



Kansas Register

Ron Thornburgh, Secretary of State

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State of Kansas

Kansas Sentencing Commission

Notice of Meeting

The Kansas Sentencing Commission will meet from 1:30 to 3:30 p.m. Wednesday, July 16, in the Senate Room of the Jayhawk Tower, 700 S.W. Jackson, Topeka. For further information, call (785) 296-0923.

Barbara Tombs
Executive Director

Doc. No. 029537

State of Kansas

Secretary of State

Code Mortgage Rate for July

Pursuant to the provisions of K.S.A. 2002 Supp. 16a-1-301, Section 11, the code mortgage rate during the period of July 1, 2003 through July 31, 2003, is 12 percent.

Ron Thornburgh
Secretary of State

Doc. No. 029535

State of Kansas

Legislature

Interim Committee Schedule

The following committee meetings have been scheduled from July 10-16. 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://kslegislature.org/klrd>.

Date	Room	Time	Committee	Agenda
July 10	123-S	10:00 a.m.	Joint Committee on State	Agenda not available.
July 11	123-S	9:00 a.m.	Building Construction	
July 14	519-S	10:00 a.m.	Joint Committee on	Agenda not available.
July 15	519-S	9:00 a.m.	Administrative Rules and Regulations	
July 15	514-S	9:00 a.m.	Legislative Budget Committee	Agenda not available.
July 16	123-S	2:00 p.m.	Legislative Coordinating Council	Legislative matters.

Jeff Russell
Director of Legislative
Administrative Services

Doc. No. 029547

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State of Kansas

Secretary of State**Usury Rate for July**

Pursuant to the provisions of K.S.A. 2002 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, 2003 through July 31, 2003, is 6.62 percent.

Ron Thornburgh
Secretary of State

Doc. No. 029536

State of Kansas

Secretary of State**Executive Appointments**

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

**Judge of the Kansas Court of Appeals,
Position 10**

Richard D. Greene, Kansas Judicial Center, 301 S.W. 10th Ave., Topeka, 66612. Succeeds Robert L. Gernon.

Jackson County Sheriff

Bruce Tomlinson, 14410 166th Road, Mayetta, 66509. Term expires when a successor is elected and qualifies according to law. Succeeds Daina Durham, resigned.

Education Commission of the States

Dr. Sylvia L. Robinson, 4009 N. 110th St., Kansas City, KS 66109. Serves at the pleasure of the Governor. Succeeds Sheila Frahm.

Dr. Andy Tompkins, Commissioner of Education, 120 S.E. 10th Ave., Topeka, 66612. Serves at the pleasure of the Governor. Reappointed.

Emergency Medical Services Board

Michael L. Ryan, 907 St. Mary's Road, Junction City, 66441. Term expires May 31, 2007. Succeeds Jim Keating.

Solid Waste Grants Advisory Committee

Shawn Herrick, 7321 N.W. Rochester Road, Topeka, 66617. Term expires December 12, 2005.

Kansas Commission on Veterans' Affairs

John G. Fowler, 401 Woodlawn, Topeka, 66606. Term expires June 30, 2007. Succeeds Jack Strukel.

State Board of Veterinary Medical Examiners

Dr. Richard A. Barta, 3759 S. 4150 St., Independence, 67301. Term expires June 30, 2007. Succeeds William L. Brown.

Dr. Vern E. Otte, 2103 W. 121st St., Shawnee Mission, 66209. Term expires June 30, 2007. Reappointed.

Ron Thornburgh
Secretary of State

Doc. No. 029503

State of Kansas

Secretary of State**Notice of Hearing on Proposed
Administrative Regulations**

A public hearing will be conducted at 9 a.m. Thursday, September 18, in the Secretary of State's office, Room 120, Memorial Hall, 120 S.W. 10th Ave., Topeka, to consider proposed new Kansas Administrative Regulations 7-16-1 and 7-16-2. These regulations are proposed for adoption on a permanent basis.

K.A.R. 7-16-1 adopts by reference a table of information and services fees, which will be charged by the Secretary of State to recoup the costs of providing services, filing records and selling legal publications. The general purpose of the proposed regulation is to recover the costs of doing business, which are no longer covered by state general fund appropriations.

K.A.R. 7-16-2 adopts by reference a table of technology and communications fees, which will be charged by the Secretary of State to recoup the costs of upgrading and maintaining information technology in the office.

Both regulations will have an economic impact on any governmental agency or member of the general public doing business with the Secretary of State, as customers will be required to pay additional fees for information or services requested, or when filing a document. The new fees range from \$1 to \$250.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed regulations. Comments may be submitted prior to the hearing to Nancy Bryant, Chief of Staff, Office of the Secretary of State, Room 140, Memorial Hall, 120 S.W. 10th Ave., Topeka, 66612-1594.

All interested parties will be given a reasonable opportunity at the hearing to present their views. It may be necessary to request each participant to limit any oral presentation to five minutes. Any person requiring visual, hearing or other communication aid or assistance, building access assistance or other similar accommodation should contact the Secretary of State's office so appropriate arrangements can be made.

Copies of the regulations and the economic impact statement may be obtained at the address above or by calling (785) 296-2114.

Ron Thornburgh
Secretary of State

Doc. No. 029526

State of Kansas

**Department of Administration
Division of Purchases**

Notice to Bidders

Sealed bids for items listed will be received by the Director of Purchases until 2 p.m. on the date indicated. For more information, call (785) 296-2377:

7/14/2003	06424	Laboratory Equipment Maintenance
7/15/2003	06410	Loft Rental
7/23/2003	06281	Licensed Security Guard Services

The above referenced bid documents can be downloaded at the following Web site:

<http://da.state.ks.us/purch/rfq/>

Additional files may be located at the following Web site (please monitor this Web site on a regular basis for any changes/addenda):

<http://da.state.ks.us/purch/adds/default/htm>

The following bid documents may be obtained by calling (785) 296-8899.

7/22/2003	A-9629	Visitor's Parking Lot
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Stuart D. Leighty
Director of Purchases

Doc. No. 029534

State of Kansas

Department of Transportation

Request for Comments

The Kansas Department of Transportation requests comments on the amendment of the Statewide Transportation Improvement Program (STIP) FY 03-05 by adding the following projects:

Project X-2216-04 — Preliminary engineering for statewide fiscal year 2004 Railroad Crossing Program

Project K-7339-03 — Preliminary engineering for statewide fiscal year 2003 Tax Evasion Project administered by the Kansas Department of Revenue

The amendment of the STIP requires a 30-day public comment period. To receive more information on any of these projects or to make comments on the STIP amendment, contact the Kansas Department of Transportation, Office of Engineering Support, 7th Floor, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612-1568, (785) 296-7916, fax (785) 296-0723.

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

The comment period regarding the STIP amendment will conclude August 4.

Deb Miller
Secretary of Transportation

Doc. No. 029525

State of Kansas

Department of Human Resources

Request for Comments

The Kansas Department of Human Resources is providing the general public with an opportunity to comment on a proposed modification to the Workforce Investment Act (WIA) Five-Year Strategic Plan. The proposed modification can be found on the Kansas Department of Human Resources' Web site at <http://entkdhhr.state.ks.us/newWIA.htm>. If you have questions about the modification, are unable to download it or would like a copy sent to you in another media of choice, contact Linda J. Weaver, Kansas Department of Human Resources, Division of Employment and Training, 401 S.W. Topeka Blvd., Topeka, 66603, (785) 296-2159, e-mail: ljweaver@hr.state.ks.us.

Written comments must be submitted on or before the close of business Friday, August 1, to Linda Weaver at the address given above.

Jim Garner
Secretary of Human Resources

Doc. No. 029529

(Published in the Kansas Register July 3, 2003.)

City of Wichita, Kansas

Notice to Bidders

The City of Wichita will receive bids at the Purchasing Office, 455 N. Main, 12th Floor, Wichita, 67201, until 10 a.m. Friday, August 8, for the following project:

(Department of Commerce No. 05-01-03781)

(KDOT Project No. 87 K-9049-01)

(City of Wichita No. 472-83176, OCA Code 706827)

Paving

Hoover Road from Harry to 31st Street South

Plans and specifications for this project will be available July 9. Requests for the bid documents and plans should be directed to City Blue Print, (316) 265-6224, or to Marty Murphy, (316) 268-4488. Other questions should be directed to the respective design engineer at (316) 268-4501.

All bids received will thereafter be publicly opened, read aloud and considered by the Board of Bids and Contracts. All work is to be done under the direction and supervision of the city manager and according to plans and specifications on file in the office of the city engineer. Bidders are required to enclose a bid bond in the amount of 5 percent with each bid as a guarantee of good faith. The Wichita City Council reserves the right to reject any and all bids.

The successful bidder may contact Pam Plank at (316) 268-4499 or Marty Murphy at (316) 268-4488 for extra sets of plans and specifications.

Marty Murphy
Administrative Aide
City of Wichita—Engineering

Doc. No. 029527

State of Kansas

Kansas Development Finance Authority

Notice of Hearing

A public hearing will be conducted at 9 a.m. Thursday, July 17, 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 projects 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 projects shall be located as shown:

Project No. 000569—Maximum Principal Amount: \$249,750. Owner/Operator: James Mongeau. Description: Acquisition of 800 acres of agricultural land and related improvements and equipment to be used by the owner/operator for farming purposes. The project is located at (1) East Half of Southwest Quarter of Section 13, Township 8, Rooks County, Kansas, approximately 6 miles south of Stockton on Highway 183 and 1 mile east on P Road, (2) Northeast Quarter of Section 25, Township 8, Rooks County, Kansas, approximately 7 miles south of Stockton on Highway 183 and 4.5 miles west on Q Road, (3) Southeast Quarter of Section 27, Township 6 South, Rooks County, Kansas, approximately 4 miles north of Stockton on Highway 183 and 6.5 miles west on F Road, (4) North Half of Section 4, Township 6 South, Rooks County, Kansas, approximately 10 miles north of Stockton on Highway 183, 3 miles east on E Day Dream Road and 1 mile south on E 500 Road, (5) South Half of the Southeast Quarter of Section 34, Township 5 South, Phillips County, Kansas, approximately 10 miles north of Stockton on Highway 183, 3 miles east on E Day Dream Road and 1 mile south on E 500 Road.

Project No. 000570—Maximum Principal Amount: \$26,600. Owner/Operator: Michael Mongeau. Description: Acquisition of 80 acres of agricultural land and related improvements and equipment to be used by the owner/operator for farming purposes. The project is located at the West Half of the Southwest Quarter of Section 13, Township 8, Rooks County, Kansas, approximately 6 miles south of Stockton on Highway 183 and 1 mile east on P 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 projects may be obtained by contacting the Authority.

Any individual affected by the above-described projects 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.

Stephen R. Weatherford
President

Doc. No. 029532

State of Kansas

Department of Transportation

Notice to Contractors

Sealed proposals for the construction of road and bridge work in the following Kansas counties will be received at the Bureau of Construction and Maintenance, KDOT, Topeka, or at the Capitol Plaza Hotel, Topeka, until 2 p.m. July 16 and then publicly opened:

District One — Northeast

Johnson—435-46 K-8711-01 — I-435 over Santa Fe Trail Drive & the Burlington Northern Railroad, bridge repair. (State Funds)

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

Each bidder shall file a sworn statement executed by or on behalf of the person, firm, association or corporation submitting the bid, certifying that such person, firm, association or corporation has not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with the submitted bid.

This sworn statement shall be in the form of an affidavit executed and sworn to by the bidder before a person who is authorized by the laws of the state to administer oaths. The required form of affidavit will be provided by the state to each prospective bidder. Failure to submit the sworn statement as part of the bid approval package will make the bid nonresponsive and not eligible for award consideration.

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

Deb Miller
Secretary of Transportation

Doc. No. 029520

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 6-30-03 through 7-6-03

Term	Rate
1-89 days	1.13%
3 months	0.80%
6 months	0.92%
1 year	1.00%
18 months	1.20%
2 years	1.28%

Derl S. Treff
Director of Investments

Doc. No. 029523

State of Kansas

Animal Health Department

Notice of Hearing on Proposed
Administrative Regulations

A public hearing will be conducted by the Kansas Animal Health Department at 10 a.m. Wednesday, September 3, in the office of the Kansas Animal Health Department, 708 S.W. Jackson, Topeka, to consider the proposed adoption and revocation of regulations K.A.R. 9-18-2, K.A.R. 9-18-3, K.A.R. 9-19-1, K.A.R. 9-19-2 through 9-19-11, K.A.R. 9-19-12, K.A.R. 9-25-2, K.A.R. 9-25-3, K.A.R. 9-25-5, K.A.R. 9-25-6, K.A.R. 9-25-12 and K.A.R. 9-26-1.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed rules and regulations. All interested parties may submit written comments prior to the hearing to George Teagarden, Kansas Livestock Commissioner, 708 S.W. Jackson, Topeka, 66603. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulations during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request each participant to limit any oral presentation to five minutes.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulations and the economic impact statement in an accessible format. Requests for accommodation should be made at least 10 working days in advance of the hearing by contacting Brenda Schuette at (785) 296-2326. There is no designated handicapped parking on the block. The agency is located on Jackson Street and is handicap accessible.

A copy of the full text of the regulations and the economic impact statement may be reviewed or obtained by contacting the Animal Health Department at the address above, (785) 296-2326.

A summary of the proposed regulations and the economic impact follows:

K.A.R. 9-18-2 limits the hours and days when inspections can be performed. Inspections may take place on

Monday through Friday between the hours of 7 a.m. and 7 p.m. These hours were chosen because they mimic the federal regulations. If an owner or operator of the premise is not routinely available during those hours, they shall designate a representative to be present while the inspection is taking place. Inspections may be conducted at alternate times, upon the agreement of all parties.

K.A.R. 9-18-3 limits the hours and days when complaint inspections can be performed. Complaint inspections may take place on Monday through Friday between the hours of 7 a.m. and 7 p.m. If the complaint alleges violations adversely affecting the health, safety or welfare of the animals, the inspection may be done any day of the week. Inspections of any pound and shelter, boarding facility, research facility or pet shop shall only be made during those hours when employees are working. Inspections may be conducted at alternate times, upon the agreement of all parties.

K.A.R. 9-19-1 is being revoked.

K.A.R. 9-19-2 through 9-19-11 are being revoked.

K.A.R. 9-19-12 adopts 9 C.F.R. 3.1 through 3.12 by reference. Sections referring to research facilities were deleted. This regulation brings the State of Kansas up-to-date with the federal regulations.

K.A.R. 9-25-2 mirrors the regulations for indoor facilities for animal breeders. The amended regulation makes some technical corrections and adds humidity as a factor to consider with temperature.

K.A.R. 9-25-3 mirrors the sheltered housing regulations for animal breeders. The amended regulation makes some technical corrections and adds humidity as a factor to consider with temperature.

K.A.R. 9-25-5 mirrors the federal regulations for primary enclosures for animal breeders. The amended regulation makes some technical corrections, requires any wire for suspended flooring to be 9 gauge or coated, requires written permission from the commissioner if space for a queen and her kittens does not meet the minimum requirement, and prohibits tethering as a form of primary enclosure.

K.A.R. 9-25-6 mirrors the federal regulations for cleaning, sanitation, housekeeping and pest control for animal breeders. The amended regulation makes some technical corrections and adds a housekeeping provision requiring licensees to keep the premises clean and in good repair.

K.A.R. 9-25-12 prohibits the sale of any dog or cat until it is eight weeks old and weaned. This is a change from the current regulation that allows dogs and cats to be sold at six weeks. The USDA does not allow animals under the age of eight weeks to be transported. The Kansas Pet Advisory Board recommended puppies and kittens be at least eight weeks old before they are sold.

K.A.R. 9-26-1 updates the state euthanasia law by adopting by reference the 2000 Report of the AVMA Panel on Euthanasia.

There is no fiscal impact to consumers, licensees or the agency due to the regulations.

George Teagarden
Kansas Livestock Commissioner

Doc. No. 029538

State of Kansas

Governmental Ethics Commission

Opinion No. 2003-15

Written June 19, 2003, to the Honorable Stephanie Sharp, State Representative, 17th District, Topeka.

This opinion is in response to your letter of May 19, 2003, in which you request an opinion from the Kansas Governmental Ethics Commission concerning the state level conflict of interest laws (K.S.A. 46-215 *et seq.*). We note at the outset that the Commission's jurisdiction is limited to the application of K.S.A. 46-215 *et seq.*, and whether some other statutory system, common law theory or agency rule or regulation applies to your inquiry is not covered by this opinion.

Factual Statement

We understand that you request this opinion in your capacity as a State Representative for the 17th District. You have explained that for your non-session employment, you have contracted to perform services for two organizations, the Kansas Immunization Action Coalition (Coalition) and Shawnee Mission Medical Center (Medical Center). You will be training physicians for the Coalition and will be researching and applying for grants for the Medical Center. You have informed us that the Coalition acquired a grant from the Kansas Department of Social and Rehabilitation Services in 2002.

Question

May a state Representative contract to perform services for these two organizations without violating the state's conflict of interest laws?

Opinion

K.S.A. 46-233(b) provides:

No individual shall, while a legislator or within one year after the expiration of a term as legislator, be interested pecuniarily, either directly or indirectly, in any contract with the state, which contract is funded in whole or in part by any appropriation or is authorized by any law passed during such term, except that the prohibition of this subsection (b) shall not apply to any contract interest in relation to which a disclosure statement is filed as provided by K.S.A. 46- 239, and amendments thereto.

Pursuant to this statute, a legislator is prohibited from having a direct or indirect pecuniary interest in any contract with the State which is funded by any appropriation, unless the legislator's interest is based on a representation case, as defined in K.S.A. 46-226, and the legislator files a representation case disclosure form pursuant to K.S.A. 46-239. Based on the factual scenario presented, the Commission finds that you do not have a pecuniary interest in a contract with the State. Therefore, there is nothing in the state level conflict of interest laws which would prohibit you from performing services for the Coalition or the Medical Center.

Opinion No. 2003-16

Written June 19, 2003, to Gary H. Hanson, Stumbo, Hanson & Hendricks, LLP, Topeka.

This opinion is in response to your letter of June 3, 2003, in which you request an opinion from the Kansas Gov-

ernmental Ethics Commission concerning the application of the local level conflict of interest laws (K.S.A. 75-4301a *et seq.*). We note at the outset that the Commission's jurisdiction is limited to the application of K.S.A. 75-4301a *et seq.*, and whether some other statutory system, common law theory, or agency rule or regulation applies to your inquiry is not covered by this opinion.

Factual Statement

We understand that you request this opinion in your capacity as the attorney for the Kansas Rural Water Association (KRWA), which is a state-wide organization dedicated to the improvement of public water supplies in Kansas. Its membership includes 263 rural water districts (RWD's). You have explained that pursuant to K.S.A. 82a-612 *et seq.*, RWD's are governed by a board of directors who are elected by owners of land located within the district. Neither the statutes nor the standard form by-laws provide for any declaration of candidacy for election as a member of the board of directors and there is no written filing required nor a deadline for filing. A member does not even have to be present to be elected to the board of directors.

Question

I. Are candidates for or members of the rural water districts' board of directors required to file statements of substantial interest forms pursuant to K.S.A. 75-4302a?

II. If candidates for or members of the rural water districts' board of directors are required to file statements of substantial interest forms, when should such forms be filed?

III. If candidates for or members of the rural water districts' board of directors are required to file statements of substantial interest forms, where should such forms be filed?

Opinion

With regard to your first question, K.S.A. 75-4302a details which local governmental officials are required to file statement of substantial interest (SSI) forms. It states in pertinent part:

(b) Statements of substantial interests shall be filed by the following individuals at the times specified:

(1) By a candidate for local office who becomes a candidate on or before the filing deadline for the office, not later than 10 days after the filing deadline, unless before that time the candidacy is officially declined or rejected.

(2) By a candidate for local office who becomes a candidate after the filing deadline for the office, within five days of becoming a candidate, unless within that period the candidacy is officially declined or rejected.

(3) By an individual appointed on or before April 30 of any year to fill a vacancy in an elective office of a governmental subdivision, between April 15 and April 30, inclusive, of that year.

(4) By an individual appointed after April 30 of any year to fill a vacancy in an elective office of a governmental subdivision, within 15 days after the appointment.

(5) By any individual holding an elective office of a governmental subdivision, between April 15 and April 30, inclusive, of any year if, during the preceding calendar

(continued)

year, any change occurred in the individual's substantial interests.

K.S.A. 75-4301a provides the following definitions:

(e) "Candidate for local office" means any candidate for nomination or election to any elective office of a governmental subdivision.

(f) "Governmental subdivision" means any city, county, township, school district, drainage district or other governmental subdivision of the state having authority to receive or hold public moneys or funds.

Although the local level conflict of interest laws do not provide a definition of the term "elect" or "elected," the American Heritage Dictionary cites the definition of elect as: "To select by vote for an office, usually by a majority or plurality over other candidates." American Heritage Dictionary 420 (1973).

In Commission Opinion 1996-06, the Commission held that RWD's were subdivisions of government. Because the members of the board of directors and candidates for the board of directors will be "elected" by the members of their RWD's, the members of the board of directors are "individual[s] holding an elective office of a governmental subdivision" and candidates for the board of directors are "candidate[s] for local office." Therefore, Board members and candidates for the board must file SSI forms. See Commission Opinion 2000-47.

With regard to your second question, you have pointed out that the RWD organizing statutes and by-laws do not require a written "filing" nor do they have a "filing deadline." While the local level conflict statutes do not contain a definition of the term "filing deadline," there is nothing in those statutes which would require that a written document declaring candidacy be filed. In addition, it is clear that an individual who is elected to the board of directors must indicate their willingness to be on the board of directors at some point in time prior to the actual election.

Therefore, pursuant to K.S.A. 75-4302a(b)(2), a candidate for a RWD board of director position would be required to file an SSI form within five days of becoming a candidate. He or she would become a candidate at the point in time that they accept a nomination or indicate their desire to be considered for the position. Pursuant to K.S.A. 75-4302a(b)(3), if the individual was appointed on or before April 30 to fill a vacancy, he or she would need to file the SSI between April 15 and April 30, of that year. Pursuant to K.S.A. 75-4302a(b)(4), if the individual was appointed after April 30 to fill a vacancy, he or she would need to file the SSI within 15 days after the appointment. Pursuant to K.S.A. 75-4302a(b)(5), if the individual holds the position as a member of the board of directors of the RWD, he or she would need to file the SSI between April 15 and April 30, of that year, if, during the preceding calendar year, any change occurred in that individual's substantial interests.

Finally, you have asked where the SSI form must be filed. K.S.A. 75-4302a(c) states:

The statement of substantial interests required to be filed pursuant to this section shall be filed in the office where declarations of candidacy for the local governmental office sought or held by the individual are required to be filed.

Although a member of the board of directors for the RWD's do not need to file a written declaration of candidacy, as noted above, they must indicate their willingness to serve on the board of the RWD's. Therefore, the Commission determines that candidates for and members of the RWD's required to file SSI forms should file them with the RWD's.

Opinion No. 2003-17

Written June 19, 2003, to Attorney General Phill Kline, Topeka.

This opinion is in response to your letter of May 30, 2003, in which you request an opinion from the Kansas Governmental Ethics Commission concerning the state level conflict of interest laws (K.S.A. 46-215 *et seq.*). We note at the outset that the Commission's jurisdiction is limited to the application of K.S.A. 46-215 *et seq.*, and whether some other statutory system, common law theory or agency rule or regulation applies to your inquiry is not covered by this opinion.

Factual Statement

We understand that you request this opinion in your capacity as Attorney General for the State of Kansas. You have explained that since 1997, you and your wife, Deborah, have owned and operated a radio network known as SWT Communications (SWT) which produces daily programs about Kansas history and sports. You produce and perform the shows and Deborah handles billing, marketing, sales and business development. SWT typically works on a trade basis where the radio station gives SWT free air time in exchange for the show. SWT then sells time to advertisers. SWT also buys blocks of advertising time and resells the time for a profit.

Question

May the Attorney General own and operate SWT Communications without violating the State's conflict of interest laws?

Opinion

Two statutes apply to the question you have raised: K.S.A. 46-233(a), which involves participation in the making of contracts, and K.S.A. 46-241, which involves the use of confidential information.

K.S.A. 46-233 states in pertinent part:

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

Under this provision, you are prohibited, as a state employee, from being substantially involved in the preparation of, or from participating in the making of, a contract with an entity by which you are employed or in which you have a substantial interest. Absent your participation as a state employee in the making of such a contract with SWT, this statute would not prohibit you from owning and operating this business.

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

No state officer or employee shall disclose or use confidential information acquired in the course of his or her

official duties in order to further his or her own economic interest or those of any other person.

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

Opinion No. 2003-18

Written June 19, 2003, to John T. Frederick, Government Relations Manager, The Boeing Company, Wichita.

This opinion is in response to your letter of June 6, 2003, in which you request an opinion from the Kansas Governmental Ethics Commission concerning the Campaign Finance Act (K.S.A. 25-4142 *et seq.*). We note at the outset that the Commission's jurisdiction concerning your question is limited to the application of K.S.A. 25-4142 *et seq.* Thus, whether some other statutory system, common law theory or agency rule or regulation applies to your inquiry is not covered by this opinion.

Factual Statement

We understand that you request this opinion in your capacity as the Government Relations Manager for the Boeing Company (Boeing). You have provided us with the following hypothetical scenario:

A contribution is made to an incumbent candidate for the state senate in the primary election cycle beginning January 1, 2001 and running through the day of the primary election in 2004. During this primary election cycle, the candidate announces that he is running for Governor, closes his senate campaign account and transfers all of that money to his gubernatorial campaign account pursuant to K.A.R. 19-22-1. The candidate is not elected governor and remains in the Senate. The gubernatorial campaign account holds a negative account balance, and the candidate has not opened a new senate campaign account.

Questions

I. If the candidate opens a senate campaign account, what amount can now be given to his senate campaign during this primary election cycle?

II. What amount can now be given to retire the debt from the gubernatorial campaign?

Opinion

K.A.R. 19-30-4 applies to the allocation of contributions when a candidate runs for a different office than that originally sought. It states in pertinent part:

When during an election period a candidate decides to seek state or local office other than that originally anticipated or sought in the preceding election, all contributions received during the election period shall be attributed to the individual's contributions limits for the office finally sought.

Although the contribution given in 2001 was originally given to the senate campaign during the senatorial primary election, because the candidate closed his senate campaign account and transferred all of that money to his 2002 gubernatorial campaign account pursuant to K.A.R. 19-22-1, the contribution was allocated to the gubernatorial primary election.

Pursuant to K.S.A. 25-4149, the senatorial primary election period started January 1, 2001 and will run through the day of the primary election in 2004. Because your original contribution was allocated to the gubernatorial campaign, you have not made a contribution to this candidates' senatorial primary election. Therefore, if the candidate were now to leave his gubernatorial account open and, at the same time, open a new senatorial campaign account, you would be able to give this candidate up to \$1,000.00 towards his senatorial primary election. See K.S.A. 25-4153.

With regard to the gubernatorial campaign, pursuant to K.S.A. 25-4149, the general election period ended December 31, 2002, and the new primary election cycle began on January 1, 2003 and will run until the day of the primary election in 2006. Therefore, if the candidate chooses to leave open his gubernatorial campaign account, you may contribute up to \$2,000.00 towards his gubernatorial primary election. See K.S.A. 25-4153. Please note that it does not matter that the candidate uses this money to reduce the debt from the previous election or whether he intends to run again for governor.

Opinion No. 2003-19

Written June 19, 2003, to Michael Kravets, Director of Technical Services, Basehor-Linwood U.S.D. 458, Basehor.

This opinion is in response to your letter of June 6, 2003, in which you request an opinion from the Kansas Governmental Ethics Commission concerning the local conflict of interest law (K.S.A. 75-4301 *et seq.*). We note at the outset that the Commission's jurisdiction concerning your question is limited to the application of K.S.A. 75-4301 *et seq.* Thus, whether some other statutory system, common law theory or agency rule or regulation applies to your inquiry is not covered by this opinion.

Factual Statement

We understand that you are requesting this opinion in your capacity as Director of Technical Services for Basehor-Linwood U.S.D. 458. You have explained that Apple Computer, Inc. (Apple) has offered to provide air-fare, food, and lodging to several U.S.D. 458 employees while they attend the Executive Briefing on Technology in Education conference on July 23-24, 2003.

Question

May a U.S.D. 458 employee accept the air-fare, food, and lodging from Apple Computer, Inc., without violating the local level conflict of interest laws?

Opinion

Pursuant to K.S.A. 75-4301a(f), U.S.D. 458 employees are governed by the local level conflict of interest laws found in K.S.A. 75-4301 *et seq.* There is nothing in this body of law which prohibits an individual from accepting airfare, food, or lodging while attending a conference for the School District.

Daniel Severt
Chairman

Doc. No. 029533

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

Before Rulon, C.J.; Lewis, J.; and Glenn D. Schiffner, D.J., assigned.

Tuesday, July 22, 2003

1:30 p.m.

Case No.	Case Name	Attorneys	Jurisdiction
89,159	Elizabeth Adams, Appellant, v. City of Protection, Kansas, Appellee.	David J. Rebein Allen G. Glendenning	Comanche
89,374	State of Kansas, Appellee, v. Larry E. Capps, Appellant.	Attorney General James R. Watts, Asst. C.A. Kathryn B. Wall, Asst. A.D.	Butler
89,013	State of Kansas, Appellee, v. Jeremy Norton, Appellant.	Attorney General Don L. Scott, C.A. Nathan B. Webb, Asst. A.D.	Seward
89,184	John David Jenkins, Appellant, v. Kansas Department of Revenue, Appellee.	Edward J. Battitori James G. Keller	Cherokee

Wednesday, July 23, 2003

9:00 a.m.

Case No.	Case Name	Attorneys	Jurisdiction
89,981	Dianne B. Offerman and Susan E. Fesler, Individually, as Co-Administrators of the Estate of Lester C. Banka, Deceased, and as Successor Co-Trustees of the Lester C. Banka Family Revocable Liv- ing Trust Created Under Instrument Dated April 10, 1990, Appellants, v. Carolyn Rosile, Katie Fesler, Brian Fesler, Aaron Fesler, Michael Offerman and Theresa Offerman, Appellees.	Richard A. Benjes Robert Martin	Reno
87,192	State of Kansas, Appellee, v. Larry Davis, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Lesley A. Isherwood, Asst. A.D. Paige A. Nichols	Sedgwick
89,225	Jensen International, Inc., J.B. Jensen, and Donna Jensen, Appellants, v. Grady Kelley and Joe Rinkenbaugh, Appellees.	Michael James King Douglas G. Ott Jim D. Garner Curt T. Schneider	Montgomery

Summary Calendar—No Oral Argument

Case No.	Case Name	Attorneys	Jurisdiction
89,110	In the Interest of R.D.P., DOB: 05/22/93, R.P., DOB: 10/20/95, Minor Children Under 18 Years of Age.	Roger Batt Larry S. Vernon	Sedgwick
89,395	State of Kansas, Appellee, v. Troy Frazier, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Kristi L. Barton, Asst. A.D. Janine Cox, Capital A.D.	Sedgwick

89,702	State of Kansas, Appellee, v. Buford Jones, Appellant.	Attorney General County Attorney Appellate Defender	Crawford
89,785	State of Kansas, Appellee, v. Jason Eugene Hoffman, Appellant.	Attorney General County Attorney Appellate Defender	Reno
89,043	State of Kansas, Appellee, v. Dale E. Zeigler, a/k/a Dale E. Ziegler, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Boyd K. Isherwood, Asst. A.D. Mary Curtis, Asst. A.D.	Sedgwick
89,352	State of Kansas, Appellee, v. Nathan Allen Phillips, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Charles L. Rutter, Asst. D.A. Mark T. Schoenhofer	Sedgwick
89,357	State of Kansas, Appellee, v. Joshua John James Wood, Appellant.	Attorney General Ty Kaufman, C.A. Matt J. Edge, Asst. D.A.	McPherson
89,914	In the Matter of Brian Michael Bunce, Appellee, and Tara L. Bowin, Appellant, and Broc Michael Bowin.	Gene Barrett Frederick R. Smith	Cherokee
88,861	State of Kansas, Appellee, v. Leo A. Johnson, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Charles L. Rutter, Asst. D.A. Patrick H. Dunn, Asst. A.D.	Sedgwick
89,649	State of Kansas, Appellee, v. Toby R. Hennessey, Appellant.	Attorney General Morgan Metcalf, Asst. C.A. Darren K. Patterson	Butler
89,831	Douglas S. Winter, Appellant, v. State of Kansas, Appellee.	Clinton B. Peterson Attorney General James C. Dodge, C.A.	Haskell

**Kansas Court of Appeals
Sedgwick County Courthouse
Courtroom 6-3
525 N. Main
Wichita, Kansas**

Before Pierron, P.J.; Green, J.; and John J. Bukaty, Jr., D.J., assigned.

Tuesday, July 22, 2003

9:00 a.m.

Case No.	Case Name	Attorneys	Jurisdiction
89,287	John B. Harris, Appellant, v. Bank of America and Bank of New York, Appellees.	James J. Long James T. McIntyre Richard C. Hite	Sedgwick
89,693	City of Wichita, Kansas, Appellee, v. Scott A. Smith, Appellant.	Sharon L. Dickgrafe Robert W. Kaplan	Sedgwick
88,747	State of Kansas, Appellee, v. Kenneth L. Allen, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Charles L. Rutter, Asst. D.A. Korey A. Kaul, Asst. A.D.	Sedgwick
89,208	Glenn Alan White, Appellant, v. State of Kansas, Appellee.	Patrick H. Dunn, Asst. A.D. Attorney General James R. Spring, C.A.	Cowley

(continued)

1:30 p.m.

88,321	State of Kansas, Appellee, v. Gregory Lynn Gales, Appellant.	Attorney General Mark Frame, C.A. Shawn Minihan, Asst. A.D.	Edwards
89,011	State of Kansas, Appellee, v. Steven M. Ibarra, Appellant.	Attorney General Thomas V. Black, C.A. Rick Kittel, Asst. A.D.	Pratt
89,173	State of Kansas, Appellee, v. Schina T. Gantt, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Matt J. Maloney, Asst. D.A. Gary W. Owens	Sedgwick

Summary Calendar—No Oral Argument

Case No.	Case Name	Attorneys	Jurisdiction
89,703	State of Kansas, Appellee, v. David L. Hunter, Sr., Appellant.	Attorney General Joel B. Jackson, C.A. Theresa Barr, Asst. A.D.	Stafford
90,043	John Skelton, Appellant, v. Louis Bruce, Warden, Hutchinson Correctional Facility, Appellee.	John A. Skelton, #8047, Pro Se Jon D. Graves	Reno
89,182	State of Kansas, Appellee, v. Shawn P. Hall, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Boyd K. Isherwood, Asst. D.A. Korey A. Kaul, Asst. A.D.	Sedgwick
90,264	State of Kansas, Appellee, v. Austin L. Adamson, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Appellate Defender	Sedgwick
90,038	Robert J. Gibson, Inmate No. 39066, Appellant, v. William L. Cummings, Secretary of Corrections Designee, Appellee.	Robert J. Gibson, #39066, Pro Se Jon D. Graves	Reno
88,981	State of Kansas, Appellee, v. Bennie L. Plunkett, Jr., Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Matt J. Maloney, Asst. D.A. Michael Peloquin	Sedgwick
89,403	State of Kansas, Appellee, v. Joseph W. Palmer, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Charles L. Rutter, Asst. D.A. Janine Cox, Capital A.D.	Sedgwick
89,277	State of Kansas, Appellee, v. Jessica L. Porter, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Charles L. Rutter, Asst. D.A. Sandra Carr, Asst. A.D.	Sedgwick
89,408	State of Kansas, Appellee, v. James M. Pugh, Jr., Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Kristi L. Barton, Asst. D.A. Nathan B. Webb, Asst. A.D.	Sedgwick
89,804	City of Goodland, Kansas, Appellee, v. Louie Yarger, Appellant.	Perry Warren Michael S. Holland II	Sherman
89,537	Charles Goodseal, #20959, Appellant, v. Michael Nelson, Warden, Appellee.	Charles Goodseal, #20959, Pro Se Julie St. Peter	Butler

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

Before Elliott, P.J.; Marquardt and Malone, JJ.

Tuesday, July 22, 2003

9:00 a.m.

Case No.	Case Name	Attorneys	Jurisdiction
88,716	State of Kansas, Appellee, v. Deborah S. Fitts, Appellant.	Attorney General Amy J. Brunner, Asst. C.A. Rick Kittel, Asst. A.D.	Saline
87,937	Levi Love, Appellant, v. State of Kansas, Appellee.	Levi Love, #52574, Pro Se Reid T. Nelson, Capital A.D. Attorney General Deborah L. Hughes, Asst. D.A. Robert D. Hecht, D.A.	Shawnee
89,414	State of Kansas, Appellee, v. Ford Sanders, Appellant.	Attorney General Robert D. Hecht, D.A. Michelle Davis, Asst. A.D.	Shawnee
88,777	State of Kansas, Appellee, v. Tommy Wayne Artzer, Appellant.	Attorney General Brad M. Lippert, C.A. Peter Maharry, Asst. A.D.	Nemaha
1:30 p.m.			
90,012	Meadowlark Square, L.L.C., Hunters' Ridge Shopping Center Property Own- ers' and Tenants' Association, Inc., and Matthew Werner and Howard T. Paul as Board of Trustees of Hunters' Ridge Shopping Center's Declaration of Pro- tective Covenants, Appellants, v. The Ridge Auto Center, L.L.C. and Terry G. Hummer, Appellees.	Stephen P. Weir Vernon L. Jarboe	Shawnee
89,776	Kim Groenhagen, Deceased, By and Through His Personal Representative, Karen Groenhagen, Appellant, v. Heetco, Inc., and Heetco, Inc., Kansas, Appellees.	Jack W. Green, Jr. Terrence J. Campbell	Douglas
89,137	Linda Summitt, n/k/a Linda Grund, Appellee, v. Danny Summitt, Appellant.	Randy M. Barker Michael W. Murphy Jason E. Brinegar William C. O'Keefe	Marshall
88,633	Albert Brinkman, Appellant, v. Karla Pierce, Secretary of Revenue of State of Kansas, Appellee.	Brian Todd Johnson Brian Cox	Shawnee

Summary Calendar—No Oral Argument

Case No.	Case Name	Attorneys	Jurisdiction
90,037	In the Matter of N. G.	Roger D. Struble Ellen Mitchell, C.A.	Saline
89,429	Fredie E. Diggs, Appellant, v. Thomas J. McCann, Jr., Appellee.	Frank D. Taff Judy A. Pope	Johnson

(continued)

88,811	State of Kansas, Appellee, v. Randall Abell, Appellant.	Attorney General Russ Roe, Asst. C.A. Libby K. Snider, Asst. A.D.	Saline
89,101	State of Kansas, Appellee, v. Brian Kelly Sumpter, Appellant.	Attorney General Jennifer M. Hendrix, Asst. C.A. Nathan Webb, Asst. A.D.	Lyon
89,113	State of Kansas, Appellee, v. Jose G. Carreon-Lopez, a/k/a Jose G. Lopez-Carreon, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Kristi L. Barton, Asst. D.A. Cory D. Riddle, Assistant A.D.	Sedgwick
89,404	J. T. Garner, Appellant, v. State of Kansas, Appellee.	Debra J. Wilson, Capital A.D. Attorney General Kim W. Cudney, C.A.	Washington
88,812	State of Kansas, Appellee, v. Marcus Tyron Brown, Appellant.	Attorney General Ellen Mitchell, C.A. Jack Sheahon	Saline
89,312	State of Kansas, Appellee, v. Shadron D. Batie, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Kristi L. Barton, Asst. D.A. Cory D. Riddle, Asst. A.D.	Sedgwick
89,730	State of Kansas, Appellee, v. Brad F. Splawn, Appellant.	Attorney General Douglas A. Matthews, Asst. C.A. Matthew J. Edge, Asst. A.D.	Barton
89,530	Curtis L. Doile, Appellant, v. State of Kansas, Appellee.	Patrick H. Dunn, Asst. A.D. Attorney General Marc Goodman, C.A.	Lyon
89,380	Denton James Schoen, Appellant, v. Kansas Department of Revenue, Appellee.	Michael S. Holland II Ted Smith	Osborne
89,421	Rodney Colbert, Appellant, v. Lee & Bueltel Construction Co., and St. Paul Fire & Marine Ins. Co., Appellees, and Kansas Workers Compensation Fund, Appellee.	Derek J. Shafer James E. Martin Matthew S. Crowley	Work Comp.
89,169 89,170	State of Kansas, Appellee, v. Deland L. Bohrer, Appellant.	Attorney General Ellen H. Mitchell, C.A. Libby K. Snider, Asst. A.D.	Saline

**Kansas Court of Appeals
Wyandotte County Courthouse, Division 17
710 N. 7th St., 3rd Floor
Kansas City, Kansas**

Before Johnson, P.J.; Greene, J.; and David W. Kennedy, D.J., assigned.

Tuesday, July 22, 2003

1:30 p.m.

Case No.	Case Name	Attorneys	Jurisdiction
87,328	State of Kansas, Appellee, v. Andree T. Barker, Appellant.	Attorney General Steven J. Obermeier, Asst. D.A. Mary Curtis, Asst. A.D.	Johnson
89,529	Randy Cook, Appellant, v. State of Kansas, Appellee.	Rebecca E. Woodman, Capital A.D. Attorney General Christopher L. Schneider, Asst. D.A.	Wyandotte

87,696 87,697	State of Kansas, Appellee, v. Christopher Maxon, Appellant.	Attorney General Steven J. Obermeier, Asst. D.A. Allan E. Coon Scott C. Gyllenborg	Johnson
89,597	James E. Starr, v. Union Pacific Railroad Company, Appellee/Cross-Appellant, and Archer Daniels Midland Corporation, Appellant/Cross-Appellee.	James M. Yeretsky Michael A. Preston David D. Burkhead Stanley N. Wilkins	Wyandotte
89,556	In the Matter of the Marriage of Kim W. Sehorn, Appellee, and W. Scott Sehorn, Appellant.	David K. Martin Judith C. Hedrick	Johnson

Wednesday, July 23, 2003

9:30 a.m.

Case No.	Case Name	Attorneys	Jurisdiction
89,486	Irene Harvey, Appellee, v. The Crossings Condominium Association, Appellant.	Jo Ann Butaud Steven R. McConnell	Johnson
89,536	Nathan Smith, a Minor, Through His Next Friend, Clarinda Smith Alexander, Appellants, v. Deborah Frey, et al., Defendants, Commercial Union Insurance Company and American Employers Insurance Company, Garnishees, Appellees.	Fritz Edmunds, Jr. Leo L. Logan	Johnson
89,650	In the Matter of the Marriage of Mary C. Butler, Appellee, and Henry N. Butler, Appellant.	Sally A. Howard Kevin J. Karpin Justin J. Johl	Douglas
89,492	Philip E. Klein, Appellant, v. Johnson County Board of County Commissioners, Appellee.	Jeffrey J. Carey Michael M. Shultz	Johnson

Summary Calendar—No Oral Argument

Case No.	Case Name	Attorneys	Jurisdiction
89,347	Bruce D. Mayfield, d/b/a Bruce D. Mayfield, Chartered, Appellee, v. Mary M. Hall, Appellant, and George M. Hall, Appellant, v. Bruce D. Mayfield, Appellee.	James D. Griffin George M. Hall, Pro Se	Johnson
89,991	In the Interest of M.Y.	Jeffrey M. Goodwin Melissa K. Zaehring, Asst. D.A.	Wyandotte
90,305	Horace Barnes, Appellant, v. Pravin Patel, M.D., et al., Appellees.	Horace Barnes, #05762-051, Pro Se Timothy P. McCarthy	Wyandotte
89,813	In the Matter of the Marriage of Patty A. Scherff, Appellant, and Roy E. Scherff, Appellee.	Kevin P. Moriarty Stephanie A. Elliott	Johnson

(continued)

89,410	Persimmon Hill First Homes Association, Appellant, v. Howard and Carrie Lonsdale, Appellees.	Kevin J. Breer Timothy J. Sear	Johnson
90,244	In the Matter of the Marriage of Theresa R. Miller, Appellant, and Mark D. Miller.	Charles M. Tuley John R. Kurth	Atchison
89,667	Manuel & Lois Baraban Trust, Appellant, v. Tom Frey and Sue Frey, Appellees.	J. Charles Droege Gregory A. Dean	Johnson
89,235	State of Kansas, Appellee, v. James Wilson, Appellant.	Attorney General Frank E. Kohl, C.A. Steven R. Zinn, Deputy A.D.	Leavenworth
89,741	Wahid Ash-Shahid, f/k/a James Nance, Appellant, v. State of Kansas, Appellee.	Michael G. Jones Attorney General Rex L. Lane, Special Prosecutor	Atchison

Carol G. Green
Clerk of the Appellate Courts

Doc. No. 029522

State of Kansas

Office of the Governor

Executive Order 03-11

WHEREAS, K.S.A. 48-925(b) provides that the Governor may issue orders and proclamations which shall have the enforce and effect of law during the period of a state of disaster declared under subsection (b) of K.S.A 48-924; and

WHEREAS, at 10:29 am on the sixteenth day of May, 2003, Lt. Governor John Moore declared a state of disaster emergency for Clark, Ford, Meade, Seward and Sumner counties as a result of severe weather, including tornados, storms and flooding which struck, causing excessive damage to businesses and homes, which occurred on the fifteenth of May, 2003; and

WHEREAS, victims of this natural disaster are prevented, hindered or delayed from coping with the effects of the disaster by State regulatory provisions controlling the issuance of duplicate driver's licenses, duplicate vehicle titles and registrations, other duplicate vehicle documentation and duplicate marriage and birth certificates;

NOW, THEREFORE, by virtue of authority vested in me by K.S.A. 48-925 (b) and (c)(1), I, Kathleen Sebelius, Governor of the State of Kansas, do hereby suspend the provisions of the regulatory statutes, rules and/or regulations prescribing the requirement for fee assessments to obtain duplicate driver's licenses, duplicate vehicle titles and registrations, other duplicate vehicle documentation and duplicate marriage and birth certificates for victims of the May 15th, 2003 natural disaster.

This document shall be filed with the Secretary of State as Executive Order 03-11, and shall become effective immediately.

Dated May 23, 2003.

Kathleen Sebelius
Governor

Attest: Ron Thornburgh
Secretary of State

Doc. No. 029546

State of Kansas

Office of the Governor

Executive Order No. 03-12 Moratorium on Employee Bonuses

WHEREAS, the State of Kansas must continue to be fiscally responsible as we enter the new fiscal year; and

WHEREAS, one of the many efforts taken to address this situation in Fiscal Year 2003 was a moratorium on employee bonuses for Executive Branch agencies;

NOW, THEREFORE, I am placing a moratorium on employee bonuses for Fiscal Year 2004.

This moratorium includes any bonus issued by Executive Directive, contracted agreements, Memorandums of Agreement, cash awards authorized by the Award and Recognition Program and unclassified bonuses used by agencies in the past. No new contracted agreements and Memorandums of Agreement should include bonus provisions.

This moratorium does not apply to the longevity bonus, any cash award based on agency savings authorized by the Employee Suggestion Program, non-monetary awards authorized by the Employee Award and Recognition Program up to a maximum of \$100, and Memorandums of Agreement involving the University of Kansas and the University of Kansas Medical Center university police officers.

Any exceptions to this moratorium must be approved by the Governor's Office.

This document shall be filed with the Secretary of State as Executive Order 03-12 and shall be effective immediately.

Dated June 26, 2003.

Kathleen Sebelius
Governor

Attest: Ron Thornburgh
Secretary of State

Doc. No. 029545

State of Kansas

State Conservation Commission

Notice of Meeting

The State Conservation Commission will have a joint meeting with the Kansas Association of Conservation Districts at 8:30 a.m. Monday, July 21, at the Kingman Country Club, 1225 N. Golf St., Kingman. The regular business meeting of the commission will begin at approximately 10 a.m. If special accommodations are needed, individuals should contact the State Conservation Commission at (785) 296-3600 at least three days prior to the meeting.

Tracy Streeter
Executive Director

Doc. No. 029540

(Published in the Kansas Register July 3, 2003.)

Summary Notice of Bond Sale
Unified School District No. 435
Dickinson County, Kansas (Abilene)
\$4,951,763

General Obligation School Building Bonds, Series 2003
(General obligation bonds payable from
unlimited ad valorem taxes)

Bids

Subject to the notice of bond sale dated June 25, 2003, sealed, facsimile and electronic bids will be received by the clerk of Unified School District No. 435, Dickinson County, Kansas (Abilene) (the issuer), in the case of sealed and facsimile bids, on behalf of the governing body at the office of the Board of Education, 213 N. Broadway, P.O. Box 639, Abilene, KS 67410, and in the case of electronic bids, through i-Deal's BiDCOMP/PARITY electronic bid submission system, until 4:30 p.m. July 14, 2003, for the purchase of \$4,951,763 principal amount of General Obligation School Building Bonds, Series 2003. No bid of less than 100 percent of the principal amount of the bonds and accrued interest thereon to the date of delivery will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof, except one bond in the denomination of \$6,763 (or such amount added to \$5,000 or any integral multiple thereof). The bonds will be dated July 1, 2003, and will become due on September 1 in the years as follows:

Year	Principal Amount
2004	\$ 26,763
2005	70,000
2006	130,000
2007	140,000
2008	155,000
2009	175,000
2010	190,000
2011	210,000
2012	225,000
2013	240,000

2014	250,000
2015	270,000
2016	285,000
2017	305,000
2018	325,000
2019	345,000
2020	365,000
2021	390,000
2022	415,000
2023	440,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on March 1 and September 1 in each year, beginning March 1, 2004.

Book-Entry-Only System

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

Paying Agent and Bond Registrar

UMB National Bank of America, Wichita, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a good faith deposit in the form of a cashier's or certified check drawn on a bank located in the United States or a qualified financial surety bond in the amount of \$99,035.26 (2 percent of the principal amount of the bonds).

Delivery

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about August 13, 2003, to DTC for the account of the successful bidder.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 2002 is \$60,550,156. The total general obligation indebtedness of the issuer as of the date of delivery of the bonds, including the bonds being sold, is \$5,036,763.

Approval of Bonds

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

Additional Information

Additional information regarding the bonds may be obtained from the clerk, (785) 263-2630, fax (785) 263-7610; or from the financial advisor, George K. Baum & Company, 100 N. Main, Suite 810, Wichita, KS 67202, Attention: Stephen E. Shogren, (316) 264-9351, fax (316) 264-9370, e-mail: shogren@gkbaum.com.

Dated June 25, 2003.

Unified School District No. 435
Dickinson County, Kansas (Abilene)

Doc. No. 029528

(Published in the Kansas Register July 3, 2003.)

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

\$25,395,000

**Aggregate Principal Amount
General Obligation Bonds
Series 774 and Series 775**

\$14,670,000

Aggregate Principal Amount

General Obligation Refunding Bonds, Series 2003A

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

Subject to the terms and conditions of the complete official notice of sale dated June 17, 2003, of the City of Wichita, Kansas, in connection with the city's hereinafter described general obligation bonds (collectively, the bonds) of the city, 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 15, 2003. All bids shall be publicly read and tabulated on said date and at said time and place. The bids will be considered and will be awarded by the city council in the council chamber at City Hall at its 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. Bids shall be electronically submitted through the 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 40 W. 23rd St., 5th Floor, New York, NY 10010, (212) 404-8102. 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. Bidders may be required to be qualified in a manner established by the city before submitting a bid.

Description of the Bonds

The Series 774 Bonds will be issued in the aggregate principal amount of \$12,395,000; 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, 2003; and shall mature serially on September 1 in each of the years and principal amounts as follows:

Maturity Schedule - Series 774 Bonds

Principal Amount	Maturity Date
------------------	---------------

\$ 615,000	09/01/04
640,000	09/01/05
665,000	09/01/06
695,000	09/01/07
720,000	09/01/08
750,000	09/01/09
780,000	09/01/10
815,000	09/01/11
850,000	09/01/12
880,000	09/01/13
920,000	09/01/14
955,000	09/01/15
995,000	09/01/16
1,035,000	09/01/17
1,080,000	09/01/18

The Series 774 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, 2004.

The Series 775 Bonds will be issued in the aggregate principal amount of \$13,000,000; 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, 2003; and shall mature serially on December 1 in each of the years and principal amounts as follows:

Maturity Schedule - Series 775 Bonds

Principal Amount	Maturity Date
\$1,300,000	12/01/04
1,300,000	12/01/05
1,300,000	12/01/06
1,300,000	12/01/07
1,300,000	12/01/08
1,300,000	12/01/09
1,300,000	12/01/10
1,300,000	12/01/11
1,300,000	12/01/12
1,300,000	12/01/13

The Series 775 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, 2004.

The Series 2003A Bonds will be issued, subject to the qualification set forth below, in the aggregate principal amount of \$14,670,000; 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, 2003; and shall mature serially on September 1 in each of the years and principal amounts as follows:

Maturity Schedule - Series 2003A Bonds

Principal Amount	Maturity Date
\$ 825,000	09/01/04
2,140,000	09/01/05
2,165,000	09/01/06
2,205,000	09/01/07
2,260,000	09/01/08

1,640,000	09/01/09
1,685,000	09/01/10
1,750,000	09/01/11

The city reserves the right, after proposals are opened and prior to award, to increase or reduce the principal amount of the Series 2003A Bonds offered for sale. Any such increase or reduction will be made in multiples of \$5,000 in any of the maturities. In the event the principal amount of the Series 2003A Bonds is increased or reduced, any premium offered or any discount taken by the successful bidder will be increased or reduced by a percentage equal to the percentage by which the principal amount of the Series 2003A Bonds is increased or reduced.

The Series 2003A 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, 2004.

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 21, 2003. 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 774 Bonds, Series 775 Bonds, Series 2003A 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 774 Bonds, Series 775 Bonds and the Series 2003A 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, 2003) by such rating agencies were "Aa2" 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 \$2,624,261,870. The total outstanding general obligation bonded indebtedness of the city at August 1, 2003, will be \$382,923,652. This amount includes the within described bonds and the following described pending indebtedness. Series 208 Notes and Series 209 Notes are described below.

Pending Indebtedness

Concurrently with the public sale of the bonds described herein, the city will offer at public sale \$73,310,000 principal amount of General Obligation Renewal and Improvement Temporary Notes, Series 208, and \$45,000,000 principal amount of General Obligation Renewal Temporary Notes, Series 209.

In addition, in November 2003, the city intends to issue its General Obligation Sales Tax Bonds, Series 2003, in an aggregate principal amount of approximately \$52,580,000, and its General Obligation Refunding Bonds, Series 2003B, in an aggregate principal amount of approximately \$3,890,000.

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, Attn: Kristi Mc-Minnville, Debt Coordinator, (316) 268-4143.

City of Wichita, Kansas
by Pat Graves, City Clerk

Doc. No. 029524

(Published in the Kansas Register July 3, 2003.)

Sedgwick County, Kansas

Notice of 2003 Kansas Mortgage Savers Program

Sedgwick County, Kansas, in cooperation with the Kansas Department of Commerce and other political subdivisions of the State of Kansas, announces the 2003 Kansas Mortgage Savers Program, a Qualified Mortgage Credit Certificate Program. Section 25 of the Internal Revenue Code of 1986, as amended, authorizes issuers of qualified mortgage bonds, such as Sedgwick County, to elect to issue mortgage credit certificates (MCCs) in lieu of qualified mortgage bonds.

MCCs entitle qualifying individuals to a credit against the individual's federal income tax. The amount of the credit is determined by multiplying the certificate credit rate by the amount of interest paid or accrued during each taxpayer's taxable year on the mortgage loan for the taxpayer's "principal residence." In order for an individual to claim the credit provided by Section 25(a), the MCC must be a "qualified mortgage credit certificate" issued pursuant to a "qualified mortgage credit certificate program." The following criteria/requirements must be met:

Principal Residence Requirement

The homebuyer(s) must use the residence as his or her principal residence within a reasonable time (60 days) after the MCC is issued. The MCC holder must notify the issuer of the MCC if the residence ceases to be his or her principal residence.

New Mortgage Requirements

An MCC cannot be issued in conjunction with the acquisition, replacement or refinancing of an existing mortgage. However, a certificate can be used in conjunction with the replacement of construction period loans, bridge loans, or other temporary initial financing with a term of 24 months or less.

Three-Year No Prior Homeownership Requirement

The homebuyer(s) cannot have had any present ownership interest in a principal residence at any time during the preceding three years ending on the date the MCC is issued. This three-year, first-time homebuyer requirement does not have to be met if the residence for which a mortgage loan application is being made is located in a federally-designated targeted area. A targeted area is a particular area in the state determined or approved by the federal government that will receive special consideration to provide an added stimulus to housing in that area.

Purchase Price Requirements

There are maximum allowable purchase prices for residences assisted by MCCs that vary based upon location, whether the residence being purchased is new or existing, and whether the home is in a targeted area. The maximum purchase prices at this time are:

	New Homes		Existing Homes	
	Non-Target	Target	Non-Target	Target
Kansas City MSA (Leavenworth, Wyandotte, Johnson & Miami)	\$182,900	\$223,500	\$124,900	\$152,700
Lawrence MSA (Douglas)	161,000	196,800	131,500	160,700

Topeka MSA (Shawnee)	145,270	177,500	88,880	108,600
Wichita MSA (Sedgwick, Butler & Harvey)	125,800	153,800	96,580	118,000
Riley County	175,000	214,000	94,375	115,300
All Other Areas	118,010	144,240	80,430	98,300

All purchase price limits are subject to change in accordance with federal guidelines.

Homebuyer Income Limits

The homebuyer must have family income at or below the income limit for the area in which the residence being purchase is located, considering family size and whether the home is located in a targeted area. The maximum homebuyer income limits at this time are:

**Homebuyer Income Limits
(HUD Notice PDR-2003-01; Effective February 20, 2003)**

	Non-Targeted Areas		Targeted Areas	
	1-2 persons	3+ persons	1-2 persons	3+ persons
Kansas City MSA (Leavenworth, Wyandotte, Johnson & Miami)	\$63,365	\$72,870	\$76,038	\$88,711
Lawrence MSA (Douglas)	55,290	63,584	66,348	77,406
Topeka MSA (Shawnee)	56,240	64,676	67,488	78,736
Wichita MSA (Sedgwick, Butler & Harvey)	56,050	64,458	67,260	78,470
All Other Areas	50,255	57,793	60,306	70,357

Persons or families with family incomes not in excess of 75 percent of the above income limits will receive a higher certificate credit rate. Income limits and certificate credit rates are subject to change in accordance with federal guidelines.

Methods by Which Certificates are Issued

Prior to the mortgage loan closing, an application and supporting affidavits and documents must be submitted to Ranson Housing Compliance, L.L.C., as compliance agent for the MCC Program. The compliance agent will review these documents and either reject or accept the application. At the mortgage loan closing a closing affidavit is prepared and sent with supporting documents to the compliance agent, and if all documents are acceptable a mortgage credit certificate is issued by Sedgwick County that will allow homebuyers to claim the credit.

Sedgwick County will begin accepting applications for MCCs after August 1, 2003. In order to comply with federal requirements, mortgage credit certificates may not be issued prior to the date that is at least 90 days after the date of publication of this notice (approximately October 1, 2003).

For further information contact Ranson Housing Compliance, L.L.C., compliance agent, at (316) 263-4991; or Brad Snapp, Sedgwick County, at (316) 383-7091.

Sedgwick County, Kansas

Doc. No. 029521

(Published in the Kansas Register July 3, 2003.)

**Notice of Call for Redemption
City of Conway Springs, Kansas
Waterworks System Refunding and
Improvement Revenue Bonds
Series 1989, Dated August 1, 1989**

Notice is hereby given to the registered owners of the above-captioned bonds that pursuant to the provisions of Section 301 of Resolution No. 89-4 (the bond resolution) of the City of Conway Springs, Kansas (the issuer), the bonds maturing August 1, 2004, and thereafter (the called bonds), have been called for redemption and payment on August 1, 2003 (the redemption date), at the principal corporate trust office of BNY Trust Company of Missouri, St. Louis, Missouri (the bond registrar and paying agent).

Term Bonds

Maturity Date	Principal Amount	Interest Rate
August 1, 2009	\$410,000	7.25%

On the redemption date there shall become due and payable, upon the presentation and surrender of each such called bond, the redemption price thereof equal to 100 percent of the principal amount thereof together with interest accrued to the redemption date. Interest shall cease to accrue on the called bonds so called for redemption from and after the redemption date, provided such funds for redemption are on deposit with the paying agent from the proceeds of refunding bonds to be issued by the issuer.

Neither the issuer nor the paying agent shall be responsible for the selection or use of the CUSIP identification numbers shown above or printed on any of the called bonds. Said CUSIP identification numbers are included solely for the convenience of the owners of the bonds.

Under the provisions of the Interest and Dividend Tax Compliance Act of 1983, as amended and codified at Section 3406(a)(1) of the Internal Revenue Code of 1986, paying agents making payments of interest or principal on corporate securities or making payments of principal on municipal securities may be obligated to withhold a 31 percent tax from remittances to individuals who have failed to furnish the paying agent with a valid taxpayer identification number. Registered owners of the bonds who wish to avoid the imposition of the tax should submit certified taxpayer identification numbers when presenting the called bonds for payment.

Dated June 25, 2003.

City of Conway Springs, Kansas
BNY Trust Company of Missouri
St. Louis, Missouri
as Paying Agent

Doc. No. 029541

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. Koch Hydrocarbon Company has applied for a Class I operating permit in accordance with the provisions of K.A.R. 28-19-510 et seq. The purpose of a Class I permit is to identify the sources and types of regulated air pollutants emitted from the facility; the emission limitations, standards and requirements applicable to each source; and the monitoring, record keeping and reporting requirements applicable to each source as of the effective date of permit issuance.

Koch Hydrocarbon Company, Medford, Oklahoma, owns and operates a natural gas liquids fractionation facility located at 1910 S. Broadacres Road, Hutchinson, Kansas.

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 a 30-day public review 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 Rasha Allen, (785) 296-1693, at the KDHE central office; or Dave Butler, (316) 337-6020, at the KDHE South Central District Office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to 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 4.

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

The U.S. Environmental Protection Agency has a 45-day review period, which will start concurrently with the 30-day public comment period, within which to object to the proposed permit. If the EPA has not objected in writing to the issuance of the permit within the 45-day review period, any person may petition the administrator of the EPA to review the permit. The 60-day public petition period will directly follow the EPA 45-day review period. If the EPA waives its 45-day review period, the 60-day public petition period will start directly after the 30-day public comment period. Interested parties may contact KDHE to determine if the EPA's 45-day review period has been waived.

Any such petition shall be based only on objections to the permit that were raised with reasonable specificity
(continued)

during the public comment period provided for in this notice, unless the petitioner demonstrates that it was impracticable to raise such objections within such period, or unless the grounds for such objection arose after such period. Contact Gary Schlicht, U.S. EPA, Region VII, Air Permitting and Compliance Branch, 901 N. 5th St., Kansas City, KS 66101, (913) 551-7097, to determine when the 45-day EPA review period ends and the 60-day petition period commences.

Roderick L. Bremby
Secretary of Health
and Environment

Doc. No. 029531

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 and amending previously-issued construction approval. Shawnee Mission Medical Center has applied for a Class I operating permit in accordance with the provisions of K.A.R. 28-19-510 et seq. The purpose of a Class I permit is to identify the sources and types of regulated air pollutants emitted from the facility; the emission limitations, standards and requirements applicable to each source; and the monitoring, record keeping and reporting requirements applicable to each source as of the effective date of permit issuance. Notice also is given that certain requirements in the construction approval dated March 27, 1989, are being modified by a modification of approval conditions.

Shawnee Mission Medical Center owns and operates a medical and health services facility located at 9100 W. 74th St., Shawnee Mission.

A copy of the proposed permit, permit application, all supporting documentation, all information relied upon during the permit application review process and a copy of the modification of approval conditions are available for a 30-day public review during normal business hours at the KDHE, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka; and at the Johnson County Environmental Department, 11180 Thompson Ave., Lenexa. To obtain or review either document, contact David A. Peter, (785) 296-1104, at the KDHE central office; or Mike Boothe, (913) 492-0402, at the Johnson County Environmental Department. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the documents to David A. Peter, KDHE, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka, 66612-1366. In order to be considered in formulating final document decisions, written comments must be received by the close of business August 4.

A person may request a public hearing be held on the proposed documents. 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 4 in order for the Secretary of Health and Environment to consider the request.

The U.S. Environmental Protection Agency has a 45-day review period, which will start concurrently with the 30-day public comment period, within which to object to the proposed permit. If the EPA has not objected in writing to the issuance of the permit within the 45-day review period, any person may petition the administrator of the EPA to review the permit. The 60-day public petition period will directly follow the EPA 45-day review period. If the EPA waives its 45-day review period, the 60-day public petition period will start directly after the 30-day public comment period. Interested parties may contact KDHE to determine if the EPA's 45-day review period has been waived.

Any such petition shall be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided for in this notice, unless the petitioner demonstrates that it was impracticable to raise such objections within such period, or unless the grounds for such objection arose after such period. Contact Gary Schlicht, U.S. EPA, Region VII, Air Permitting and Compliance Branch, 901 N. 5th St., Kansas City, KS 66101, (913) 551-7097, to determine when the 45-day EPA review period ends and the 60-day petition period commences.

Roderick L. Bremby
Secretary of Health
and Environment

Doc. No. 029530

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-03-163/169
Pending Permits for Confined Feeding Facilities**

Name and Address of Applicant	Legal Description	Receiving Water
Randy Henke 1572 Co. 388 Drive Osborne, KS 67473	N/2 of Section 28, T07S, R13W, Osborne County	Solomon River Basin

Kansas Permit No. A-SOOB-B003

This is a new permit for an existing facility for an expansion of confined feeding pens and head capacity from a maximum of 200 head (100 animal units) of beef cattle weighing 700 pounds or less and 100 head (100 animal units) of beef cattle weighing more than 700 pounds to a maximum of 260 head (130 animal units) of beef cattle weighing 700 pounds or less and 440 head (440 animal units) of beef cattle weighing more than 700 pounds, for a total head capacity of 700 head (570 animal units).

Soil sampling and analysis shall be conducted on soils from fields determined by the department to be located in a sensitive groundwater area and that have received manure or wastewater within the five-year permit cycle.

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 pursuant to K.A.R. 28-18-12 and 13.

Name and Address of Applicant	Legal Description	Receiving Water
Maxwell Brothers Livestock Route 2, Box 54 Smith Center, KS 66967	SE/4 of Section 05, & NE/4 of Section 8, T03S, R13W, Smith County	Solomon River Basin

Kansas Permit No. A-SOSM-B021

This is a new permit for expansion of the pollution control system at an existing facility and for an increase in head capacity from 600 head (240 animal units) of swine to a maximum of 399 head (199.5 animal units) of cattle weighing less than 700 pounds each, 600 head (600 animal units) of cattle weighing more than 700 pounds each, 200 head (20 animal units) of swine weighing 55 pounds or less and 400 head (160 animal units) of swine weighing more than 55 pounds each, for a total of 1,599 head (979.5 animal units).

Soil sampling and analysis shall be conducted on soils from fields determined by the department to be located in a sensitive groundwater area and that have received manure or wastewater within the five-year permit cycle.

Permeability tests shall be conducted on the cattle earthen wastewater retention structure. Permeability tests shall be completed after the soil liner(s) have been compacted and prior to placing the earthen wastewater retention structure(s) into service.

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 pursuant to K.A.R. 28-18-12 and 13 and K.A.R. 28-18a-12 and 19.

Staff gauges shall be installed in each swine outdoor retention structure within six months from the effective date of the permit.

Name and Address of Applicant	Legal Description	Receiving Water
Traffas Veterinary Service, PA Route 1, Box 29 Smith Center, KS 66967-9704	SW/4 of Section 21, T03S, R13W, Smith County	Solomon River Basin

Kansas Permit No. A-SOSM-B016

This is a renewal permit for an existing facility for 5 head (5 animal units) of beef cattle weighing greater than 700 pounds.

Soil sampling and analysis shall be conducted on soils from fields determined by the department to be located in a sensitive groundwater

area and that have received manure or wastewater within the five-year permit cycle.

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 pursuant to K.A.R. 28-18-12 and 13.

Name and Address of Applicant	Legal Description	Receiving Water
Frank Wedel Feedlot Route 1, Box 71 Leoti, KS 67861	SE/4 of Section 20, T17S, R38W, Wichita County	Smoky Hill River Basin

Kansas Permit No. A-SHWH-C006 Federal Permit No. KS0093564

This is a renewal permit for an existing facility for 4,500 head (4,500 animal units) of beef cattle weighing greater than 700 pounds.

Permeability tests shall be conducted on the earthen wastewater retention structure(s) in the event that the structure(s) are cleaned of sludge accumulation. Permeability tests shall be completed and submitted within six months of sludge clean out and a minimum of once prior to the permit expiration date.

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 approved by the department shall be adhered to as a condition of the permit.

Name and Address of Applicant	Legal Description	Receiving Water
Brookover Feed Yard, Inc. P.O. Box 917 Garden City, KS 67880	NE/2 and NE/4 of W/2 of Section 01, NW/4 of NE/4 of Section 02, T24S, R33W, SW/4 of Section 34, NE/4 of SW/4 of Section 33, N/2 of SE/4 of Section 32, T23S, R33W, Finney County	Upper Arkansas River Basin

Kansas Permit No. A-UAFI-C013 Federal Permit No. KS0115011

This is a renewal permit for an existing facility that will modify the existing animal waste management system to adequately control wastewater runoff from 40,000 head (40,000 animal units) of cattle weighing more than 700 pounds.

Soil sampling and analysis shall be conducted on soils from fields determined by the department to be located in a sensitive groundwater area and that have received manure or wastewater within the five-year permit cycle.

Permeability tests shall be conducted on all existing earthen wastewater retention structures, whenever a wastewater retention structure is altered by clean-out and/or reconstruction, and on all newly constructed earthen wastewater retention structures.

Dewatering equipment shall be obtained within six months after the effective date of this permit through purchase, rental or custom application agreement. Written verification of the acquisition of the equipment shall be submitted to the department.

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.

Within nine months of the effective date of the permit, a limited engineering study shall be submitted to the department addressing the ability of the facility to meet requirements and minimum design standards.

If phased construction is proposed, a plan showing the construction time frames must be submitted for review within 12 months of the effective date of the permit.

Permeability tests for existing structures, which will remain unmodified, shall be completed within six months of the effective date of (continued)

the permit. Permeability tests for altered or reconstructed wastewater retention structures shall be completed within six months of completion of the alteration or reconstruction. Permeability tests for newly constructed earthen retention structures shall be completed after the soil liner(s) have been compacted and prior to placing the earthen wastewater retention structure(s) into service.

Name and Address of Applicant	Legal Description	Receiving Water
Larry Kendig 902 Apollo Osborne, KS 67473	SW/4 of Section 21, T07S, R12W, Osborne County	Solomon River Basin

Kansas Permit No. A-SOQB-B002

This is a renewal permit for an existing facility for 980 head (980 animal units) of beef cattle weighing greater than 700 pounds.

Soil sampling and analysis shall be conducted on soils from fields determined by the department to be located in a sensitive groundwater area and that have received manure or wastewater within the five-year permit cycle.

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 pursuant to K.A.R. 28-18-12 and 13.

Staff gauges shall be installed in each outdoor retention structure within six months from the effective date of the permit.

Name and Address of Applicant	Legal Description	Receiving Water
Plymell Dairy, L.L.C. 260 E. Plymell Road Garden City, KS 67846	W/2 of Section 08, T26S, R32W, Finney County	Upper Arkansas River Basin

Kansas Permit No. A-UAFI-D002 Federal Permit No. KS0097365

This is a new permit for a new facility for 2,000 head (2,800 animal units) of mature dairy cattle, 400 head (400 animal units) of cattle weighing greater than 700 pounds and 1,600 head (800 animal units) of cattle weighing less than 700 pounds. The total is 4,000 head (4,000 animal units).

Soil sampling and analysis shall be conducted on soils from fields determined by the department to be located in a sensitive groundwater area and that have received manure or wastewater within the five-year permit cycle.

Permeability tests shall be conducted on the earthen wastewater retention structure(s). Permeability tests shall be completed after the soil liner(s) have been compacted and prior to placing the earthen wastewater retention structure(s) into service.

Dewatering equipment shall be obtained within six months after issuance of the permit through purchase, rental or custom application agreement. Written verification of the acquisition of the equipment shall be submitted to the department.

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.

Public Notice No. KS-03-064

Name and Address of Applicant	Waterway	Type of Discharge
DRISCO L.L.C. 7001 River Ridge Drive Ponca City, Oklahoma 74604	West Branch of the Whitewater River via Unnamed Tributary	Stormwater Runoff

Kansas Permit No. I-WA04-PO02 Federal Permit No. KS0092959

Legal: E½, NW¼, SE¼, S9, T26S, R3E, Butler County, Kansas

Facility Location: 1250 N. Main, Benton, KS 67017

Facility Description: The proposed action is to issue a new permit for the discharge of stormwater runoff. This facility will store, crush and size coke. The coke storage, processing and loading area is a 200 foot by 300 foot diked area. Proposed discharge is stormwater runoff

from the storage, processing and loading area. No processor domestic wastewater will be generated at the site. Solids settling is provided within the diked storage, processing and loading areas, followed by a stormwater detention basin designed to retain 150 percent of a 100-year precipitation event (8 inches). The proposed permit includes limits for settleable solids and pH. Monitoring for sulfate also is required. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

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 2 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate Kansas permit number (KS-AG-03-163/169, KS-03-064) 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

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.

Roderick L. Bremby
Secretary of Health
and Environment

Doc. No. 029539

State of Kansas

Department of Agriculture

Permanent Administrative Regulations

Article 4.—COMMERCIAL FERTILIZERS

4-4-900. Definitions. (a) "Alternative design" means any process or technique for either primary or secondary containment that has been approved by the secretary in accordance with K.A.R. 4-4-956.

(b) "Application equipment" means any equipment used to apply fertilizer to land.

(c) "Appurtenance" means any device used in connection with a bulk fertilizer storage container or bulk fertilizer secondary containment area, structure, or device, including any safety device, liquid-level gauging device, auger, pump, valve, pipe, hose, fitting, and measuring or dispensing device.

(d) "Berm" means a dike, wall, or embankment used to contain liquid fertilizer.

(e) "Bladder tank" means any liquid fertilizer storage system consisting of the following:

(1) An external tank capable of holding the bladder tank's maximum volume without leakage;

(2) an internal, liquid-tight bladder that obtains its structural support from the external tank and is capable of holding the bladder tank's maximum volume without leakage; and

(3) a permanent cover to prevent the entry of precipitation.

(f) "Blending" means combining fertilizers or fertilizer ingredients to the customer's specifications.

(g) "Bulk fertilizer" means any fertilizer, whether dry or liquid, that is stored in quantities specified in K.A.R. 4-4-900 through K.A.R. 4-4-986.

(h) "Bulk fertilizer storage container" means any receptacle or device in which a bulk fertilizer is stored.

(i) "Bulk fertilizer storage facility" and "facility" mean any warehouse or other area where a bulk fertilizer, either in bulk or bagged, is held for storage. These terms shall include any facility in which fertilizer is mixed, blended, loaded, or unloaded. Each bulk fertilizer storage facility located within 300 feet of another facility owned or operated by the same person shall be considered the same facility for the purpose of determining the number of consecutive days in storage and determining whether the facility is exempt from the requirements of K.A.R. 4-4-900 through K.A.R. 4-4-986.

(j) "Chemically compatible" means that the material will not react adversely with the bulk fertilizer that is being or will be stored, loaded, unloaded, mixed, blended, or otherwise handled.

(k) "Discharge" means any spill, leak, deposit, pumping, dumping, or emptying, whether accidental or intentional, that results in the release of a fertilizer. This term shall not include the lawful transferring, loading, unloading, repackaging, refilling, distributing, using, or disposing of a fertilizer, and the normal washing and rinsing activities on loading areas.

(l) "Dry fertilizer" means any fertilizer that is in solid form before any end-use application or mixing or blending for end-use application. This term shall include formulations including dusts, powders, and granules.

(m) "Elephant ring" means an open-top storage container that serves as a secondary containment vessel into which a smaller primary storage container has been placed.

(n) "Empty storage container" means a bulk fertilizer storage container that has a liquid volume of less than one percent of the container capacity.

(o) "End-use application" means the application of fertilizer to soil or plants in the course of normal agricultural or horticultural practice.

(p) "Existing facility" means any facility already built and either in operation or capable of being in operation on the effective date of these regulations.

(q) "Fertilizer products" means any substance, including rinsates, that contains elements or compounds used to promote the growth of agricultural or horticultural plants.

(r) "Floodplain" means the lowlands and relatively flat areas adjoining inland waters, including flood-prone areas that are inundated by floods and that have a one percent or greater chance of recurring flooding in any given year.

(s) "Flood-proof facility" means a facility that has been constructed and maintained to withstand waters from a 100-year flood event and prevent floodwater from contacting the fertilizer.

(t) "Gallon" means the United States standard measure of one gallon.

(u) "Inspection port" means a secured opening that allows access into the interior of a bulk fertilizer storage container for the purpose of inspection.

(v) "Liquid fertilizer" means any bulk fertilizer in liquid form before dilution for end-use application. This term shall include solutions, emulsions, suspensions, slurries, and gels. This term shall not include anhydrous ammonia.

(w) "Loading pad" means a permanent or portable structure in the operational area designed and constructed to intercept and contain spills, rinse water, and precipitation to prevent runoff and the leaching of fertilizer.

(x) "Low-volume pass-through" means the tonnage of fertilizer transferred away from the facility, during any consecutive 365-day period, below which an operational area shall not be required.

(continued)

(y) "Mixing" means the combining of fertilizers or fertilizer ingredients into a fertilizer product for resale to nonspecific customers.

(z) "Mobile storage container" means a bulk fertilizer storage container that is used for transportation or temporary storage of bulk fertilizer.

(aa) "Modification" means any change in structures, processes, or activities at a bulk fertilizer storage facility that alters the efficacy of containment structures or systems, including changes in capacity. Modification to an existing facility shall void any applicable exemption as specified in this article. "Modified" shall describe a fertilizer facility that has any modifications, as defined in this subsection.

(bb) "Operational area" means any area at the fertilizer facility where fertilizers are mixed, loaded, unloaded, or blended, or where fertilizers are washed from application, storage, or transportation equipment.

(cc) "Permanent cessation of operations" means that, for at least 12 consecutive months, the facility has not been used to load, unload, mix, or blend any fertilizers.

(dd) "Plot plan" means a map or diagram showing the general layout of the facility.

(ee) "Primary containment" means the bulk fertilizer storage container that is in direct contact with the fertilizer being stored.

(ff) "Process flow diagram" means a schematic design showing the movement of fertilizer through the facility.

(gg) "Reasonably foreseeable" means what the secretary determines would have been foreseeable at the time the decision affecting the facility or its condition was made. This term shall include consideration of the facility owner's or operator's knowledge of conditions at the time the condition was created or the decision was made.

(hh) "Secondary containment" means any structure, tank, liner, or container that is designed, constructed, and maintained to perform the following:

(1) Intercept, hold, contain, or confine a discharge of fertilizer from primary containment;

(2) prevent runoff; and

(3) avoid leaching.

(ii) "Secretary" means the secretary of the Kansas department of agriculture or the secretary's authorized representative.

(jj) "Sump" means a recessed reservoir designed to be a receptacle for the collection of liquids.

(kk) "Temporary storage" means the storage of bulk fertilizer for no more than 60 consecutive days.

(ll) "Tip tank" means any tank or combination of tanks that is built on a frame having wheels and that is designed solely for the temporary storage of liquid fertilizer before its transfer to application equipment and not for the transportation of liquid fertilizer.

(mm) "Ton" means 2,000 pounds.

(nn) "Wastewater" means any water that is a result of precipitation collected in the facility or rinsates from cleaning the equipment or facility. (Authorized by and implementing K.S.A. 2-1227; effective Jan. 14, 1991; amended Jan. 25, 1993; amended, T-4-7-1-94, July 1, 1994; amended Aug. 22, 1994; amended July 18, 2003.)

4-4-956. Alternative designs for bulk fertilizer storage facility. (a) A bulk fertilizer storage facility's al-

ternative design that does not meet the requirements of K.A.R. 4-4-900 through K.A.R. 4-4-986 may be approved by the secretary. The applicant shall provide proof sufficient to the secretary that the alternative design meets or exceeds the applicable requirements of K.A.R. 4-4-900 through K.A.R. 4-4-986.

(b) Each application for approval of an alternative design shall include the following:

(1) The plans and specifications required by the applicable requirements of K.A.R. 4-4-900 through K.A.R. 4-4-986;

(2) data from the manufacturer or designer of the proposed bulk fertilizer storage facility documenting that the alternative design meets or exceeds the applicable requirements of K.A.R. 4-4-900 through K.A.R. 4-4-986;

(3) a description of the facility's system for the detection of leaks or other malfunctions that meets the applicable requirements of K.A.R. 4-4-900 through K.A.R. 4-4-986;

(4) a statement by a licensed professional engineer certifying that the design provides protection to the environment that meets or exceeds the applicable requirements of K.A.R. 4-4-900 through K.A.R. 4-4-986;

(5) the construction timelines; and

(6) any other relevant information regarding the safe handling of bulk fertilizers required by the secretary.

(c) Upon completion of construction and before using the bulk fertilizer storage facility, the owner or operator of the bulk fertilizer storage facility shall submit to the secretary a detailed record of construction and a statement certifying that the bulk fertilizer storage facility was constructed according to the approved application. (Authorized by and implementing K.S.A. 2-1227; effective Jan. 25, 1993; amended July 18, 2003.)

4-4-982. Marking of mobile storage containers. (a)

Each owner or operator of any mobile storage container shall mark each mobile storage container with the following information on at least two opposing exterior surfaces of the container:

(1) The word "fertilizer";

(2) the name and address of, and the emergency contact information for, the individual, corporation, association, or entity responsible for the mobile storage container; and

(3) the type of fertilizer in the mobile storage container.

(b) All information required by this regulation shall be marked in letters and numbers at least two inches high and in colors that sharply contrast with the color of the background. (Authorized by and implementing K.S.A. 2-1227; effective, T-4-7-1-94, July 1, 1994; effective Aug. 22, 1994; amended July 18, 2003.)

4-4-983. Mobile storage containers. (a) Each mobile storage container or combination of mobile storage containers that has a combined storage capacity of 2,000 gallons or more and is used to store liquid fertilizer at the same location for more than 60 consecutive days of storage shall meet the applicable requirements of K.A.R. 4-4-900 through K.A.R. 4-4-986.

(b) The 60-day period specified in subsection (a) of this regulation shall begin when the liquid fertilizer is delivered to an empty mobile storage container or when the mobile storage container is moved to a separate lo-

cation more than 300 feet from the previous location and in accordance with K.A.R. 4-4-900(i) and K.A.R. 4-4-901.

(c) Each seller that delivers liquid fertilizers to any mobile storage container shall make and, for a minimum of three years, maintain records of the following for each delivery:

- (1) The date of the delivery;
- (2) the name of the person making the delivery;
- (3) the number of gallons delivered;
- (4) the legal description, to the nearest 10-acre quarter of the section, of the mobile storage container location at the time of delivery;
- (5) a description of the fertilizer transported;
- (6) the approximate quantity of fertilizer in the mobile storage container before delivery;
- (7) the name of the owner or user of the mobile storage container; and
- (8) the name and address of the buyer, seller, and transporting company, if different from the seller.

(d) Each seller shall provide written receipts containing the information specified in subsection (c) of this regulation to the owner or operator of the mobile storage tank, who shall retain these records for a minimum of three years.

(e) The records required by this regulation shall be made available to the secretary upon request. (Authorized by and implementing K.S.A. 2-1227; effective, T-4-7-1-94, July 1, 1994; effective Aug. 22, 1994; amended July 18, 2003.)

4-4-985. Application for new or modified bulk fertilizer storage facilities. (a) Before beginning construction, the owner or operator of each proposed new or modified bulk fertilizer storage facility shall submit to the secretary a complete application. The applicant shall provide proof sufficient to the secretary that the design will meet or exceed the applicable requirements contained in K.A.R. 4-4-900 through K.A.R. 4-4-986.

(b)(1) Each application shall be submitted on forms provided by the secretary. Each applicant shall complete and submit the application according to the directions on the forms. The applicant shall identify all confidential business information. Each application shall include the following:

- (A) A location area map;
- (B) a detailed plot plan of the facility;
- (C) a water line backflow protection schematic diagram;
- (D) detailed construction plans and specifications;
- (E) a process flow diagram for the facility; and
- (F) any additional relevant information regarding the safe handling of bulk fertilizers that the applicant or secretary deems necessary.

(2)(A) In addition to meeting the requirements listed in paragraph (b)(1) of this regulation, each application for a bladder tank shall also meet the requirements of K.A.R. 4-4-986.

(B) In addition to meeting the requirements listed in paragraph (b)(1) of this regulation, each application for an alternative design shall meet the requirements of K.A.R. 4-4-956.

(c) The application shall specify the physical location and the mailing address of the facility, if different from the address on the application.

(d) All construction plans and specifications for the facility submitted as part of the application shall be drawn to scale, be clearly and completely labeled, and be legible without magnification. The plans and specifications shall at a minimum contain the following:

- (1) A plot plan or map of the property that shows all structures and the location of all wells, utility poles, and drainage systems on the site;
- (2) the location of the facility relative to the floodplain;
- (3) the approximate distance from, the direction to, and the identity of all lakes, streams, drainage ditches, and storm drains within 1,320 feet of the facility;
- (4) the drainage pattern of the facility;
- (5) the distance from and direction to all public and private water wells within the facility or within 1,320 feet of the facility;
- (6) the location of all abandoned wells within 300 feet of the facility;
- (7) the site soil characteristics;
- (8) the depth to groundwater;
- (9) the location of all utility service entrances and easements or rights-of-way within the facility;
- (10) the construction plans for the secondary and operational area containment;
- (11) the manufacturer's installation instructions, estimated life expectancy, and confirmation of compatibility with fertilizer material, if any synthetic liners, synthetic materials, or prefabricated basins are used in the containment structure; and
- (12) the location of any tank or other container used for the storage of petroleum products within the storage facility, if any.

(e) Each set of construction plans and specifications for a bulk fertilizer secondary containment structure shall, at a minimum, contain the following:

- (1) The size and location of each proposed secondary containment structure;
- (2) the size and location of all bulk fertilizer storage containers or bins, pumps, piping, and appurtenances;
- (3) the size and location of all operational areas and load pads;
- (4) the drainage pattern and sump location; and
- (5) the calculated capacity of each containment structure in gallons or cubic feet.

(f) Elevation plans or maps shall be included with the application and shall show the location of all bulk fertilizer storage tanks and their horizontal, raised, or vertical positioning within the secondary containment and a tank schedule that provides all of the following information for each tank:

- (1) The construction material;
- (2) the capacity;
- (3) the diameter or dimensions;
- (4) the height; and
- (5) the date of installation.

(g) Each construction or modification project shall conform with the plans and specifications identified in the approved application and required by this regulation.

(continued)

(h) Upon completion of construction or modification and before use of the newly constructed or modified portion of the facility, the owner or operator shall provide the secretary with certification that all construction or modification was completed in accordance with this regulation.

(i) Sources outside of the Kansas department of agriculture may be utilized by the secretary for assistance in evaluating any alternative design application submitted. (Authorized by K.S.A. 2-1227; implementing K.S.A. 2-1228; effective July 18, 2003.)

4-4-986. Liquid bulk fertilizer bladder tank requirements. (a) Each liquid bulk fertilizer bladder tank design shall be required to be approved by the secretary before use. Each applicant shall provide the information specified in this regulation to the secretary establishing that the bladder tank design meets or exceeds the applicable requirements of K.A.R. 4-4-900 through K.A.R. 4-4-986.

(b) Each application shall be submitted on one or more forms provided by the secretary. Each applicant shall complete these forms and submit the application in compliance with the directions on the forms. The applicant shall designate all trade secrets that the applicant wishes to be considered as confidential.

(c) Each application submitted for approval shall include the plans and specifications, which shall be certified and stamped by a registered professional engineer. These plans and specifications shall include the following:

(1) All information required by K.A.R. 4-4-985;

(2) the results of a soil compaction study and an evaluation of these findings showing that the underlying soil and support pad can support the weight of the filled tank;

(3) construction details of the support pad, including details of the external leak detection;

(4) the wind loading and buoyancy calculations for the tank when empty; and

(5) construction and assembly details of the tank and liner, which shall include the following:

(A) The liner manufacturer's detailed information, including liner thickness, composition, chemical compatibility, and life expectancy;

(B) a description of the protective barriers between the liner and the tank, including cross-sections of each wall and the floor;

(C) detailed information about liner suspension;

(D) detailed information about roof support;

(E) detailed information about the method to be used to remove condensate, overage, and liner leakage, if any;

(F) detailed information about all external openings through the tank, including any leak detection ports, valves, manways, and other inspection ports;

(G) detailed information about all openings through the tank liner;

(H) detailed information about the liquid-level gauging device, including overage prevention;

(I) detailed information about the internal leak detection system;

(J) the method of securing the tank and appurtenances to prevent any discharge of stored fertilizer;

(K) each manufacturer's recommendations for inspection and maintenance of the tank, liner, and appurte-

nances and a statement specifying how these recommendations will be implemented; and

(L) any other relevant information regarding the safe handling of bulk fertilizer required by the secretary.

(d) All external appurtenances, including leak detection ports and valves, shall meet the following requirements:

(1) Be encased or enclosed to contain any leaks;

(2) have a leak detection method; and

(3) have a method to secure the enclosure from unauthorized access.

(e) All pipes outside the tank shall be double-walled from the storage tank to the loading pad and shall have a leak detection method.

(f) All tanks and appurtenances shall be protected from damage due to vehicle traffic.

(g) Each applicant shall verify the manufacturer's certification that the external tank has been built to the applicable provisions of the American petroleum institute's API standard 650, published November 1998 and including the January 2000 addenda, November 2001 addenda, and all appendices, which is hereby adopted by reference.

(h) Upon completion of construction and before use, the owner or operator of the facility shall submit to the secretary a detailed record of construction and a statement certifying that the facility was constructed according to the approved application.

(i) Each bladder tank shall be inspected and maintained according to the approved plan. (Authorized by K.S.A. 2-1227; implementing K.S.A. 2-1228; effective July 18, 2003.)

Article 13.—PESTICIDES

4-13-1. Definitions. (a) "Alternative treatment" means any method of pest control service performed for the purpose of controlling termites, other than those specified in subsections (b), (c), (d), (e), (g), and (h). This term shall include non-chemical methods of control and above-ground pesticide application.

(b) "Bait treatments" and "baiting system" mean the installation, servicing, and monitoring of termite bait stations and termite monitoring stations for the purpose of controlling termites within a structure. The placement of monitoring stations without a written agreement to periodically inspect the monitoring stations and replace monitoring stakes or other materials with a pesticide shall not constitute a bait treatment or baiting system.

(c)(1) "Complete soil treatment" and "complete treatment" mean a pesticide application to soil for the control of termites and shall include both of the following:

(A) Applying pesticide at the concentration, rate, and dosage required by the product labeling in such a manner that a chemical barrier is formed at all sites of potential termite entry into the structure from the soil, including the interior and exterior foundation walls and cross walls; the area around any support piers, expansion joints, and cracks in concrete slabs; any void areas in masonry elements; and any other structural components that extend below soil grade; and

(B) removing wood scrap, paper scrap, and all other cellulose-containing debris from any accessible areas of crawl spaces under buildings being treated.

(2) Applications to wooden construction elements, the use of baits, and the use of alternative methods of control shall not be represented as complete treatments.

(d) "Limited soil treatment" and "limited treatment" mean a pesticide application that is intended to provide protection from termite infestation to the entire structure, but is not designed to provide a continuous barrier of pesticide to the soil, including treating only the exterior perimeter of a slab structure.

(e) "Partial soil treatment" and "partial treatment" mean applications of pesticide for soil treatment that are not intended to provide protection from termite infestation for the entire structure treated.

(f) "Restricted-use pesticide" means any pesticide product registered by the secretary under the provisions of the agricultural chemical act of 1947, K.S.A. 2-2204, and amendments thereto, that is labeled as a restricted-use pesticide by the federal agency responsible for the classification and that is designated as a restricted-use pesticide by the secretary.

(g) "Spot treatment" means remedial applications of pesticide to control termites at a specific location within a structure that are not intended to control termites at any location beyond the treatment area.

(h) "Wood treatment" means the application of pesticide to wooden structural components, including joints, voids, galleries, and chambers, that may be present within wooden construction elements. (Authorized by and implementing K.S.A. 2-2467a; effective, E-78-26, Sept. 7, 1977; effective May 1, 1978; amended July 18, 2003.)

4-13-2. Pesticide business license application. Each application for issuance or renewal of a business license shall provide the following information in addition to that required by K.S.A. 2-2440 (b) (1) through (3), and amendments thereto:

(a) The home address and birth date of each owner, officer, representative, and any resident agent;

(b) the name of any other state in which the applicant holds or has held a pesticide business license within the last five years and a list of any such license that has been denied, modified, revoked, suspended, or surrendered;

(c) for each business location serving Kansas, the business name and street address of the business and the name of the certified applicator or other person responsible for pesticide business activity at that location. "Business location" shall include all locations where records of application are maintained, where application equipment and pesticide materials are stored, and from which customers are served;

(d) the name of each certified commercial applicator serving the applicant, for each business location;

(e) the name, home address, social security number, and birth date of each non-certified employee who applies pesticides for the applicant;

(f) the categories in which the applicant business will operate;

(g) the signature and title of the applicant or authorized representative; and

(h) the date of submission of the application. (Authorized by and implementing K.S.A. 2-2440, as amended by L. 2002, Ch. 181, Sec. 3, and K.S.A. 2-2467a; effective, E-

78-26, Sept. 7, 1977; effective May 1, 1978; amended July 18, 2003.)

4-13-4a. Requirements for written contract or statement of services by business. (a) Each written contract or statement of services issued by a pesticide business licensee shall meet the following requirements, in addition to the requirements of K.S.A. 2-2455 and amendments thereto:

(1) The address of the pesticide business licensee shall include the street address of the pesticide business licensee's office that provides the pest control service for the named customer.

(2) The address of the customer shall include either the street address or the rural route and box number, whichever is applicable.

(3) The name of each pest to be controlled shall be stated in terms of the common name for each pest or, in the alternative, shall be stated in terms of the scientific name for each pest.

(4) Notwithstanding the requirements of paragraph (3) of this subsection, if the pest to be controlled is a weed, the name of the pest may be stated as grassy or broadleaf weeds.

(b)(1) For each pesticide applied, the statement of services shall include the complete product name of the pesticide, as the name appears on the label, and the pesticide's EPA registration number. If the pesticide applied does not have an EPA registration number, the Kansas registration number shall be provided.

(2) The concentration of the pesticide shall include the percent of the active ingredient in the pesticide mixture or solution actually applied. The quantity of pesticide mixture actually applied shall be stated in gallons or other appropriate volumetric unit if the pesticide applied has been diluted. For granular pesticides or other pesticides that are applied undiluted, the quantity applied shall be expressed in terms of pounds or other appropriate units using dry weight. Rates of application shall be expressed in terms of a unit volume or weight of pesticide per unit of length, surface area, or volume corresponding to the mixing directions shown on the pesticide's label.

(3) Each statement of services shall include wind direction and velocity, except that this requirement shall not apply when the pesticide application is made in any of the following manners or locations or for any of the following reasons:

(A) Inside an enclosed structure;

(B) to control structural pests by use of a barrier treatment within 10 feet of the exterior of a building;

(C) for seed treatment;

(D) by direct injection of the pesticide into the soil or other substrate;

(E) by direct application to the soil in a trench around a structure; or

(F) by use of baiting stations, including the installation, servicing, and monitoring of the stations.

(c) Whenever any pesticide mixture or solution is applied at a dosage, concentration, or frequency of application that is less than that specified on the pesticide's label or labeling, at least one of the following requirements shall be met:

(continued)

(1) The written statement of services shall state the following, or its equivalent, in a conspicuous manner: "PESTICIDE APPLIED AT LESS THAN LABEL RATE."

(2) In addition to or in lieu of the requirements of paragraph (c)(1), the licensee shall provide the customer with information about the conditions under which applications may be made at less than label dosage, concentration, or frequency, before the time of the initial application. The licensee shall obtain the customer's written acceptance of the use of these methods in writing before the initial application, which may be incorporated into any statement of service or contract, or both.

(d) Whenever any pesticide is applied in office buildings, apartment houses, or other multiple-tenant structures, the pesticide business licensee shall make available to the owner or manager of the structure information concerning any pesticide applied in the structure. In addition, information regarding any specific residence or business that has been treated with any pesticide shall be made available, upon the tenant's request, to the tenant of the residence or business treated.

(e) Whenever any pesticide is applied for the purpose of controlling termites, powder-post beetles, wood borers, wood-rot fungus, or any other wood-destroying pest, the licensee shall meet the following requirements:

(1) The diagram required by K.S.A. 2-2455(b)(3), and amendments thereto, shall clearly represent the structure being treated and indicate the location of basement areas, crawl spaces, concrete slab floors, and any concrete slabs adjacent to the outside of the foundation walls of the structure.

(2) If the pesticide application is not for a complete treatment of the entire structure, as defined by K.A.R. 4-13-1 and K.A.R. 4-13-7, the written statement of services shall state the following in a conspicuous manner: "LIMITED TREATMENT," "PARTIAL TREATMENT," "SPOT TREATMENT," "BAITING SYSTEM," "ALTERNATIVE TREATMENT," or other equivalent statement. Each pesticide application that is not for a complete treatment of the entire structure shall show the areas of treatment on the representative diagram. If the pesticide application is not for a complete treatment of the entire structure due to exigent circumstances, in addition to requirements listed above, the exigent circumstances shall be described on the statement of services.

(3) Each statement of services for termite control involving the use of baiting systems shall clearly state whether the pest control service performed consists of placement or inspection, or both, of baiting material that contains pesticide or consists of placement or inspection, or both, of monitoring stations that do not contain pesticide. Each statement of services shall include records of the dates of placement and inspection and the locations of all bait stations and monitoring stations. Diagrams of the structure being treated shall clearly show the locations of all monitors and baits.

(4) The dates of inspection or inspection intervals and the conditions under which monitoring materials will be replaced by baiting materials shall be stated in any contract for service or statement of services. Each licensee shall maintain records of the dates of placement and inspection and the locations of bait stations and monitoring

stations. (Authorized by K.S.A. 2-2467a; implementing K.S.A. 2-2455; effective March 26, 1990; amended July 18, 2003.)

4-13-6. Marking of vehicles. Each business licensee with a license in category 3 or 7, as specified in K.A.R. 4-13-3, shall mark any vehicle used in the application of pesticides, including any vehicle used in transporting pesticide application equipment to an application site. Each licensee shall place the business name or registered trade name and the pesticide business license number on each side of the vehicle, with letters and numbers not less than 1½ inches in height and in a color contrasting from that of the vehicle. (Authorized by K.S.A. 2-2467a; implementing K.S.A. 2-2456; effective, E-78-26, Sept. 7, 1977; effective May 1, 1978; amended July 18, 2003.)

4-13-7. Termite control application procedures. (a) Except as provided in subsection (c), each structure shall be treated by applying pesticide at the rate, concentration, and dosage specified on the product label in a manner that provides wooden construction elements with protection from termites in the entire structure.

(b) Wood, paper scrap, cardboard scrap, and other cellulose-containing debris shall be removed from any accessible crawl space under the building to be treated.

(c) An application procedure different from that required by subsection (a) may be employed by a certified applicator. When a different application procedure is used, the pest control operator shall furnish adequate control and shall state on the required written statement the application procedure used. These methods of control shall be requested or agreed to by the customer in writing before completion of application. The applicator shall state, on the required statement of services and diagram, the application procedures used and how the procedures differ from the requirements of subsection (a). (Authorized by and implementing K.S.A. 2-2467a and K.S.A. 2-2471; effective, E-78-26, Sept. 7, 1977; effective May 1, 1978; amended July 18, 2003.)

4-13-26. Preconstruction application of pesticide for termite control. In addition to the requirements of the label, each preconstruction application of pesticide for the control of termites shall consist of establishing both horizontal and vertical chemical barriers, as specified in this regulation. (a) Horizontal chemical barriers shall be established in areas intended to be covered, including the soil beneath slab floors and porches, footing trenches for monolithic slabs, and the soil beneath stairs.

(b) Vertical chemical barriers shall be established in the soil around the base of foundations, plumbing fixtures, foundation walls, support piers, and voids in masonry, and any other critical areas where structural components extend below grade. (Authorized by K.S.A. 2-2467a; implementing K.S.A. 2-2471; effective March 26, 1990; amended July 18, 2003.)

Adrian J. Polansky
Secretary of Agriculture

Doc. No. 029519

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 2002 Supplement to the *Kansas Administrative Regulations*.

AGENCY 1: DEPARTMENT OF ADMINISTRATION

Reg. No.	Action	Register
1-2-31	Amended	V. 21, p. 767
1-2-42	Amended	V. 21, p. 767
1-2-42a	Amended	V. 21, p. 767
1-2-48	Revoked	V. 21, p. 767
1-5-22	Amended	V. 21, p. 767
1-5-29	Amended	V. 21, p. 767
1-6-3	Amended	V. 21, p. 767
1-6-21	Amended	V. 21, p. 768
1-6-23	Amended (T)	V. 22, p. 466
1-6-26a	New	V. 21, p. 768
1-9-4	Amended	V. 21, p. 768
1-9-5	Amended	V. 21, p. 769
1-9-7b	Amended	V. 21, p. 2048
1-11-1	Amended	V. 21, p. 770
1-14-12a	Revoked	V. 21, p. 770
1-16-18	Amended	V. 21, p. 146
1-45-1 through 1-45-7	Revoked	V. 22, p. 226
1-45-7a	Revoked	V. 22, p. 226
1-45-8 through 1-45-14	Revoked	V. 22, p. 226
1-45-15	Amended (T)	V. 21, p. 1942
1-45-15	Revoked	V. 22, p. 226
1-45-16	Amended (T)	V. 21, p. 1942
1-45-16	Revoked	V. 21, p. 226
1-45-17	Revoked	V. 22, p. 226
1-45-18 through 1-45-24	New	V. 22, p. 226-228
1-47-1	Amended	V. 22, p. 850
1-49-1	Amended	V. 22, p. 851
1-49-12	New	V. 22, p. 851

AGENCY 3: KANSAS STATE TREASURER

Reg. No.	Action	Register
3-2-2	Amended	V. 21, p. 1944
3-2-3	Amended	V. 21, p. 1944

AGENCY 4: DEPARTMENT OF AGRICULTURE

Reg. No.	Action	Register
4-1-17	Amended (T)	V. 21, p. 1174
4-1-17	Amended	V. 21, p. 1749
4-4-2	Amended	V. 21, p. 1749
4-7-2	Amended	V. 21, p. 2020
4-7-3	Amended	V. 21, p. 2020
4-7-4	Amended	V. 21, p. 2020
4-7-6	Amended	V. 21, p. 2021
4-7-213	Amended	V. 21, p. 2021
4-7-213a	Revoked	V. 21, p. 2021
4-7-214	Amended	V. 21, p. 2021
4-7-216	Amended	V. 21, p. 2021
4-7-408	Revoked	V. 21, p. 2021
4-7-507	Amended	V. 21, p. 2021
4-7-510	Amended	V. 21, p. 2021
4-7-511	Revoked	V. 21, p. 2021
4-7-512	Revoked	V. 21, p. 2022
4-7-513	Revoked	V. 21, p. 2022
4-7-530	Amended	V. 21, p. 2022
4-7-531	Amended	V. 21, p. 2022
4-7-532	Amended	V. 21, p. 2022
4-7-533	Amended	V. 21, p. 2022
4-7-715	Amended	V. 21, p. 2022
4-7-716	Amended	V. 21, p. 2022
4-7-717	Amended	V. 21, p. 2023

4-7-718	Amended	V. 21, p. 2023
4-7-719	Amended	V. 21, p. 2023
4-7-720	Revoked	V. 21, p. 2023
4-7-721	Revoked	V. 21, p. 2023
4-7-722	Revoked	V. 21, p. 2023
4-7-802	Revoked	V. 21, p. 2023
4-7-804	New	V. 21, p. 2023
4-7-900	Amended	V. 21, p. 2024
4-7-901	Amended	V. 21, p. 2024
4-7-902	Amended	V. 21, p. 2024
4-7-903	Amended	V. 21, p. 2024
4-7-904	Amended	V. 21, p. 2024
4-7-905	Revoked	V. 21, p. 2024
4-7-1000	Amended	V. 21, p. 2024
4-7-1001	Revoked	V. 21, p. 2025
4-8-43	New (T)	V. 22, p. 82
4-8-43	New	V. 22, p. 432
4-13-9	Amended (T)	V. 21, p. 1174
4-13-9	Amended	V. 21, p. 1749
4-13-20 through 4-13-24	Amended (T)	V. 21, p. 1174, 1175
4-13-20 through 4-13-24	Amended	V. 21, p. 1749, 1750
4-13-25	Amended	V. 21, p. 2043
4-13-25a through 4-13-25l	New	V. 21, p. 2044-2047
4-13-33	Amended (T)	V. 21, p. 1175
4-13-33	Amended	V. 21, p. 1750
4-14-1	Revoked	V. 21, p. 1705
4-14-2	Revoked	V. 21, p. 1705
4-14-3	Revoked	V. 21, p. 1705
4-15-1	Revoked	V. 21, p. 1705
4-15-2	Revoked	V. 21, p. 1705
4-15-3	Revoked	V. 21, p. 1705
4-15-4 through 4-15-14	New	V. 21, p. 1705-1708
4-16-7a	Amended	V. 22, p. 12
4-18-1	Revoked	V. 21, p. 1708
4-19-1	Amended (T)	V. 21, p. 1175
4-19-1	Amended	V. 21, p. 1750
4-20-11	Amended	V. 22, p. 385
4-20-15	Amended	V. 22, p. 385
4-21-1	Amended	V. 22, p. 385
4-21-3	Amended	V. 22, p. 386
4-21-4	Amended	V. 22, p. 386
4-21-5	Amended	V. 22, p. 387
4-21-6	Amended	V. 22, p. 387
4-21-7	New	V. 22, p. 387
4-25-2 through 4-25-18	New	V. 21, p. 232-235

AGENCY 5: DEPARTMENT OF AGRICULTURE—DIVISION OF WATER RESOURCES

Reg. No.	Action	Register
5-3-26	Amended (T)	V. 21, p. 1131
5-3-26	Amended	V. 21, p. 1704
5-15-1 through 5-15-4	New (T)	V. 21, p. 690-692
5-15-1 through 5-15-4	New	V. 21, p. 1307-1309
5-16-1 through 5-16-7	New	V. 21, p. 1667-1669
5-21-6	New	V. 22, p. 41
5-21-7	New	V. 22, p. 42
5-22-2	Amended	V. 21, p. 2133
5-22-4	Amended	V. 21, p. 2133
5-22-4a	New	V. 21, p. 2134
5-22-5	Revoked	V. 21, p. 2134
5-22-12	New	V. 21, p. 2134
5-23-6	Amended	V. 21, p. 2134
5-24-5	Amended	V. 21, p. 2135
5-24-7	Amended	V. 21, p. 2135
5-24-8	New	V. 21, p. 2135
5-24-9	New	V. 21, p. 2136
5-24-10	New	V. 21, p. 2136

AGENCY 7: SECRETARY OF STATE

Reg. No.	Action	Register
7-23-13	Amended	V. 21, p. 1056
7-37-2	Amended	V. 21, p. 1056

AGENCY 9: ANIMAL HEALTH DEPARTMENT

Reg. No.	Action	Register
9-7-19	New	V. 21, p. 265
9-18-1	Amended	V. 22, p. 794
9-22-4	New	V. 22, p. 795
9-22-5	New	V. 22, p. 796

AGENCY 10: KANSAS BUREAU OF INVESTIGATION

Reg. No.	Action	Register
10-12-1	Amended	V. 21, p. 454
10-13-1	Amended	V. 21, p. 454
10-20-2a	New	V. 21, p. 454
10-21-1 through 10-21-6	Amended	V. 21, p. 454-456

AGENCY 11: STATE CONSERVATION COMMISSION

Reg. No.	Action	Register
11-1-6	Amended	V. 21, p. 1318
11-1-7	Amended	V. 21, p. 1318
11-1-8	Amended	V. 21, p. 1318
11-1-9 through 11-1-14	New	V. 21, p. 1319-1321
11-2-4 through 11-2-6	Revoked	V. 21, p. 1321
11-5-1 through 11-5-4	Revoked	V. 21, p. 1321
11-5-4	Revoked	V. 21, p. 1321
11-7-6	Amended	V. 21, p. 1321
11-7-7	Amended	V. 21, p. 1321
11-7-12 through 11-7-15	Amended	V. 21, p. 1322, 1323
11-7-16	New	V. 21, p. 1323
11-9-2	Amended	V. 21, p. 1323
11-9-5	Amended	V. 21, p. 1323
11-9-10	Amended	V. 21, p. 1323
11-10-1 through 11-10-6	New	V. 21, p. 1323-1324

AGENCY 14: DEPARTMENT OF REVENUE—DIVISION OF ALCOHOLIC BEVERAGE CONTROL

Reg. No.	Action	Register
14-12-1 through 14-12-18	Revoked	V. 21, p. 2095
14-13-14	New	V. 21, p. 1054
14-13-15	New	V. 21, p. 1055
14-14-6	Revoked	V. 21, p. 2095
14-14-6a	New	V. 21, p. 2095
14-15-1	New	V. 22, p. 123
14-15-2	New	V. 22, p. 123

AGENCY 17: STATE BANK COMMISSIONER

Reg. No.	Action	Register
17-11-18	Amended	V. 22, p. 798
17-24-3	New	V. 21, p. 212

AGENCY 22: STATE FIRE MARSHAL

Reg. No.	Action	Register
22-24-1 through 22-24-18	New	V. 21, p. 147-150

AGENCY 25: STATE GRAIN INSPECTION DEPARTMENT (By Department of Agriculture)

Reg. No.	Action	Register
25-1-3 through 25-1-6	Revoked	V. 21, p. 235, 236
25-1-12	Revoked	V. 21, p. 236

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25-1-15	Revoked	V. 21, p. 236
25-1-19 through 25-1-28	Revoked	V. 21, p. 236
25-2-4	Revoked	V. 21, p. 236
25-3-2 through 25-3-6	Revoked	V. 21, p. 236
25-3-8	Revoked	V. 21, p. 236
25-3-10 through 25-3-13	Revoked	V. 21, p. 236
25-3-15	Revoked	V. 21, p. 236
25-3-16	Revoked	V. 21, p. 236
25-3-17	Revoked	V. 21, p. 236
25-4-4	Revoked	V. 21, p. 236
25-5-1	Revoked	V. 21, p. 236

AGENCY 26: DEPARTMENT ON AGING

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26-1-4	Revoked	V. 21, p. 745
26-1-5	Amended	V. 21, p. 745
26-2-4	Amended	V. 21, p. 745
26-3-2	Revoked	V. 21, p. 745
26-5-1	Revoked	V. 21, p. 745
26-5-6	Amended	V. 21, p. 745
26-8-1	Amended (T)	V. 21, p. 1222
26-8-1	Amended	V. 21, p. 1747
26-8-2	Amended (T)	V. 21, p. 1172
26-8-2	Amended	V. 21, p. 1747
26-8-3	Revoked (T)	V. 21, p. 1173
26-8-3	Revoked	V. 21, p. 1748
26-8-5	Amended (T)	V. 21, p. 1173
26-8-5	Amended	V. 21, p. 1748
26-8-6	Revoked (T)	V. 21, p. 1173
26-8-6	Revoked	V. 21, p. 1748
26-8-7	Amended (T)	V. 21, p. 1173
26-8-7	Amended	V. 21, p. 1748
26-8-8	Amended (T)	V. 21, p. 1173
26-8-8	Amended	V. 21, p. 1748
26-8-9	Revoked (T)	V. 21, p. 1173
26-8-9	Revoked	V. 21, p. 1748
26-8-12	Revoked (T)	V. 21, p. 1173
26-8-12	Revoked	V. 21, p. 1748
26-8-13	Revoked (T)	V. 21, p. 1173
26-8-13	Revoked	V. 21, p. 1748
26-8-14	Revoked (T)	V. 21, p. 1173
26-8-14	Revoked	V. 21, p. 1748
26-8-15	New (T)	V. 21, p. 1173
26-8-15	New	V. 21, p. 1748
26-11-1	New	V. 21, p. 1405
26-11-2	New	V. 21, p. 1405
26-11-3	New	V. 21, p. 1405

AGENCY 28: DEPARTMENT OF HEALTH AND ENVIRONMENT

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28-1-18	Amended (T)	V. 21, p. 1405
28-1-18	Amended	V. 21, p. 1920
28-4-269	Amended (T)	V. 21, p. 497
28-4-269	Amended	V. 21, p. 1167
28-4-331	Amended (T)	V. 21, p. 498
28-4-331	Amended	V. 21, p. 1168
28-4-351	Amended (T)	V. 21, p. 500
28-4-351	Amended	V. 21, p. 1170
28-4-576 through 28-4-596	New (T)	V. 21, p. 597-616
28-4-576 through 28-4-596	New	V. 21, p. 2138-2156
28-14-1	Amended	V. 21, p. 1791
28-14-2	Amended	V. 21, p. 1791
28-16-28b through 28-16-28e	Amended	V. 21, p. 2096-2012
28-17-6	Amended (T)	V. 21, p. 1171
28-17-6	Amended	V. 21, p. 1704
28-19-17	Amended	V. 21, p. 1892
28-19-17a through 28-19-17q	Revoked	V. 21, p. 1892
28-19-75	Revoked	V. 21, p. 1325
28-19-350	New	V. 21, p. 1892
28-19-564	Amended	V. 21, p. 1581
28-19-714	New	V. 21, p. 1325

28-29-3	Amended	V. 22, p. 798
28-29-18	Revoked	V. 21, p. 310
28-29-20	Amended	V. 22, p. 801
28-29-29	Amended	V. 21, p. 310
28-29-101	Revoked	V. 22, p. 802
28-29-109	Amended	V. 22, p. 802
28-29-2201	New	V. 21, p. 310
28-31-1	Amended	V. 21, p. 1511
28-31-2	Amended	V. 21, p. 1512
28-31-3	Amended	V. 21, p. 1512
28-31-4	Amended	V. 21, p. 1512
28-31-6	Amended	V. 21, p. 1517
28-31-8	Amended	V. 21, p. 1518
28-31-8b	Amended	V. 21, p. 1519
28-31-9	Amended	V. 21, p. 1519
28-31-10	Amended	V. 21, p. 1519
28-31-10a	Amended	V. 21, p. 1520
28-31-11	Revoked	V. 21, p. 1520
28-31-14	Amended	V. 21, p. 1520
28-31-15	Amended	V. 21, p. 1520
28-31-16	Amended	V. 21, p. 1520
28-38-18 through 28-38-23	Amended	V. 22, p. 7-9
28-38-28	Amended	V. 22, p. 10
28-38-29	Amended	V. 22, p. 10
28-38-30	Amended	V. 22, p. 11
28-45-2	Revoked (T)	V. 22, p. 531
28-45-2a	New (T)	V. 22, p. 531
28-45-3	Revoked (T)	V. 22, p. 532
28-45-3a	New (T)	V. 22, p. 532
28-45-4	Revoked (T)	V. 22, p. 533
28-45-4a	New (T)	V. 22, p. 533
28-45-5	Revoked (T)	V. 22, p. 533
28-45-5a	New (T)	V. 22, p. 533
28-45-6	Revoked (T)	V. 22, p. 534
28-45-6a	New (T)	V. 22, p. 534
28-45-7	Revoked (T)	V. 22, p. 535
28-45-7a	New (T)	V. 22, p. 535
28-45-8	Revoked (T)	V. 22, p. 536
28-45-8a	New (T)	V. 22, p. 536
28-45-9	Revoked (T)	V. 22, p. 536
28-45-9a	New (T)	V. 22, p. 536
28-45-10	Revoked (T)	V. 22, p. 536
28-45-10a	New (T)	V. 22, p. 536
28-45-11	Revoked (T)	V. 22, p. 537
28-45-11a	New (T)	V. 22, p. 537
28-45-12 through 28-45-30	New (T)	V. 22, p. 537-548
28-45a-1 through 28-45a-19	New (T)	V. 22, p. 548-557
28-55-3	Amended	V. 21, p. 311
28-55-5	Amended	V. 21, p. 311
28-72-1 through 28-72-4	Amended	V. 21, p. 1944-1948
28-72-4a	Amended	V. 21, p. 1952
28-72-4b	Amended	V. 21, p. 1954
28-72-4c	Amended	V. 21, p. 1955
28-72-5 through 28-72-18	Amended	V. 21, p. 1957-1971
28-72-18e	Amended	V. 21, p. 1973
28-72-19	Amended	V. 21, p. 1974
28-72-21	Amended	V. 21, p. 1974

AGENCY 30: SOCIAL AND REHABILITATION SERVICES

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30-4-96	Revoked	V. 22, p. 249
30-5-64	Amended	V. 22, p. 1147
30-5-81u	Amended (T)	V. 22, p. 83
30-5-81u	Amended	V. 22, p. 432
30-5-94	Amended	V. 21, p. 2049
30-5-101	Revoked	V. 21, p. 1007
30-5-101a	Revoked	V. 21, p. 2049
30-5-102	Amended (T)	V. 22, p. 83
30-5-102	Amended	V. 22, p. 432
30-5-105	Amended (T)	V. 22, p. 83
30-5-105	Amended	V. 22, p. 433
30-5-107	Amended	V. 22, p. 1043
30-5-107a	Amended	V. 22, p. 1044
30-5-108a	Amended	V. 21, p. 2049
30-5-300	Amended	V. 21, p. 1007
30-5-308	Amended	V. 21, p. 2049

30-6-65	Amended	V. 22, p. 1044
30-6-86	Amended	V. 21, p. 2049
30-6-88	New	V. 21, p. 1010
30-6-94	Amended	V. 21, p. 506
30-6-103	Amended (T)	V. 22, p. 84
30-6-103	Amended	V. 22, p. 433
30-6-106	Amended	V. 22, p. 249
30-6-107	Amended	V. 21, p. 1011
30-6-108	Amended	V. 22, p. 1045
30-6-109	Amended	V. 22, p. 1045
30-6-112	Amended	V. 21, p. 1013
30-10-1a	Amended	V. 21, p. 506
30-10-2	Amended	V. 21, p. 508
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. 2050
30-10-17	Amended (T)	V. 22, p. 990
30-10-18	Amended	V. 21, p. 2052
30-10-18	Amended (T)	V. 22, p. 991
30-10-19	Amended	V. 21, p. 1023
30-10-19	Amended (T)	V. 22, p. 994
30-10-21	Amended	V. 21, p. 1024
30-10-23a	Amended	V. 21, p. 2055
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
30-14-28	Amended (T)	V. 22, p. 84
30-14-28	Amended	V. 22, p. 434
30-44-5	New	V. 22, p. 1047
30-60-1	Amended	V. 22, p. 1090
30-60-2	Amended	V. 22, p. 1090
30-60-5	Amended	V. 22, p. 1090
30-60-6	Amended	V. 22, p. 1091
30-60-7	Amended	V. 22, p. 1092
30-60-8	New	V. 22, p. 1092
30-60-10	Amended	V. 22, p. 1093
30-60-11	Amended	V. 22, p. 1093
30-60-12	Amended	V. 22, p. 1093
30-60-13	New	V. 22, p. 1094
30-60-14	New	V. 22, p. 1094
30-60-15	New	V. 22, p. 1094
30-60-16	New	V. 22, p. 1094
30-60-17	Amended	V. 22, p. 1095
30-60-18	Amended	V. 22, p. 1095
30-16-19	Amended	V. 22, p. 1096
30-60-25	Amended	V. 22, p. 1096
30-60-26	Amended	V. 22, p. 1097
30-60-27	Amended	V. 22, p. 1097
30-60-28	Amended	V. 22, p. 1097
30-60-29	New	V. 22, p. 1097
30-60-30	New	V. 22, p. 1098
30-60-40	Amended	V. 22, p. 1098
30-60-41	Amended	V. 22, p. 1098
30-60-45	Amended	V. 22, p. 1099
30-60-46	Amended	V. 22, p. 1099
30-60-47	Amended	V. 22, p. 1099
30-60-48	New	V. 22, p. 1099
30-60-49	New	V. 22, p. 1100
30-60-50	Amended	V. 22, p. 1100
30-60-51	New	V. 22, p. 1101
30-60-55	Amended	V. 22, p. 1102
30-60-56	New	V. 22, p. 1103
30-60-57	New	V. 22, p. 1103
30-60-60	Revoked	V. 22, p. 1103
30-60-61	Revoked	V. 22, p. 1103
30-60-62	Amended	V. 22, p. 1103
30-60-63	New	V. 22, p. 1104
30-60-64	New	V. 22, p. 1105
30-60-70	Amended	V. 22, p. 1108
30-60-71	Amended	V. 22, p. 1108
30-60-72	Amended	V. 22, p. 1108
30-60-73	Amended	V. 22, p. 1108
30-60-74	Amended	V. 22, p. 1109
30-60-75	Revoked	V. 22, p. 1109
30-60-76	Amended	V. 22, p. 1109
30-61-1	Amended	V. 22, p. 1109
30-61-2	Amended	V. 22, p. 1109
30-61-5	Amended	V. 22, p. 1109
30-61-6	Amended	V. 22, p. 1110

30-61-10	Amended	V. 22, p. 1110
30-61-11	New	V. 22, p. 1110
30-61-15	Amended	V. 22, p. 1110
30-61-16	Revoked	V. 22, p. 1111
30-64-20	Amended	V. 21, p. 80
30-64-22	Amended	V. 21, p. 80
30-64-23	Amended	V. 21, p. 80
30-64-24	Amended	V. 21, p. 1310
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
40-1-34	Amended	V. 21, p. 2131
40-1-43	Amended	V. 21, p. 451
40-1-46	Amended	V. 21, p. 212
40-1-47	New	V. 21, p. 588
40-1-48	Amended	V. 21, p. 1056
40-1-49	New	V. 21, p. 1703
40-2-22	Revoked	V. 21, p. 589
40-4-36	Amended	V. 22, p. 465
40-4-37	Amended	V. 21, p. 741
40-4-37k	Amended	V. 21, p. 1272
40-4-37q	New	V. 21, p. 1272
40-4-37s	New	V. 21, p. 743
40-4-37t	New	V. 21, p. 1272
40-4-37u	New	V. 21, p. 1370

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
44-6-101	Amended	V. 21, p. 1406
44-6-106	Amended	V. 21, p. 1407
44-6-107	Amended	V. 21, p. 1407
44-6-108	Amended	V. 21, p. 1408
44-6-114c	Amended	V. 21, p. 1408
44-6-114d	New	v. 21, p. 1409
44-6-114e	New	V. 21, p. 1409
44-6-115	Revoked	V. 21, p. 1415
44-6-115a	New	V. 21, p. 1415
44-6-115a	Amended (T)	V. 22, p. 383
44-6-115b	New	V. 21, p. 1415
44-6-115c	New	V. 21, p. 1417
44-6-117	Revoked	V. 21, p. 1418
44-6-120	Revoked	V. 21, p. 1418
44-6-124	Revoked	V. 21, p. 1418
44-6-125	Amended	V. 21, p. 1418
44-6-126	Amended	V. 21, p. 1419
44-6-133	Revoked	V. 21, p. 1419
44-6-134	Amended	V. 21, p. 1419
44-6-136	Amended	V. 21, p. 1419
44-6-136a	Amended	V. 21, p. 1420
44-6-137	Amended	V. 21, p. 1420
44-6-138	Amended	V. 21, p. 1420
44-6-140	Amended	V. 21, p. 1421
44-6-140a	Amended	V. 21, p. 1421
44-6-141	Amended	V. 21, p. 1421
44-6-142	Revoked	V. 21, p. 1421
44-6-143	Amended	V. 21, p. 1421
44-6-146	Revoked	V. 21, p. 1422
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
44-12-1002	Amended (T)	V. 22, p. 384
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
44-13-201b	Amended (T)	V. 22, p. 384
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 45: KANSAS PAROLE BOARD

Reg. No.	Action	Register
45-1-1	Revoked	V. 21, p. 1894
45-4-4	through	
45-4-7	Revoked	V. 21, p. 1894
45-4-9	Revoked	V. 21, p. 1894
45-6-1	Revoked	V. 21, p. 1894
45-6-2	Revoked	V. 21, p. 1894
45-6-3	Revoked	V. 21, p. 1894
45-6-5	Revoked	V. 21, p. 1894
45-7-1	through	
45-7-5	Revoked	V. 21, p. 1894
45-9-1	through	
45-9-4	Revoked	V. 21, p. 1894
45-10-1	Revoked	V. 21, p. 1894
45-11-1	Revoked	V. 21, p. 1895
45-14-1	Revoked	V. 21, p. 1895
45-16-2	Revoked	V. 21, p. 1895
45-16-3	Revoked	V. 21, p. 1895
45-16-4	Revoked	V. 21, p. 1895
45-100-1	New	V. 21, p. 1895
45-200-1	New	V. 21, p. 1895
45-200-2	New	V. 21, p. 1896
45-300-1	New	V. 21, p. 1896
45-300-2	New	V. 21, p. 1896
45-400-1	through	
45-400-4	New	V. 21, p. 1896, 1897
45-500-1	through	
45-500-4	New	V. 21, p. 1897, 1898
45-600-1	New	V. 21, p. 1899
45-700-1	New (T)	V. 21, p. 1328
45-700-1	New	V. 21, p. 1900
45-700-2	New (T)	V. 21, p. 1328
45-700-2	New	V. 21, p. 1900
45-800-1	New	V. 21, p. 1900
45-900-1	New	V. 21, p. 1901
45-1000-1	New	V. 21, p. 1901
45-1000-2	New	V. 21, p. 1901
45-1000-3	New	V. 21, p. 1901

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
51-9-12	through	
51-9-14	Revoked	V. 21, p. 865
51-9-15	New	V. 21, p. 1224
51-9-16	New	V. 21, p. 1271
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

(continued)

AGENCY 60: BOARD OF NURSING

Table with 3 columns: Reg. No., Action, Register. Lists regulations 60-1-104 through 60-16-104.

Table with 3 columns: Reg. No., Action, Register. Lists regulations 74-5-302 through 74-11-7.

Table with 3 columns: Reg. No., Action, Register. Lists regulations 88-6-2 through 88-24-2.

AGENCY 82: STATE CORPORATION COMMISSION

Table with 3 columns: Reg. No., Action, Register. Lists regulations 82-1-220a through 82-13-2.

AGENCY 91: DEPARTMENT OF EDUCATION

Table with 3 columns: Reg. No., Action, Register. Lists regulations 91-1-146a through 91-38-7.

AGENCY 92: DEPARTMENT OF REVENUE

Table with 3 columns: Reg. No., Action, Register. Lists regulations 92-1-1 through 92-15-8.

AGENCY 63: BOARD OF MORTUARY ARTS

Table with 3 columns: Reg. No., Action, Register. Lists regulations 63-1-23 through 63-7-8.

AGENCY 65: BOARD OF EXAMINERS IN OPTOMETRY

Table with 3 columns: Reg. No., Action, Register. Lists regulations 65-4-3.

AGENCY 66: BOARD OF TECHNICAL PROFESSIONS

Table with 3 columns: Reg. No., Action, Register. Lists regulations 66-8-4 through 66-14-6.

AGENCY 68: BOARD OF PHARMACY

Table with 3 columns: Reg. No., Action, Register. Lists regulations 68-1-1a through 68-13-1.

AGENCY 74: BOARD OF ACCOUNTANCY

Table with 3 columns: Reg. No., Action, Register. Lists regulations 74-4-7 through 74-5-202.

AGENCY 86: REAL ESTATE COMMISSION

Table with 3 columns: Reg. No., Action, Register. Lists regulations 86-1-19 through 86-3-15.

AGENCY 88: BOARD OF REGENTS

Table with 3 columns: Reg. No., Action, Register. Lists regulations 88-5-1 through 88-6-1.

(continued)

92-17-1 through 92-17-6	Amended	V. 21, p. 313, 314
92-18-1 through 92-18-7	Revoked	V. 21, p. 1307
92-19-2	Revoked	V. 21, p. 1311
92-19-2a	New	V. 21, p. 1311
92-19-5	Revoked	V. 21, p. 1997
92-19-5a	New	V. 21, p. 1997
92-19-6	Revoked	V. 21, p. 1312
92-19-6a	New	V. 21, p. 1312
92-19-22	Revoked	V. 21, p. 1998
92-19-22a	New	V. 21, p. 1998
92-19-22b	New	V. 21, p. 1999
92-19-23	Revoked	V. 21, p. 2000
92-19-23a	New	V. 21, p. 2000
92-19-35a	New	V. 21, p. 1312
92-19-50	Revoked	V. 21, p. 2000
92-19-55	Revoked	V. 21, p. 1313
92-19-55a	New	V. 21, p. 1313
92-19-57	Amended	V. 21, p. 2000
92-19-61	Revoked	V. 21, p. 1315
92-19-61a	New	V. 21, p. 1315
92-19-81	New	V. 21, p. 2001
92-19-82	New	V. 21, p. 1316
92-19-200 through 92-19-203	New	V. 22, p. 431
92-20-11	Revoked	V. 21, p. 1318
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
92-24-24	Amended	V. 21, p. 316
92-51-21	Amended	V. 21, p. 2092
92-51-23	Amended	V. 21, p. 2092
92-51-24	Amended	V. 21, p. 2092
92-51-27	Amended	V. 21, p. 2092
92-51-34	Revoked	V. 21, p. 2093
92-51-38	Amended	V. 21, p. 2093
92-51-39	Amended	V. 21, p. 2093
92-51-41	Amended	V. 21, p. 2093
92-51-53	Amended	V. 21, p. 2093
92-51-56	Amended	V. 21, p. 2093
92-51-57	Revoked	V. 21, p. 2094
92-51-58	Revoked	V. 21, p. 2094
92-51-60	Revoked	V. 21, p. 2094
92-51-61	Revoked	V. 21, p. 2094
92-52-2	Revoked	V. 21, p. 2094
92-52-3	Amended	V. 21, p. 2094
92-52-8	Revoked	V. 21, p. 2094
92-52-11	Revoked	V. 21, p. 2094
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
93-6-4	Amended	V. 22, p. 666
93-6-7	New	V. 22, p. 666

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

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 100: BOARD OF HEALING ARTS

Reg. No.	Action	Register
100-11-1	Amended (T)	V. 21, p. 1131
100-11-1	Amended	V. 21, p. 1864
100-22-4	New	V. 22, p. 690
100-27-1	Amended	V. 21, p. 307
100-28a-1	Amended	V. 21, p. 1864
100-29-7	Amended	V. 21, p. 1864
100-49-1	Amended	V. 21, p. 2137
100-49-4	Amended (T)	V. 21, p. 1131
100-49-4	Amended	V. 21, p. 1864
100-49-6 through 100-49-9	New	V. 21, p. 2137
100-54-4	Amended	V. 21, p. 2138
100-55-4	Amended	V. 21, p. 2138
100-55-5	Amended	V. 22, p. 690
100-55-9	Amended	V. 22, p. 690
100-69-3	Amended	V. 21, p. 1864
100-69-9	Amended	V. 21, p. 1865
100-69-10	Amended	V. 21, p. 1865
100-69-11	Amended	V. 21, p. 1866
100-72-1 through 100-72-7	New (T)	V. 22, p. 79-81
100-72-1 through 100-72-6	New	V. 22, p. 691, 692
100-75-1	New (T)	V. 22, p. 82
100-75-1	New	V. 22, p. 693

AGENCY 102: BEHAVIORAL SCIENCES REGULATORY BOARD

Reg. No.	Action	Register
102-1-8	Amended	V. 22, p. 1148
102-1-15	Amended	V. 22, p. 1149
102-2-3	Amended	V. 21, p. 237
102-2-4a	Amended	V. 22, p. 1150
102-2-4b	Amended	V. 21, p. 238
102-2-9	Amended	V. 22, p. 1151
102-2-11	Amended	V. 22, p. 1151
102-2-12	Amended	V. 22, p. 1084
102-3-3a	Amended	V. 21, p. 1132
102-3-4a	Amended	V. 21, p. 1133
102-3-6a	Revoked	V. 21, p. 1134
102-3-7a	Amended	V. 22, p. 1085
102-3-9a	Amended	V. 22, p. 1151
102-3-10a	Amended	V. 22, p. 1152
102-3-12a	Amended	V. 21, p. 1134
102-3-17	New	V. 21, p. 1137
102-4-9a	Amended	V. 22, p. 1153
102-4-10a	Amended	V. 22, p. 1153
102-5-3	Amended	V. 22, p. 1087
102-5-7a	Amended	V. 22, p. 1088
102-5-9	Amended	V. 22, p. 1155
102-5-10	Amended	V. 22, p. 1155
102-5-12	Amended	V. 22, p. 1156
102-5-16	New	V. 22, p. 1158
102-6-9	Amended	V. 22, p. 1159
102-6-10	Amended	V. 22, p. 1159

AGENCY 108: STATE EMPLOYEES HEALTH CARE COMMISSION

Reg. No.	Action	Register
108-1-2	Amended	V. 21, p. 1055
108-1-4	Amended	V. 22, p. 360

AGENCY 109: BOARD OF EMERGENCY MEDICAL SERVICES

Reg. No.	Action	Register
109-5-1	Amended	V. 21, p. 1368
109-6-3	Amended	V. 21, p. 1369

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
111-2-1	Amended	V. 22, p. 585
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
111-2-140	New	V. 21, p. 1521
111-2-141	New	V. 21, p. 1852
111-2-142	New	V. 21, p. 1852
111-2-143	New	V. 22, p. 585
111-2-144	New	V. 22, p. 804
111-2-144a	New	V. 22, p. 586
111-2-145	New	V. 22, p. 804
111-2-146	New	V. 22, p. 804
111-2-147	New	V. 22, p. 804
111-2-148	New	V. 22, p. 981
111-3-12	Amended	V. 20, p. 40
111-3-27	Amended	V. 22, p. 660
111-3-35	Amended	V. 20, p. 1189
111-4-1448	Amended	V. 21, p. 1521
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
111-4-1894	Amended	V. 21, p. 1276

(continued)

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
111-4-1924 through 111-4-1932	New	V. 21, p. 1329-1337
111-4-1929	Amended	V. 21, p. 1522
111-4-1933 through 111-4-1938	New	V. 21, p. 1523-1526
111-4-1938	Amended	V. 21, p. 1852
111-4-1939 through 111-4-1945	New	V. 21, p. 1854-1857
111-4-1946 through 111-4-1951	New	V. 22, p. 48-52
111-4-1952 through 111-4-1964	New	V. 22, p. 439-448
111-4-1964	Amended	V. 22, p. 982
111-4-1965 through 111-4-1975	New	V. 22, p. 586-593
111-4-1970	Amended	V. 22, p. 1047
111-4-1975	Revoked	V. 22, p. 1047
111-4-1976 through 111-4-1986	New	V. 22, p. 660-665
111-4-1987 through 111-4-2009	New	V. 22, p. 804-820
111-4-2010 through 111-4-2014	New	V. 22, p. 854-857
111-4-2015 through 111-4-2027	New	V. 22, p. 983-990
111-4-2023	Amended	V. 22, p. 1048
111-4-2026	Amended	V. 22, p. 1048
111-4-2028 through 111-4-2033	New	V. 22, p. 1048-1053
111-5-22	Amended	V. 21, p. 1758
111-5-23	Amended	V. 21, p. 1858
111-5-24	Amended	V. 21, p. 1858
111-5-26	Amended	V. 21, p. 1859
111-5-27	Amended	V. 21, p. 1860
111-5-28	Amended	V. 21, p. 1860
111-5-30	Amended	V. 21, p. 1529
111-5-32	Amended	V. 21, p. 1861
111-5-33	Amended	V. 21, p. 1861
111-5-78	Amended	V. 21, p. 751
111-5-79 through 111-5-91	New	V. 21, p. 1278-1281
111-5-82	Amended	V. 21, p. 1529
111-5-83	Amended	V. 21, p. 1529

111-5-92 through 111-5-98	New	V. 21, p. 1339-1341
111-5-96	Amended	V. 21, p. 1530
111-5-97	Amended	V. 21, p. 1531
111-5-99 through 111-5-103	New	V. 22, p. 593, 594
111-5-104	New	V. 22, p. 857
111-5-105	Amended	V. 22, p. 1054
111-6-5	Amended	V. 21, p. 1531
111-6-25	New	V. 22, p. 1054
111-7-119 through 111-7-127	Amended	V. 21, p. 594-597
111-7-123	Amended	V. 21, p. 1531
111-7-126	Amended	V. 21, p. 1532
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
111-7-181	New	V. 21, p. 1563
111-7-182 through 111-7-186	New	V. 21, p. 1861-1862
111-7-182	Amended	V. 22, p. 53
111-7-184	Amended	V. 22, p. 53
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
111-9-117	New	V. 21, p. 1533
111-9-118	New	V. 22, p. 54
111-9-119	New	V. 22, p. 54
111-9-120	New	V. 22, p. 1054
111-9-121	New	V. 22, p. 1054

AGENCY 112: RACING AND GAMING COMMISSION

Reg. No.	Action	Register
112-4-1a	New	V. 22, p. 278
112-4-1b	New	V. 22, p. 279
112-6-4	Amended	V. 22, p. 85
112-9-44	Amended	V. 22, p. 279
112-10-2	Amended	V. 22, p. 85

112-11-20	Amended	V. 22, p. 281
112-12-10	Amended	V. 22, p. 86

AGENCY 115: DEPARTMENT OF WILDLIFE AND PARKS

Reg. No.	Action	Register
115-2-1	Amended	V. 21, p. 1557
115-2-2	Amended	V. 21, p. 1558
115-2-3	Amended	V. 21, p. 1558
115-2-6	Amended	V. 21, p. 451
115-4-4	Amended	V. 21, p. 452
115-4-6	Amended	V. 22, p. 434
115-4-11	Amended	V. 22, p. 436
115-5-1	Amended	V. 21, p. 1137
115-5-2	Amended	V. 21, p. 1138
115-5-3	Amended	V. 21, p. 1138
115-7-1	Amended	V. 21, p. 1558
115-7-2	Amended	V. 21, p. 1559
115-7-7	New	V. 21, p. 1559
115-9-4	Amended	V. 21, p. 177
115-11-1	Amended	V. 21, p. 177
115-11-2	Amended	V. 21, p. 177
115-13-3	Amended	V. 21, p. 1560
115-13-4	Amended	V. 21, p. 1560
115-16-5	New	V. 21, p. 1138
115-16-6	New	V. 21, p. 1139
115-17-6 through 115-17-9	Amended	V. 22, p. 437-439
115-17-11	Amended	V. 21, p. 1561
115-17-12	Amended	V. 21, p. 1562
115-17-13	Amended	V. 21, p. 1562
115-17-14	Amended	V. 21, p. 1890
115-18-7	Amended	V. 21, p. 453
115-18-10	Amended	V. 22, p. 439
115-18-13	Amended	V. 21, p. 1562
115-18-14	Amended	V. 21, p. 1563
115-20-2	Amended	V. 21, p. 1891
115-30-8	Amended	V. 21, p. 1891

AGENCY 117: REAL ESTATE APPRAISAL BOARD

Reg. No.	Action	Register
117-1-1	Amended	V. 22, p. 684
117-2-1	Amended	V. 22, p. 684
117-3-1	Amended	V. 22, p. 685
117-4-1	Amended	V. 22, p. 686
117-6-1	Amended	V. 22, p. 687
117-6-2	Amended	V. 22, p. 688
117-6-3	Amended	V. 22, p. 688
117-8-1	Amended	V. 22, p. 689

AGENCY 118: STATE HISTORICAL SOCIETY

Reg. No.	Action	Register
118-5-1 through 118-5-10	New	V. 21, p. 1205-1208

AGENCY 126: UNMARKED BURIAL SITES PRESERVATION BOARD

Reg. No.	Action	Register
126-1-1	New	V. 21, p. 1792
126-1-2	New	V. 21, p. 1792