21		
through		
99-40-47	Revoked	V. 21, p. 17
99-40-100	Revoked	V. 21, p. 17
99-40-101	Revoked	V. 21, p. 18
99-40-104	Revoked	V. 21, p. 18
99-40-105	Revoked	V. 21, p. 18

**AGENCY 100: BOARD OF HEALING ARTS**

Reg. No.	Action	Register
100-15-1	Amended	V. 20, p. 1093
100-27-1	Amended	V. 21, p. 307
100-28a-1		
through		
100-28a-16	New	V. 20, p. 774-778
100-60-1	Revoked	V. 20, p. 778
100-60-2	Revoked	V. 20, p. 778
100-60-4	Revoked (T)	V. 20, p. 251
100-60-4	Revoked	V. 20, p. 778
100-60-5	Revoked	V. 20, p. 778
100-60-6	Revoked	V. 20, p. 779
100-60-8		
through		
100-60-15	Revoked	V. 20, p. 779

**AGENCY 102: BEHAVIORAL SCIENCES REGULATORY BOARD**

Reg. No.	Action	Register
102-1-1	Amended	V. 20, p. 1897
102-1-10	Revoked	V. 20, p. 1898
102-1-10a	New	V. 20, p. 1898
102-1-19	New	V. 20, p. 572
102-1-20	New	V. 20, p. 1900
102-2-3	Amended	V. 21, p. 237
102-2-4b	Amended	V. 21, p. 238
102-2-15	New	V. 20, p. 572
102-3-16	New	V. 20, p. 572
102-4-16	New	V. 20, p. 572
102-5-15	New	V. 20, p. 572

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

Reg. No.	Action	Register
108-1-2	Amended	V. 21, p. 1055

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

Reg. No.	Action	Register
109-9-1	Amended	V. 20, p. 1675
109-9-4	Amended	V. 20, p. 1677
109-10-1	Amended	V. 20, p. 1677
109-11-10	New	V. 20, p. 1679

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

Reg. No.	Action	Register
110-4-1	Amended	V. 20, p. 1392
110-6-1	Amended	V. 20, p. 177
110-6-1a	Amended	V. 20, p. 178

110-6-2	Amended	V. 20, p. 178
110-6-3	Amended	V. 20, p. 178
110-6-4	Amended	V. 20, p. 179
110-6-5	Amended	V. 20, p. 180
110-7-1		
through		
110-7-4	Revoked	V. 20, p. 1426
110-7-5	New	V. 20, p. 1426
110-7-6	New	V. 20, p. 1426
110-7-8	New	V. 20, p. 1426
110-7-9	New	V. 20, p. 1426
110-7-10	New	V. 20, p. 1426

**AGENCY 111: KANSAS LOTTERY**

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

Reg. No.	Action	Register
111-2-4	Amended	V. 20, p. 1094
111-2-119		
through		
111-2-124	New	V. 20, p. 416-419
111-2-120	Amended	V. 20, p. 1094
111-2-124	Amended	V. 21, p. 590
111-2-125	New	V. 20, p. 573
111-2-126	New	V. 20, p. 573
111-2-127	Amended	V. 20, p. 937
111-2-128	New	V. 20, p. 1188
111-2-129	New	V. 20, p. 1343
111-2-130	New	V. 20, p. 1394
111-2-131	New	V. 20, p. 1778
111-2-132	New	V. 20, p. 1901
111-2-133	New	V. 20, p. 1901
111-2-134	New	V. 20, p. 1901
111-2-135	New	V. 21, p. 590
111-2-136	New	V. 21, p. 590
111-2-137	New	V. 21, p. 649
111-2-138	New	V. 21, p. 692
111-2-139	New	V. 21, p. 747
111-3-12	Amended	V. 20, p. 40
111-3-35	Amended	V. 20, p. 1189
111-4-1795		
through		
111-4-1813	New	V. 20, p. 40-47
111-4-1801	Amended	V. 20, p. 1095
111-4-1803	Amended	V. 20, p. 1095
111-4-1805a	New	V. 20, p. 1095
111-4-1814		
through		
111-4-1823	New	V. 20, p. 419-427
111-4-1818	Amended	V. 20, p. 575
111-4-1824	New	V. 20, p. 575
111-4-1825		
through		
111-4-1839	New	V. 20, p. 937-942
111-4-1828	Amended	V. 20, p. 1096
111-4-1832	Amended	V. 20, p. 1344
111-4-1840		
through		
111-4-1844	New	V. 20, p. 1096-1100
111-4-1845		
through		
111-4-1850	New	V. 20, p. 1189-1193
111-4-1849	Amended	V. 20, p. 1344
111-4-1851	New	V. 20, p. 1345
111-4-1852	New	V. 20, p. 1346
111-4-1853	New	V. 20, p. 1347
111-4-1854		
through		
111-4-1870	New	V. 20, p. 1395-1405
111-4-1864	Amended	V. 20, p. 1569
111-4-1866	Amended	V. 20, p. 1570
111-4-1867	Amended	V. 20, p. 1601
111-4-1869	Amended	V. 20, p. 1601
111-4-1871	New	V. 20, p. 1571
111-4-1872	New	V. 20, p. 1572
111-4-1873	New	V. 20, p. 1572
111-4-1874		
through		
111-4-1877	New	V. 20, p. 1779-1781
111-4-1877	Amended	V. 20, p. 1902
111-4-1878		
through		
111-4-1885	New	V. 20, p. 1902-1906
111-4-1886		
through		
111-4-1889	New	V. 21, p. 183-185

111-4-1890		
through		
111-4-1893	New	V. 21, p. 591-593
111-4-1894		
through		
111-4-1900	New	V. 21, p. 649-655
111-4-1901		
through		
111-4-1921	New	V. 21, p. 692-702
111-4-1910	Amended	V. 21, p. 747
111-4-1911	Amended	V. 21, p. 747
111-4-1913	Amended	V. 21, p. 748
111-4-1922	New	V. 21, p. 748
111-4-1923	New	V. 21, p. 749
111-5-23	Amended	V. 20, p. 428
111-5-24	Amended	V. 20, p. 428
111-5-27	Amended	V. 20, p. 429
111-5-78	Amended	V. 21, p. 751
111-7-119		
through		
111-7-127	Amended	V. 21, p. 594-597
111-7-134	Amended	V. 20, p. 429
111-7-152	Amended	V. 20, p. 49
111-7-158		
through		
111-7-162	New	V. 20, p. 577
111-7-159	Amended	V. 20, p. 1101
111-7-162	Amended	V. 20, p. 944
111-7-163		
through		
111-7-170	New	V. 20, p. 1101-1103
111-7-165	Amended	V. 20, p. 1194
111-7-171		
through		
111-7-175	New	V. 20, p. 1782, 1783
111-7-176		
through		
111-7-180	New	V. 21, p. 656, 657
111-8-101		
through		
111-8-126	New	V. 20, p. 1573-1579
111-9-111	New	V. 20, p. 1406
111-9-112	Amended	V. 20, p. 1579
111-9-113	Amended	V. 21, p. 186
111-9-114	New	V. 21, p. 657
111-9-115	New	V. 21, p. 702
111-9-116	New	V. 21, p. 703

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

Reg. No.	Action	Register
112-4-1	Amended	V. 20, p. 765
112-7-19	Amended	V. 20, p. 547
112-10-3	Amended	V. 20, p. 1728
112-10-6	Amended	V. 20, p. 1728
112-11-20	Amended	V. 20, p. 945
112-17-4	Amended	V. 20, p. 1729
112-18-11	Amended	V. 20, p. 1922

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

Reg. No.	Action	Register
115-2-1	Amended	V. 20, p. 1499
115-2-4	Amended	V. 20, p. 1499
115-2-6	Amended	V. 21, p. 451
115-3-1	Amended	V. 20, p. 766
115-3-2	Amended	V. 20, p. 767
115-4-1	Revoked	V. 20, p. 767
115-4-2	New	V. 20, p. 767
115-4-3	Revoked	V. 20, p. 768
115-4-4	Amended	V. 21, p. 452
115-4-5	Revoked	V. 20, p. 769
115-4-7		
through		
115-4-10	Revoked	V. 20, p. 769
115-4-11	Amended	V. 20, p. 769
115-4-12	Revoked	V. 20, p. 770
115-4-13	Amended	V. 20, p. 770
115-8-1	Amended	V. 20, p. 1061
115-8-4	Amended	V. 20, p. 1500
115-8-5	Revoked	V. 20, p. 1061
115-8-8	Amended	V. 20, p. 1061
115-8-12	Amended	V. 20, p. 1062
115-8-16	Revoked	V. 20, p. 1062
115-8-18	Revoked	V. 20, p. 1062
115-8-20	Amended	V. 20, p. 1062
115-8-21	Amended	V. 20, p. 1062
115-9-4	Amended	V. 21, p. 177
115-11-1	Amended	V. 21, p. 177
115-11-2	Amended	V. 21, p. 177

115-13-1	Amended	V. 20, p. 1500
115-13-2	Amended	V. 20, p. 1500
115-13-5	Amended	V. 20, p. 1501
115-14-2	Amended	V. 20, p. 1501
115-14-3	Amended	V. 20, p. 1502
115-14-5	Amended	V. 20, p. 1502
115-14-6	Amended	V. 20, p. 1502
115-14-7	Revoked	V. 20, p. 1502
115-14-9	Amended	V. 20, p. 1502
115-14-10	Amended	V. 20, p. 1503
115-18-5	Revoked	V. 20, p. 1504
115-18-7	Amended	V. 21, p. 453
115-18-8	Amended	V. 20, p. 1504
115-18-9	Amended	V. 20, p. 1504
115-18-14	Amended	V. 20, p. 1504
115-18-17	New	V. 20, p. 1062

115-20-1	Amended	V. 20, p. 1063
115-20-2	Amended	V. 20, p. 1063
115-21-1	Amended	V. 20, p. 1803
115-21-2	Amended	V. 20, p. 1804
115-21-3	Revoked	V. 20, p. 1804
115-21-4	New	V. 20, p. 1804
115-22-1	New	V. 20, p. 1804

**AGENCY 117: REAL ESTATE APPRAISAL BOARD**

Reg. No.	Action	Register
117-6-1	Amended	V. 21, p. 658
117-6-3	Amended	V. 20, p. 862
117-6-4	New	V. 20, p. 863
117-7-1	Amended	V. 20, p. 863
117-8-1	Amended	V. 21, p. 659

**AGENCY 118: STATE HISTORICAL SOCIETY**

Reg. No.	Action	Register
118-5-1 through		
118-5-10	New (T)	V. 20, p. 1492-1495

**AGENCY 125: AGRICULTURAL REMEDIATION BOARD**

Reg. No.	Action	Register
125-1-1 through		
125-1-9	New (T)	V. 20, p. 1496-1498
125-1-1 through		
125-1-9	New	V. 20, p. 1891-1893