

# Kansas Register

Ron Thornburgh, Secretary of State

Vol. 19, No. 48    November 30, 2000    Pages 1887-1918

In this issue . . .	Page
<b>Legislative interim committee schedule</b> .....	1888
<b>State Board of Technical Professions</b>	
Notice of meetings.....	1889
<b>Department of Administration—Division of Purchases</b>	
Notice to bidders for state purchases.....	1889
<b>Secretary of State</b>	
Notice of hearing on proposed administrative regulations.....	1889
<b>Kansas Children's Cabinet</b>	
Notice of RFI meeting.....	1890
<b>Governmental Ethics Commission</b>	
Opinions 2000-34 (amended), 2000-52 and 2000-53.....	1890
<b>Pooled Money Investment Board</b>	
Notice of investment rates.....	1892
<b>Notice of Bond Sale</b>	
U.S.D. 253, Lyon County.....	1892
City of Benton.....	1893
U.S.D. 266, Sedgwick County.....	1894
City of Eureka.....	1895
U.S.D. 229, Johnson/Miami Counties.....	1897
<b>Kansas Department of Transportation</b>	
Notice to contractors.....	1898
<b>Kansas Development Finance Authority</b>	
Notices of hearing on proposed revenue bonds.....	1899, 1900
<b>Advisory Group on Juvenile Justice and Delinquency Prevention</b>	
Notice of meeting.....	1900
<b>Historic Sites Board of Review</b>	
Notice of addendum to meeting agenda.....	1901
<b>State Banking Board</b>	
Notice of meeting.....	1901
<b>Kansas Department of Health and Environment</b>	
Requests for comments on proposed air quality permits.....	1900, 1901, 1902, 1903, 1906
Notice concerning Kansas water pollution control permits.....	1903
<b>Temporary Administrative Regulations</b>	
Kansas Lottery.....	1907
<b>Index to administrative regulations</b> .....	1912

## State of Kansas

## Legislature

## Interim Committee Schedule

The following committee meetings have been scheduled during the period of December 4-17. Requests for accommodation to participate in committee meetings should be made at least two working days in advance of the meeting by contacting Legislative Administrative Services at (785) 296-2391 or TTY (785) 296-8430. When available, agendas can be found at <http://skyways.lib.ks.us/ksleg/KLRD/klrd.html>.

Date	Room	Time	Committee	Agenda
December 5 December 6	514-S	Canceled 10:00 a.m.	Joint Committee on Administrative Rules and Regulations	Committee review of regulations proposed by: KDHE, Insurance Dept., Real Estate Appraisal Board, Bank Commissioner, and Dept. of Wildlife and Parks.
December 5	526-S	10:00 a.m.	Joint Committee on Children's Issues	Briefings on Children's Cabinet grants and budget recommendations; review of CHIP study; and Children's Report Card survey results. Formulate committee conclusions and recommendations.
December 5 December 7 December 8	531-N	Canceled Canceled	Joint Committee on Information Technology	Agenda not available.
December 6 December 7	519-S 519-S	10:00 a.m. 9:00 a.m.	Special Committee on Federal and State Affairs	Agenda not available.
December 11 December 12	123-S 123-S	10:00 a.m. 9:00 a.m.	Joint Committee on State Building Construction	Agenda not available.
December 11 (Rescheduled from December 8)	519-S	10:00 a.m.	Streamlined Sales Tax System for the 21st Century Legislative Oversight Committee	Review of proposed model legislation and possible recommendations to standing tax committee.
December 11 December 12	531-N 531-N	10:00 a.m. 9:00 a.m.	Joint Committee on Special Claims Against the State	Hearings on claims filed to date.
December 13	123-S	10:00 a.m.	Legislative Coordinating Council	Legislative matters.

Jeff Russell  
Director of Legislative  
Administrative Services

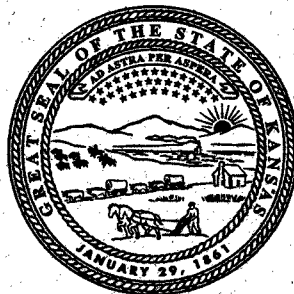
Doc. No. 025930

The Kansas Register (ISSN No. 0662-190) is an official publication of the State of Kansas, published by authority of K.S.A. 75-430. The Kansas Register is published weekly by the Kansas Secretary of State, 1st Floor, Memorial Hall, 120 S.W. 10th Ave., Topeka, KS 66612-1594. One-year subscriptions are \$80 (Kansas residents must include \$5.44 state and local sales tax). Single copies may be purchased, if available, for \$2 each. Periodicals postage paid at Topeka, KS.

Postmaster: Send change of address form to Kansas Register, Secretary of State, 1st Floor, Memorial Hall, 120 S.W. 10th Ave., Topeka, KS 66612-1594.

© Kansas Secretary of State 2000. Reproduction of this publication in its entirety or for commercial purposes is prohibited without prior permission. Official enactments of the Kansas Legislature and proposed and adopted administrative regulations of state agencies may be reproduced in any form without permission.

**PUBLISHED BY**  
Ron Thornburgh  
Secretary of State  
1st Floor, Memorial Hall  
120 S.W. 10th Ave.  
Topeka, KS 66612-1594  
(785) 296-4564  
[www.kssos.org](http://www.kssos.org)



Register Office:  
Garden Level, Memorial Hall  
(785) 296-3489  
Fax (785) 368-8024

State of Kansas

Board of Technical Professions

Notice of Meetings

The State Board of Technical Professions will conduct a complaint committee meeting at 3 p.m. Thursday, December 7, at 5605 S.W. Barrington Court South, Suite 201, Topeka.

The board will conduct a regular board meeting Friday, December 8, at the Shawnee Country Club, 913 S.E. 29th, Topeka. The Professional Engineer and Land Surveyor Committee will meet in the President's Room at 9 a.m., and the Architect, Landscape Architect and Geology Committee will meet in the PDR West Room at 9 a.m. The full board will meet at approximately 11 a.m. (at the conclusion of the committee meetings) in the PDR West Room.

Also, as previously published in the Kansas Register September 28, 2000, the board will conduct a rules and regulations hearing in the President's Room at 1:30 p.m. December 8. All meetings are open to the public.

Betty L. Rose  
Executive Director

Doc. No. 025928

State of Kansas

Department of Administration  
Division of Purchases

Notice to Bidders

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

Monday, December 11, 2000

02529

Statewide—Carbonless Paper

02533

Department of Administration, Division of Information Systems and Communications—Internet Access Services

02547

Kansas State University—Furnish and Install Cooling Tower

02548

Department of Wildlife and Parks—Furnish and Install Metal Building

Tuesday, December 12, 2000

02544

Department of Transportation—Crawler

02550

Department of Transportation—Solar Powered Message Board, Various Locations

John T. Houlihan  
Director of Purchases

Doc. No. 025932

State of Kansas

Secretary of State

Notice of Hearing on Proposed  
Administrative Regulations

A public hearing will be conducted at 9 a.m. Friday, February 9, in the conference room of the Secretary of State's Office, Room 130, Memorial Hall, 120 S.W. 10th Ave., Topeka, to consider proposed amended Kansas Administrative Regulations 7-24-2, 7-25-1, 7-26-1, 7-26-2, 7-28-1, 7-29-2, 7-36-4 and 7-38-1, which pertain to elections. These regulations are proposed for adoption on a permanent basis.

K.A.R. 7-24-2 amends the prescribed form for election supply receipts by allowing county election officers to adopt their own form. The form contained in the regulation will be considered sufficient, but not mandatory. There is no economic impact on the general public, and any economic impact on counties should be lessened by allowing them to adopt their own forms.

K.A.R. 7-25-1, 7-26-1 and 7-26-2 are amended to reflect the date change from 19\_\_ to 20\_\_. Updating forms to reflect the new date may impose a minimal economic impact on the counties. There is no economic impact on the general public.

K.A.R. 7-28-1 is amended to comply with the Kansas Court of Appeals decision *Cline v. Meis*, which limited the application of the regulation. There is no economic impact.

K.A.R. 7-29-2 prescribes ballot colors for different types of elections. The regulation is amended to include a light green ballot for miscellaneous elections that are not currently covered by the regulation, e.g., watershed district elections and drainage district elections. Adding colored ballots may impose a minimal economic impact on counties. There is no economic impact on the general public.

K.A.R. 7-36-4 is amended to update the regulation's history. There is no economic impact.

K.A.R. 7-38-1 amends the National-Change-of-Address (NCOA) system of updating voter lists. The regulation is amended to coordinate with the statute, which allows election officers to conduct mass or target mailings instead of participating in the NCOA.

This 60-day notice of 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 Melissa Wangemann, Legal Counsel, Office of the Secretary of State, 1st Floor, Memorial Hall, 120 S.W. 10th Ave., Topeka, 66612.

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 or communication aid or assistance, building access assistance or other similar assistance should contact the Secretary of State's Office so appropriate arrangements can be made.

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

Ron Thornburgh  
Secretary of State

Doc. No. 025922

## State of Kansas

## Kansas Children's Cabinet

## Notice of Meeting

The Kansas Children's Cabinet announces that a request for information (RFI) meeting will be held to obtain information regarding the evaluation of early childhood services and programs. Information obtained from this RFI will be considered in formulating competitive bid specifications for a request for proposal to provide evaluation of the Smart Start Kansas grant initiatives. The Cabinet is soliciting concise, detailed and understandable information regarding evaluation plans for measuring outcomes associated with school readiness.

The RFI public meeting will be from 10 a.m. to noon Monday, December 11, at the SRS Learning Center at Staff Development, Rooms B and C, Topeka State Hospital grounds, Topeka. At the meeting, respondents should be prepared to provide information relevant to the evaluation of early childhood services and programs.

Written responses to the request for information also may be submitted by mail or other delivery to Joyce Cussimano, Kansas Children's Cabinet, 415 S.W. 8th, Topeka, 66612, fax (785) 296-6610. Written responses to the RFI must be submitted by 5 p.m. Monday, December 11.

Contact the Kansas Children's Cabinet at (785) 368-7044 by December 8 to register for the meeting.

Joyce Cussimano  
Executive Director

Doc. No. 025912

## State of Kansas

## Governmental Ethics Commission

Opinion No. 2000-34  
Amended

Written November 16, 2000, to David W. Walker, Ombudsman/Claims Advisor, Kansas Department of Human Resources, Topeka.

This opinion is in response to the Kansas Governmental Ethics Commission's decision to reconsider its June 21, 2000, decision concerning the State level governmental ethics 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 initially requested this opinion in your capacity as Ombudsman/Claims Advisor for the Workers Compensation Division of the Kansas Department of Human Resources. You explained that as a part of your state duties you are required to attend speaking engagements before groups of employers. Recently, you were asked to attend two such events. The first event was a luncheon speaking engagement before an informal group of Salina employers who regularly gather for lunch to discuss issues important to small business employers. During this discussion, the gentleman who invited you

purchased your lunch. The total cost was less than \$5.00. The second occasion occurred during a luncheon speech given to an association of physical plant managers. The association purchased your lunch, which, again, had a value of under \$5.00. In addition, the group presented you with a speaker's gift of a \$25.00 gift certificate to a local restaurant.

## Question

May a state employee accept a meal and/or a speaker's gift when provided during a speech given in the performance of the employee's job duties?

## Opinion

With respect to the acceptance of the speaker's gift, K.S.A. 1999 Supp. 46-237a(b) applies. It states:

No person subject to the provisions of this section shall solicit or accept any gift, economic opportunity, loan, gratuity, special discount or service provided because of such person's official position, except:

(1) A gift having an aggregate value of less than \$40 given at a ceremony or public function where the person is accepting the gift in such person's official capacity; or

(2) gifts from relatives or gifts from personal friends when it is obvious to the person that the gift is not being given because of the person's official position; or

(3) anything of value received by the person on behalf of the state that inures to the benefit of the state or that becomes the property of the state; or

(4) contributions solicited on behalf of a nonprofit organization which is exempt from taxation under paragraph (3) of subsection (c) of section 501 of the internal revenue code of 1986, as amended.

Under the facts you have presented, it does not appear that these meetings would constitute a public event or function pursuant to K.S.A. 46-237a(b)(1) nor does the acceptance of the gift fit into any of the other listed exemptions. Therefore, you would be prohibited from accepting these gifts. However, because this is a question of first impression, this opinion is prospective in application only.

With respect to the acceptance of the meals, K.S.A. 1999 Supp. 46-237a(c) applies. It states in pertinent part:

No person subject to the provisions of this section shall solicit or accept free or special discount meals from a source outside of state government, except:

(1) Meals, the provision of which is motivated by a personal or family relationship or provided at events that are widely attended. An occasion is "widely attended" when it is obvious to the person accepting the meal that the reason for providing the meal is not a pretext for exclusive or nearly exclusive access to the person.

The Commission now determines that meals provided to state employees in conjunction with a speech given in the person's official capacity on behalf of a state agency are presumed, in absence of facts indicating the contrary, not to be provided as a pretext for exclusive or nearly exclusive access to the person. A state employee may generally accept meals provided in conjunction with a speech given in the person's official capacity on behalf of a state agency.

**Opinion No. 2000-52**

Written November 16, 2000, to all interested persons:

Pursuant to K.S.A. 46-254, the Kansas Governmental Ethics Commission takes the opportunity to issue its opinion as to whether a person holds a substantial interest in a retirement account pursuant to K.S.A. 46-229 or K.S.A. 75-4301a.

**Opinion**

K.S.A. 46-229 and K.S.A. 75-4301a state in pertinent part:

(a) If an individual or an individual's spouse, either individually or collectively, has owned within the preceding 12 months a legal or equitable interest exceeding \$5,000 or 5% of any business, whichever is less, the individual has a substantial interest in that business.

The Commission now determines that a legal or equitable interest in a retirement account worth more than \$5,000 gives the individual an interest in that retirement account. Therefore, pursuant to K.S.A. 46-248 and K.S.A. 75-4302a, any individual required to file a statement of substantial interest form after the issuance of this opinion, must include his or her interest in a retirement account. For guidance the Commission notes that an individual must only include the name of the company that holds the retirement plan assets and not the specific holdings of that plan, unless the holdings are specifically owned in the individuals' name.

**Opinion No. 2000-53**

Written November 15, 2000, to Dwight Ritter, Oaklawn Improvement District, Wichita.

This opinion is in response to your letter of November 13, 2000, in which you request an opinion from the Kansas Governmental Ethics Commission concerning the local conflict of interest laws (K.S.A. 75-4301 *et seq.*) and 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. 75-4301 *et seq.* and 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 member of the Oaklawn Improvement District (District) Board of Directors and as the President of the Goldenagers Club. You have informed us that the Goldenagers is a private organization that meets in the Senior Center Building which is operated by the District. You have also explained that the District is a governmental subdivision with taxing powers. You have recently been elected to the District's Board of Directors and in December you will run for re-election for the position of president of the Goldenagers Club.

**Question**

May a member of the Board of Directors for the Oak Lawn Improvement District serve as president of the Goldenagers Club?

**Opinion**

K.S.A. 75-4304 applies to the question you have asked. It states in pertinent part:

(a) No local governmental officer or employee shall, in the capacity of such an officer or employee, make or participate in the making of a contract with any person or business by which the officer or employee is employed or in whose business the officer or employee has a substantial interest.

(c) A local governmental officer or employee does not make or participate in the making of a contract if the officer or employee abstains from any action in regard to the contract.

(d) This section shall not apply to the following:

(1) Contracts let after competitive bidding has been advertised for by published notice;

K.S.A. 75-4301a(b) defines a business as "any corporation, association, partnership, proprietorship, trust, joint venture, and every other business interest. . . ." Barron's Law Dictionary defines an association as a "collection of persons who have joined together for a certain object." Barron's Law Dictionary 32 (1984). Consequently, the Goldenagers Club is considered a "business" for the purposes of the local level conflict of interest laws found at K.S.A. 75-4301a *et seq.* Pursuant to K.S.A. 75-4301a(a)(4), as president of this organization, you have a substantial interest in the Goldenagers Club.

Therefore, you would be prohibited, in your capacity as a member of the Board of Directors for the Oaklawn Improvement District, from participating in the making of a contract with the Goldenagers Club. Pursuant to K.S.A. 75-4301a(c), if you abstain from any action in regard to the contract, you would not be in violation of the local conflict of interest statutes.

K.S.A. 75-4305 must also be addressed, however. It states:

(a) Any local governmental officer or employee who has not filed a disclosure of substantial interests shall, before acting upon any matter which will affect any business in which the officer or employee has a substantial interest, file a written report of the nature of the interest with the county election officer of the county in which is located all or the largest geographical part of the officer's or employee's governmental subdivision.

(b) A local governmental officer or employee does not pass or act upon any matter if the officer or employee abstains from any action in regard to the matter.

Pursuant to this statute, if you had not already done so, you would be required to file a statement of substantial interests noting your involvement with the Goldenagers Club prior to acting upon any matter which will affect the Club.

With these restrictions in mind, there is nothing in the local level conflict of interest provisions which would prohibit you from holding a position on the Board of Directors for the Oaklawn Improvement District and serve as President of the Goldenagers Club.

Daniel Severt  
Chairman

Doc. No. 025929

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. 1999 Supp. 12-1675(b)(c)(d), and K.S.A. 75-4201(l) and 75-4209(a)(1)(B).

Effective 11-27-00 through 12-3-00	
Term	Rate
1-89 days	6.52%
3 months	6.23%
6 months	6.25%
1 year	6.16%
18 months	5.99%
2 years	5.86%

Derl S. Treff  
Director of Investments

Doc. No. 025913

(Published in the Kansas Register November 30, 2000.)

**Summary Notice of Bond Sale  
Unified School District No. 253  
Lyon County, Kansas (Emporia)  
\$10,000,000\***

**General Obligation Bonds, Series 2000  
(General obligation bonds payable from  
unlimited ad valorem taxes)**

**Bids**

Subject to the notice of bond sale dated November 28, 2000, sealed, facsimile and electronic bids will be received by the clerk of Unified School District No. 253, Lyon County, Kansas (Emporia) (the issuer), in the case of sealed and facsimile bids, on behalf of the governing body at the office of the Board of Education, 501 Merchant, P.O. Box 1008, Emporia, KS 66801, and in the case of electronic bids, through Thompson Financial Municipals Group BiDCOMP/PARITY electronic bid submission system, until 11 a.m. December 12, 2000, for the purchase of \$10,000,000\* principal amount of General Obligation Bonds, Series 2000. No bid of less than 100 percent\* of the principal amount of the bonds and accrued interest thereon to the date of delivery will be considered.

**Bond Details**

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated December 15, 2000, and will become due on September 1 in the years as follows:

Year	Principal Amount*
2002	\$320,000
2003	60,000
2004	370,000
2005	390,000
2006	405,000
2007	420,000
2008	445,000
2009	460,000

2010	485,000
2011	510,000
2012	545,000
2013	570,000
2014	605,000
2015	635,000
2016	670,000
2017	710,000
2018	755,000
2019	800,000
2020	845,000

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, 2002.

**Book-Entry-Only System**

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

**Paying Agent and Bond Registrar**

Kansas State Treasurer, Topeka, Kansas.

**Good Faith Deposit**

Each bid shall be accompanied by a good faith deposit in the form of a cashier's or certified check drawn on a bank located in the United States or a qualified financial surety bond in the amount of \$200,000\* (2 percent of the principal amount of the bonds).

**Delivery**

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about December 28, 2000, to DTC for the account of the successful bidder.

**Assessed Valuation and Indebtedness**

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 2000 is \$146,980,856. The total general obligation indebtedness of the issuer as of the date of delivery of the bonds, including the bonds being sold, is \$17,330,000\*.

**Approval of Bonds**

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

**Additional Information**

Additional information regarding the bonds may be obtained from the clerk, (316) 341-2200, fax (316) 341-2205; or from the financial advisor, U.S. Bancorp Piper Jaffray, 4600 Madison, Suite 1200, Kansas City, MO 64112, Attention: Greg Vahrenberg, (816) 360-3074, fax (816) 360-3093.

Dated November 28, 2000.

Unified School District No. 253  
Lyon County, Kansas (Emporia)

\* Subject to change.

Doc. No. 025934

(Published in the Kansas Register November 30, 2000.)

**Summary Notice of Bond Sale**

**City of Benton, Kansas**

**\$595,000**

**General Obligation Improvement Bonds**

**Series A, 2000**

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

**Details of the Sale**

Subject to the terms and conditions of the complete official notice of bond sale dated as of November 13, 2000, of the City of Benton, Kansas, in connection with the city's General Obligation Improvement Bonds, Series A, 2000, hereinafter described, written bids shall be received at the office of the city clerk at City Hall, 154 S. Main, Benton, KS 67017, or by telefacsimile at (316) 778-1687, until 7 p.m. Monday, December 11, 2000, for the purchase of the bonds. All bids shall be disclosed publicly and tabulated or compared on said date and at said time and shall thereafter be immediately considered and acted upon by the city.

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

Bids shall be accepted only on the official bid form that has been prepared for the public bidding on these bonds, which may be obtained from the city clerk or the city's financial advisor. Bids may be submitted by mail or delivered in person, or may be submitted by telefacsimile at (316) 778-1687, and must be received at the place and not later than the date and time hereinbefore specified. Neither the city, its financial advisor, nor any officer or employee of the city shall be deemed to have any liability whatsoever in connection with the failure of any electronic or telefacsimile equipment or any other occurrence resulting in disqualification or failure by the city to receive a bid. Each bid shall be accompanied by a good faith deposit in the form of a certified or cashier's check drawn on a bank located within the United States and made payable to the order of the city, or in the form of a financial surety bond payable to the order of the city and meeting requirements therefor as set forth in the official notice of bond sale, and shall be in an amount equal to 2 percent of the principal amount of the bonds.

**Details of the Bonds**

The bonds to be sold are in the aggregate principal amount of \$595,000, and shall bear a dated date of December 15, 2000. The bonds shall be issued as fully registered bonds in denominations of \$5,000, or any integral multiple thereof not exceeding the principal amount of the bonds maturing in any year. The bonds shall bear interest, payable as hereinafter set forth, at the rates specified in even multiples of 1/8th or 1/10th of 1 percent by the successful bidder for the bonds. The difference between the highest and lowest interest rate shall not exceed 2.5 percent. Certain of the bonds are subject to redemption prior to their respective maturities as set forth in the official notice of bond sale.

Interest on the bonds shall be payable semiannually on March 1 and September 1 of each year, commencing

March 1, 2002, and the bonds shall mature serially on September 1 in each of the years and principal amounts as follows:

**Maturity Schedule**

Principal Amount	Maturity Date
\$ 5,000	2002
30,000	2003
30,000	2004
35,000	2005
35,000	2006
35,000	2007
40,000	2008
40,000	2009
40,000	2010
45,000	2011
45,000	2012
50,000	2013
50,000	2014
55,000	2015
60,000	2016

**Redemption of Bonds**

Certain of the bonds are subject to optional redemption prior to their maturities as set forth in the official notice of bond sale. Additionally, a bidder may elect to have all or a portion of the bonds shown in the above maturity schedule issued as term bonds, which would be subject to mandatory redemption requirements. (Reference is made to the official notice of bond sale for complete details regarding redemption of the bonds.)

**Payment of Principal and Interest**

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

**Book-Entry Option**

The successful bidder may elect to have the bonds registered under a book-entry-only system administered through the Depository Trust Company (DTC), New York, New York.

**Security for the Bonds**

The bonds and the interest thereon constitute general obligations of the city, and the full faith, credit and resources of the city will be pledged to the payment thereof. The bonds shall be payable as to both the principal of and the interest thereon from ad valorem taxes levied without limitation as to rate or amount upon all of the taxable tangible property within the territorial limits of the city for the purpose of paying the bonds and the interest thereon.

**Delivery of the Bonds**

The bonds, duly printed, executed and registered, shall be furnished and delivered at the expense of the city to the successful bidder, or at its direction, on or about Thursday, December 28, 2000, at such bank or trust company or other qualified depository in the contiguous

*(continued)*

United States, as may be specified by the successful bidder. Delivery elsewhere shall be made at the expense of the successful bidder.

**Legal Opinion**

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

**Financial Matters**

The city's current equalized assessed tangible valuation is as follows:

Assessed Tangible Valuation of Taxable Tangible Property	\$3,128,152
Taxable Value of Motor Vehicles	<u>835,168</u>
Assessed Tangible Valuation for Debt Limit Computation	<u>\$3,963,320</u>

K.S.A. 10-308 provides that the authorized and outstanding bonded indebtedness of any city shall not exceed 30 percent of the assessed valuation of the city. As of December 15, 2000, the city's gross outstanding debt, including the bonds, will be \$1,180,000, which includes temporary notes outstanding in the amount of \$585,000 that will be retired out of the proceeds of the bonds herein offered for sale.

**Official Statement**

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

**Continuing Disclosure**

Securities and Exchange Commission Rule 15c2-12 provides that brokers, dealers and municipal securities dealers must comply with certain requirements before acting as an underwriter in a primary offering of municipal securities with an aggregate principal amount of \$1,000,000 or more.

The bonds described herein will be offered in a primary offering with an aggregate principal amount of less than \$1,000,000. Accordingly, in the opinion of bond counsel, the offering and sale of the bonds described herein does not constitute an offering as defined by the rule, and the requirements of the rule do not apply to brokers, dealers and municipal securities dealers acting as underwriters in connection with the bonds described herein.

**Additional Information**

For additional information regarding the city, the bonds and the public sale, interested parties are invited

to request copies of the complete official notice of bond sale and the official bid form and the city's preliminary official statement for the bonds, all of which may be obtained from the city clerk at the address and telephone number shown below, or from the financial advisor, Jerry D. Rayl, Davidson Securities, Inc., 245 N. Waco, Suite 525, P.O. Box 205 Wichita, KS 67201-0205, (316) 265-9411.

City of Benton, Kansas  
 By Joyce Casady, City Clerk  
 City Hall, 154 S. Main  
 Benton, KS 67017  
 (316) 778-1625  
 Fax (316) 778-1687

Doc. No. 025927

(Published in the Kansas Register November 30, 2000.)

**Summary Notice of Bond Sale  
 Unified School District No. 266  
 Sedgwick County, Kansas (Maize)  
 \$9,800,000**

**General Obligation School Building Bonds  
 Series 2000**

(General obligation bonds payable from unlimited ad valorem taxes)

**Bids**

Subject to the notice of bond sale dated November 13, 2000, sealed, facsimile and electronic bids will be received by the clerk of Unified School District No. 266, Sedgwick County, Kansas (Maize) (the issuer), in the case of sealed and facsimile bids, on behalf of the governing body at office of the Board of Education, 201 S. Park, Maize, KS 67101, and in the case of electronic bids, through Thompson Financial Municipals Group BiDCOMP/PARITY electronic bid submission system, until noon December 13, 2000, for the purchase of \$9,800,000 principal amount of General Obligation School Building Bonds, Series 2000. No bid of less than 100 percent of the principal amount of the bonds and accrued interest thereon to the date of delivery will be considered.

**Bond Details**

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated December 1, 2000, and will become due on September 1 in the years as follows:

Year	Principal Amount
2003	\$ 115,000
2004	15,000
2005	90,000
2006	135,000
2007	185,000
2008	245,000
2009	305,000
2010	375,000
2011	425,000
2012	475,000
2013	535,000
2014	595,000
2015	660,000



2016	730,000
2017	810,000
2018	890,000
2019	975,000
2020	1,070,000
2021	1,170,000

(Published in the Kansas Register November 30, 2000.)

**Summary Notice of Bond Sale  
City of Eureka, Kansas  
\$875,000  
General Obligation Bonds  
Series A, 2001**

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

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

**Optional Book-Entry-Only System**

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

**Paying Agent and Bond Registrar**

Kansas State Treasurer, Topeka, Kansas.

**Good Faith Deposit**

Each bid shall be accompanied by a good faith deposit in the form of a cashier's or certified check drawn on a bank located in the United States or a qualified financial surety bond in the amount of \$196,000 (2 percent of the principal amount of the bonds).

**Delivery**

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about December 28, 2000, to DTC for the account of the successful bidder or at such bank or trust company in the contiguous United States as may be specified by the successful bidder, or elsewhere at the expense of the successful bidder.

**Assessed Valuation and Indebtedness**

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 2000 is \$179,200,42. The total general obligation indebtedness of the issuer as of the date of delivery of the bonds, including the bonds being sold, is \$29,940,000.

**Approval of Bonds**

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

**Additional Information**

Additional information regarding the bonds may be obtained from the clerk, (316) 722-0614, fax (316) 722-8538; or from the financial advisor, Ranson & Associates, Inc., 250 N. Rock Road, Suite 150, Wichita, KS 67206-2241, Attention: Stephen E. Shogren, (316) 681-3123, fax (316) 681-3147

Dated November 13, 2000.

Unified School District No. 266  
Sedgwick County, Kansas (Maize)

Doc. No. 025926

**Details of the Sale**

Subject to the terms and conditions of the complete official notice of bond sale dated as of November 30, 2000, of the City of Eureka, Kansas, in connection with the city's General Obligation Bonds, Series A, 2001, hereinafter described, written bids shall be received at the office of the city clerk at City Hall, 309 N. Oak, P.O. Box 68, Eureka, KS 67045, or by telefacsimile at (316) 583-6212, until 7 p.m. Monday, December 11, 2000, for the purchase of the bonds. All bids shall be publicly opened, read aloud and tabulated on said date and at said time and shall thereafter be immediately considered and acted upon by the city.

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

Bids shall be accepted only on the official bid form that has been prepared for the public bidding on these bonds, which may be obtained from the city clerk or the city's financial advisor. Bids may be submitted by mail or delivered in person, or may be submitted by telefacsimile at (316) 583-6212, and must be received at the place and not later than the date and time hereinbefore specified. Each bid shall be accompanied by a good faith deposit in the form of a certified or cashier's check drawn on a bank located within the United States and made payable to the order of the city, or in the form of a financial surety bond payable to the order of the city and meeting requirements therefor as set forth in the official notice of bond sale, and shall be in an amount equal to 2 percent of the principal amount of the bonds.

**Details of the Bonds**

The bonds to be sold are in the aggregate principal amount of \$875,000 and shall bear a dated date of January 1, 2001. The bonds shall be issued as fully registered bonds in the denomination of \$5,000, or any integral multiple thereof not exceeding the principal amount of the bonds maturing in any year. The bonds shall bear interest, payable as hereinafter set forth, at the rates specified by the successful bidder for the bonds. Certain of the bonds are subject to redemption prior to their respective maturities as set forth in the official notice of bond sale.

Interest on the bonds shall be payable semiannually on April 1 and October 1 of each year, commencing October 1, 2001. The bonds shall mature serially on October 1 in each of the years and principal amounts as follows:

**Maturity Schedule**

Principal Amount	Maturity Date
\$50,000	2001
40,000	2002

*(continued)*

45,000	2003
45,000	2004
50,000	2005
50,000	2006
55,000	2007
55,000	2008
60,000	2009
60,000	2010
65,000	2011
70,000	2012
75,000	2013
75,000	2014
80,000	2015

### Redemption of Bonds

Certain of the bonds are subject to optional redemption prior to their maturities as set forth in the official notice of bond sale. Additionally, a bidder may elect to have all or a portion of the bonds shown in the above maturity schedule issued as one or more term bonds, which would be subject to mandatory redemption requirements. Reference is made to the official notice of bond sale for complete details regarding redemption of the bonds.

### Payment of Principal and Interest

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

### Book-Entry Option

The successful bidder may elect to have the bonds registered under a book-entry-only system administered through the Depository Trust Company (DTC), New York, New York.

### Security for the Bonds

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

### Delivery of the Bonds

The bonds, duly printed, executed and registered, shall be furnished and delivered at the expense of the city to the successful bidder, or at its direction, on or before Tuesday, January 9, 2001, to DTC for the account of the successful bidder or at such bank or trust company or other qualified depository in the State of Kansas or Kansas City, Missouri, as may be specified by the successful bidder. Delivery elsewhere shall be made at the expense of the successful bidder.

### Legal Opinion

The bonds will be sold subject to the legal opinion of Hinkle Elkouri Law Firm L.L.C., Wichita, Kansas, bond counsel, whose fees will be paid by the city. Bond counsel's approving legal opinion as to the validity of the bonds will be printed on the bonds and delivered to the

successful bidder upon delivery of the bonds. Reference is made to the official notice of bond sale for a discussion of tax exemption and other legal matters.

### Financial Matters

The city's equalized assessed tangible valuation as of January 1, 2001, is \$10,767,306. K.S.A. 10-308 provides that the authorized and outstanding bonded indebtedness of any city shall not exceed 30 percent of the assessed valuation of the city. As of January 1, 2001, the city's gross outstanding general obligation debt, including the bonds being sold, will be \$875,000. The city's total indebtedness that is subject to debt limitation, after statutory adjustments, as of January 1, 2001, will be \$385,000, which is 3.58 percent of the assessed valuation of the city.

### Official Statement

The city has prepared a preliminary official statement relating to the bonds, copies of which may be obtained from the city or the city's financial advisor. The preliminary official statement is in a form "deemed final" by the city for the purpose of Securities and Exchange Commission Rule 15c2-12(b)(1), but is subject to revision, amendment and completion in the final official statement. The city will provide the purchaser of the bonds or its designated agent, within seven business days after the date of the sale, copies of the city's final official statement, in sufficient quantity to comply with the rules of the Securities and Exchange Commission and the Municipal Securities Rulemaking Board. The city will deliver to the purchaser of the bonds, at the time of delivery of the bonds, a certificate of its authorized officials to the effect that, to the best of their knowledge, in the official notice of bond sale and preliminary official statement and in the official statement, the city has not made an untrue statement of a material fact or omitted to state a material fact necessary in order to make the statements made therein, in light of the circumstances under which they were made, not misleading. Authorization is hereby given to redistribute the official notice of bond sale and the preliminary official statement, but the entire official notice of bond sale and the entire preliminary official statement, and not portions thereof, must be redistributed. Copies of the final official statement in excess of a reasonable number may be ordered by the successful bidder at its expense.

### Continuing Disclosure

Securities and Exchange Commission Rule 15c2-12, as amended effective July 3, 1995, provides that brokers, dealers and municipal securities dealers must comply with certain requirements before acting as an underwriter in a primary offering of municipal securities with an aggregate principal amount of \$1,000,000 or more.

The bonds described herein will be offered in a primary offering with an aggregate principal amount of less than \$1,000,000. Accordingly, in the opinion of bond counsel, the offering and sale of the bonds described herein does not constitute an offering as defined by the rule, and the requirements of the rule do not apply to brokers, dealers and municipal securities dealers acting as underwriters in connection with the bonds described herein.

### Additional Information

For additional information regarding the city, the bonds and the public sale, interested parties are invited

to request copies of the complete official notice of bond sale and the official bid form and the city's preliminary official statement for the bonds, all of which may be obtained from the city clerk at the address and telephone number shown below or from the city's financial advisor, Jerry D. Rayl, J.O. Davidson & Associates, Inc., 245 N. Waco, Suite 525, P.O. Box 205, Wichita, KS 67201-0205, (316) 265-9411.

City of Eureka, Kansas  
 by Renee Harrington  
 City Clerk  
 City Hall  
 309 N. Oak, P.O. Box 68  
 Eureka, KS 67045  
 (316) 583-6212

Doc. No. 025914

(Published in the Kansas Register November 30, 2000.)

**Summary Notice of Bond Sale  
 Unified School District No. 229  
 Johnson/Miami Counties, Kansas  
 \$60,000,000  
 General Obligation School Bonds  
 Series 2000-A**

(General obligation bonds payable from unlimited ad valorem taxes)

**Sealed Bids**

Subject to the notice of bond sale and preliminary official statement dated November 13, 2000, sealed and electronic bids will be received by (1) in the case of sealed bids, the clerk of Unified School District No. 229, Johnson/Miami Counties, Kansas (the issuer), on behalf of the governing body at the district office, 15020 Metcalf, P. O. Box 23901, Overland Park, KS 66283, and (2) in the case of electronic bids, through PARITY electronic bid submission system, until 1 p.m. Monday, December 11, 2000, for the purchase of \$60,000,000 principal amount of General Obligation School Bonds, Series 2000-A. No bid of less than the entire par value of the bonds and accrued interest thereon to the date of delivery will be considered.

**Bond Details**

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will initially be registered in the name of Cede & Co., as nominee of the Depository Trust Company, New York, New York, to which payments of principal of and interest on the bonds will be made. Individual purchases of bonds will be made in book-entry form only. Purchasers will not receive certificates representing their interest in bonds purchased. The bonds will be dated December 15, 2000, and will become due on October 1 in the years as follows:

Year	Amount
2001	\$2,385,000
2002	1,000,000
2003	3,600,000
2004	3,835,000
2005	4,035,000
2006	4,215,000

2007	2,100,000
2008	2,200,000
2009	2,300,000
2010	2,400,000
2011	2,525,000
2012	2,650,000
2013	2,775,000
2014	2,925,000
2015	3,075,000
2016	3,225,000
2017	3,400,000
2018	3,585,000
2019	3,785,000
2020	3,985,000

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

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on April 1 and October 1 in each year, beginning April 1, 2001.

**Paying Agent and Bond Registrar**

Kansas State Treasurer, Topeka, Kansas.

**Good Faith Deposit**

Each bid shall be accompanied by a cashier's or certified check or a financial surety bond in the amount of \$1,200,000 (2 percent of the principal amount of the bonds).

**Delivery**

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder within 45 days after the date of sale.

**Assessed Valuation and Indebtedness**

The total assessed valuation of taxable tangible property in the district for the year 2000 is \$1,646,656,777. The total general obligation indebtedness of the issuer as of the date of the bonds, including the bonds being sold, is \$287,355,310.

**Approval of Bonds**

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

**Additional Information**

Additional information regarding the bonds may be obtained from the clerk, (913) 681-4000, or from the financial advisor, George K. Baum & Company, Kansas City, Missouri, (816) 474-1100.

Dated November 13, 2000.

Unified School District No. 229  
 Johnson/Miami Counties, Kansas  
 By Diane Mitchell, Clerk  
 Board of Education

Doc. No. 025939

## 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 Airport Hilton, Wichita, until 2 p.m. December 13, and then publicly opened:

## District One—Northeast

**Brown**—36-7 K-8058-01—U.S. 36 from the east junction of U.S. 75 east to 2.4 miles (3.9 kilometers) west of the junction of U.S. 73, 9 miles (14.5 kilometers), sealing. (State Funds)

**Doniphan**—22 K-8167-01 - K-238 from the west junction of U.S. 36 north to the Kansas-Nebraska state line; K-7 from the junction of U.S. 36 north to the Kansas-Missouri state line, 20 miles (32.2 kilometers), sealing. (State Funds)

**Douglas-Johnson**—56-106 K-8170-01—U.S. 56 from the junction of U.S. 59 east to the Douglas-Johnson county line; U.S. 56 from the Douglas-Johnson county line east to Gardner, 20.1 miles (32.3 kilometers) overlay. (State Funds)

**Jefferson**—24-44 K-8051-01—U.S. 24 from the 4-lane/2-lane east to the junction of U.S. 59, 7 miles (11.4 kilometers), overlay. (State Funds)

**Johnson**—10-46 K-8050-01—K-10 from the Douglas-Johnson county line east 12.4 miles (19.9 kilometers), overlay. (State Funds)

**Johnson**—69-46 K-8063-01—U.S. 69 from the Metcalf Avenue split north to College Boulevard, 2.7 miles (4.3 kilometers), pavement patching. (State Funds)

**Johnson**—69-46 K-8064-01—U.S. 69, 0.2 mile (0.3 kilometer) south of Shawnee Mission Parkway north to I-35, 1.9 miles (3.1 kilometers), overlay. (State Funds)

**Leavenworth-Wyandotte**—106 K-8169-01 - U.S. 73 from the Wyandotte-Leavenworth county line north to Eisenhower Road in Leavenworth; U.S. 24 from the Leavenworth-Wyandotte county line east to 18th Street in Kansas City; U.S. 73 from the junction of U.S. 24 north to the Wyandotte-Leavenworth county line, 13.5 miles (21.7 kilometers), overlay. (State Funds)

**Osage-Shawnee**—75-8171-01—U.S. 75 from the north junction of K-31/K-268 north to the 2-lane/4-lane; U.S. 75 from the 2-lane/4-lane north to the Osage-Shawnee county line; U.S. 75 from the Osage-Shawnee county line north 3.1 miles (5 kilometers), 18.7 miles (30.8 kilometers), overlay. (State Funds)

**Shawnee**—40-89 K-8059-01—U.S. 40, 0.5 mile (0.8 kilometer) east of the junction of K-4 east to the Shawnee-Douglas county line, 5.6 miles (9.1 kilometers), overlay. (State Funds)

**Shawnee**—470-89 K-7869-01 - Southbound I-470 and U.S. 75 exit ramp at 21st Street in Topeka, 0.12 mile (0.2 kilometer), intersection improvement. (State Funds)

**Shawnee**—75-89 K-8070-01—U.S. 75, 0.2 mile (0.4 kilometer) south of U.S. 24 north to the Soldier Creek Bridge

and U.S. 75 north and south of 46th Street 1.3 miles (2.1 kilometers), slurry seal. (State Funds)

**Shawnee**—70-89 K-8276-01—I-70 from the junction of I-470 east to the Polk-Quincy viaduct in Topeka, 6.3 miles (10.2 kilometers), joint repair. (State Funds)

**Wyandotte**—5-105 K-8048-01—K-5 from McCormick Street to the junction of I-635, 2 miles (3.2 kilometers), overlay. (State Funds)

## District Two—Northcentral

**Clay**—24-14 K-8078-01—U.S. 24 from the east city limits of Clay Center east to the Clay-Riley county line, 8.1 miles (13. kilometers), overlay. (State Funds)

**Clay**—14 M-1944-01—KDOT Clay Center area and subarea offices, overlay. (State Funds)

**Dickinson-Morris**—56-106 K-8173-01 - U.S. 56 from the junction of U.S. 77 east to the Dickinson-Morris county line; U.S. 56 from the Dickinson-Morris county line east to the junction of County Route 819; U.S. 56 from the junction of County Route 819 east to the west city limits of Council Grove; U.S. 56 from the east city limits of Council Grove west to the Morris-Lyon county line, 29.5 miles (47.5 kilometers), overlay. (State Funds)

**Geary**—57-31 K-8085-01—K-57 from the north junction of U.S. 77 to the south junction of U.S. 77, 5.4 miles (8.7 kilometers), sealing. (State Funds)

**Geary-Morris**—57-106 K-8175-01—K-57 from the junction of I-70 southeast to the Geary-Morris county line; K-57 from the Geary-Morris county line to the junction of K-4, 19.6 miles (31.6 kilometers), sealing. (State Funds)

**Marion-McPherson**—106 K-8174-01—K-15 from the Harvey-Marion county line north to the west junction of U.S. 56; K-86 from the junction of U.S. 56, north to the south city limits of Canton; K-168 from the junction of U.S. 56 north to the south city limits of Lehigh; K-215 from the east city limits of Goessel east to the junction of K-15; U.S. 56 from the 4-lane divided highway east to the McPherson-Marion county line; 27.5 miles, overlay. (State Funds)

## District Three—Northwest

**Sherman**—70-91 TE-0161-01—I-70 eastbound rest area 9.8 miles (14.4 kilometers) west of Goodland, rest area modification. (Federal Funds)

## District Four—Southeast

**Allen**—169-1 K-7969-01—U.S. 169 bridge over the Neosho River and local road, joint repair. (State Funds)

**Bourbon**—54-6 K-8111-01—U.S. 56 from the Allen-Bourbon county line east to the west city limits of Fort Scott, 21.3 miles (34.3 kilometers), overlay. (State Funds)

**Cherokee**—11 U-1702-01 - West Country Road bridge in Columbus, 0.06 mile (0.1 kilometers), bridge replacement. (Federal Funds)

**Cherokee-Labette**—106 K-8183-01 - K-26 from the junction of U.S. 166 north to the junction of K-66; K-66 from the west city limits of Galena east to the Kansas-Missouri state line; U.S. 69 from the Oklahoma-Kansas state line north to the junction of U.S. 166; U.S. 69A from the Oklahoma-Kansas state line north to the junction of U.S. 400; U.S. 166 from the Labette-Cherokee county line

east to the east city limits of Baxter Springs; U.S. 166 from the east city limits of Chetopa east to the Labette-Cherokee county line, 31 miles (50 kilometers), overlay. (State Funds)

**Cherokee-Crawford**—57-106 K-8184-01—K-57 from the junction of U.S. 69 east to the Kansas-Missouri state line; K-57 from the east city limits of Girard east to the north junction of U.S. 69, 12 miles (19.3 kilometers), overlay. (State Funds)

**Coffey-Lyon**—35-106 K-8226-01—I-35 from the Lyon-Coffey county line east to U.S. 75; I-35 from 0.8 mile (1.4 kilometers) west of the Lyon-Coffey county line east to the Lyon-Coffey line, 12.8 miles (20.6 kilometers), sealing. (State Funds)

**Crawford**—69-19 K-8121-01—U.S. 69 from the Crawford-Cherokee county line north to the north junction of U.S. 69B, 7.7 miles (12.4 kilometers), slurry seal. (State Funds)

**Greenwood**—96-37 K-3292-05—K-96, 3.6 miles (5.8 kilometers) east of the Butler-Greenwood county line east 0.1 mile (0.2 kilometer), grading and surfacing. (State Funds)

**Linn**—52-54 K-8110-01—K-52 from the junction of K-31 to the south junction of U.S. 69, 10.5 miles (16.9 kilometers), sealing. (State Funds)

**Neosho**—57-67 K-8116-01—K-57 from the junction of K-59 east to the east city limits of St. Paul, 6 miles (9.7 kilometers), overlay. (State Funds)

#### District Five—Southcentral

**Rice**—4-80 K-6378-01—K-4 Lost Creek bridge, 5 miles (8.1 kilometers) east of the junction of K-171, bridge replacement. (Federal Funds)

**Pawnee**—156-73 K-6387-01 - K-156 bridges over Pawnee River and Cacklebur Creek, bridge replacement. (Federal Funds)

**Butler**—54-8 K-8026-01—U.S. 54 and Santa Fe Lake Road in Butler County, traffic signals. (State Funds)

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

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

package will make the bid nonresponsive and not eligible for award consideration.

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

E. Dean Carlson  
Secretary of Transportation

Doc. No. 025933

#### State of Kansas

### Kansas Development Finance Authority

#### Notice of Hearing

A public hearing will be conducted at 9 a.m. Thursday, December 14, in the offices of Kansas Development Finance Authority, Suite 1000, Jayhawk Tower, 700 S.W. Jackson, Topeka, on the proposal for the Kansas Development Finance Authority to issue its Agricultural Development Revenue Bond for the project numbered below in the respective maximum principal amount. The bond will be issued to assist the respective borrower named below (who will be the owner and operator of the project) to finance the cost in the amount of the bond of acquiring the respective project or for the purpose of refunding a bond previously issued to finance the project. The project shall be located as shown:

**Project No. 000464, Maximum Principal Amount: \$80,000.** Owner/Operator: Thomas A. and Mary M. Gran-zow. Description: Acquisition of 160 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 Northwest Quarter of Section 13, Range 5 East, Township 15 South, Morris County, Kansas, approximately 1½ miles east of Latimer on Highway 4 then ½ mile north on 2600 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 Suite 1000, Jayhawk Tower, 700 S.W. Jackson, Topeka, 66603, will be considered. Additional information regarding the project may be obtained by contacting the Authority.

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

Jack H. Brier  
President

Doc. No. 025936

## State of Kansas

**Advisory Group on Juvenile Justice  
and Delinquency Prevention****Notice of Meeting**

The Kansas Advisory Group on Juvenile Justice and Delinquency Prevention will meet from 9 a.m. to noon Thursday, December 7, at the Juvenile Justice Authority office, 714 S.W. Jackson, Suite 300, Topeka. For further information, call (785) 296-4213.

Rochelle Chronister  
Chair

Doc. No. 025915

## State of Kansas

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

The Kansas Department of Health and Environment is proposing to reopen a five-year permit to the Gordon Evans Energy Center (Gordon Evans) pursuant to Title IV (Acid Deposition Control) of the Federal Clean Air Act and implementing regulations found at 40 CFR Parts 72 through 78. The effective date of the permit is from January 1, 2000 through December 31, 2004.

Three turbines affected by this permit action, identified as Gordon Evans units E1CT, E2CT and E3CT, located at 6001 N. 151st, West Colwich, and operated by Western Resources, Topeka, would receive 0 allowances for each year from 2000 through 2004. Each allowance authorizes the utility boiler to emit up to one ton of sulfur dioxide during or after each of the years specified above. Gordon Evans proposes to comply with the Acid Rain Program emission requirements by holding enough allowances to cover all sulfur dioxide emissions. Issuance of this permit would not affect the responsibility of Gordon Evans to meet all other existing local, state and federal sulfur dioxide emission requirements.

The designated representative for Gordon Evans is James N. Wishart.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during the permit application review process is available for public review during normal business hours at the KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, and at the Wichita-Sedgwick County Department of Community Health, 1900 E. 9th, Wichita. To obtain or review the proposed permit and supporting documentation, contact Rick Bolfig, (785) 296-1576, at the KDHE central office, or Randy Owen, (316) 268-8448, at the Wichita-Sedgwick County Department of Community Health. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Rick Bolfig, KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, 66620. Written comments must be received by the close of business January 2 in order to be considered in formulating a final permit decision.

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 January 2 in order for the Secretary of Health and Environment to consider the request.

Clyde Graeber  
Secretary of Health  
and Environment

Doc. No. 025921

## State of Kansas

**Kansas Development Finance Authority****Notice of Hearing**

A public hearing will be conducted at 9 a.m. Thursday, December 14, in the offices of Kansas Development Finance Authority, Suite 1000, Jayhawk Tower, 700 S.W. Jackson, Topeka, on the proposal for the Kansas Development Finance Authority to issue its Agricultural Development Revenue Bond for the project numbered below in the respective maximum principal amount. The bond will be issued to assist the respective borrower named below (who will be the owner and operator of the project) to finance the cost in the amount of the bond of acquiring the respective project or for the purpose of refunding a bond previously issued to finance the project. The project shall be located as shown:

**Project No. 000466, Maximum Principal Amount: \$66,878.17. Owner/Operator: Darin Schlesener. Description:** Acquisition of 155 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 Southwest Quarter of Section 5, Range 4 East, Township 15 South, Dickinson County, Kansas, approximately 3 miles west of Woodbine and 2 miles south on Rain 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 Suite 1000, Jayhawk Tower, 700 S.W. Jackson, Topeka, 66603, will be considered. Additional information regarding the project may be obtained by contacting the Authority.

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

Jack H. Brier  
President

Doc. No. 025935

## State of Kansas

**Historic Sites Board of Review****Notice of Addendum to Meeting Agenda**

The following property will be added to the agenda for the December 9 meeting of the Kansas Historic Sites Board of Review, notice of which was published in the November 16 Kansas Register:

- Marion Hall, First and Main, Baileyville, Nemaha County

Ramon Powers  
Executive Director

Doc. No. 025931

## State of Kansas

**State Banking Board****Notice of Meeting**

The State Banking Board will conduct a special meeting at 9 a.m. Friday, December 1, in the office of the State Bank Commissioner, Suite 300, Jayhawk Tower, 700 S.W. Jackson, Topeka. The purpose of the meeting will be to discuss possible legislative changes in powers and duties of the State Banking Board. For further information, call (785) 296-2266.

Franklin Nelson  
State Bank Commissioner

Doc. No. 025923

## State of Kansas

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

The Kansas Department of Health and Environment is soliciting comments regarding a proposed Class I air quality operating permit. UtiliCorp United, Inc. 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.

UtiliCorp United, Inc., Kansas City, Missouri, owns and operates Judson Large electrical power station located at 11453 Fort Dodge Road, Dodge City.

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, Building 283, Forbes Field, Topeka, and at the KDHE Southwest District Office, 302 W. McArtor Road, Dodge City. To obtain or review the proposed permit and supporting documentation, contact Alan Brooks, (785) 296-6281, at the KDHE central office, or Al Guernsey, (316) 225-0596, at the KDHE Southwest District Office. The

standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Alan Brooks, KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, 66620. In order to be considered in formulating a final permit decision, written comments must be received by the close of business January 2.

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 January 2 in order for the Secretary of Health and Environment to consider the request.

The United States 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.

Clyde D. Graeber  
Secretary of Health  
and Environment

Doc. No. 025916

## State of Kansas

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

The Kansas Department of Health and Environment is soliciting comments regarding a proposed Class I air quality operating permit. UtiliCorp United, Inc. 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.

(continued)

UtiliCorp United, Inc., Kansas City, Missouri, owns and operates an electric power station located 3 miles north on Berry Street, Clifton.

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, Building 283, Forbes Field, Topeka, and at the KDHE North Central District Office, 2501 Market Place, Suite D, Salina. To obtain or review the proposed permit and supporting documentation, contact Alan Brooks, (785) 296-6281, at the KDHE central office, or Joan Ratzlaff, (785) 827-9639, at the KDHE North Central District Office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Alan Brooks, KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, 66620. In order to be considered in formulating a final permit decision, written comments must be received by the close of business January 2.

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 January 2 in order for the Secretary of Health and Environment to consider the request.

The United States 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.

Clyde D. Graeber  
Secretary of Health  
and Environment

Doc. No. 025918

## State of Kansas

### Department of Health and Environment

#### Request for Comments

The Kansas Department of Health and Environment is proposing to reopen a five-year permit to the LaCygne Generating Station (LaCygne) pursuant to Title IV (Acid Deposition Control) of the Federal Clean Air Act and implementing regulations found at 40 CFR Parts 72 through 78. The effective period of the revised permit is from January 1, 2000 through December 31, 2004.

Two utility boilers affected by this permit action, identified as LaCygne units #1 and #2 located at Route 1, Box 60, LaCygne, and operated by the Kansas City Power & Light Company, will comply with the Acid Rain Program nitrogen oxides (NOx) emission requirements for each year from 2000 through 2004. LaCygne boilers #1 and #2 are cyclone boilers with a Phase II standard emission limit of 0.86 lb/mmBtu and dry bottom wall-fired boiler with a Phase I standard emission limit of 0.50 lb/mmBtu, respectively. These units will utilize NOx emission averaging and their Btu-weighted annual average emission rate for both units shall be less than or equal to 0.68 lb NOx/mmBtu heat input.

Issuance of this permit would not affect the responsibility of LaCygne to meet all other existing local, state and federal sulfur dioxide emission requirements.

The designated representative for LaCygne is Marcus Jackson.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during the permit application review process is available for public review during normal business hours at the KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, and at the KDHE Northeast District Office, 800 W. 24th, Lawrence. To obtain or review the proposed permit and supporting documentation, contact Rick Bolting, (785) 296-1576, at the KDHE central office, or Pat Simpson, (785) 842-4600, at the KDHE Northeast District Office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Rick Bolting, KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, 66620. Written comments must be received by the close of business January 2 in order to be considered in formulating a final permit decision.

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 January 2 in order for the Secretary of Health and Environment to consider the request.

Clyde Graeber  
Secretary of Health  
and Environment

Doc. No. 025920



## 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. UtiliCorp United, Inc. 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.

UtiliCorp United, Inc., Pueblo, Colorado, owns and operates Arthur Mullergren Station (electrical power station) located at Kansas Highway 96 and N.W. 50th Ave., Great Bend.

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, Building 283, Forbes Field, Topeka, and at the KDHE Northwest District Office, 2301 E. 13th, Hays. To obtain or review the proposed permit and supporting documentation, contact Alan Brooks, (785) 296-6281, at the KDHE central office, or Richard A. Robinson, (785) 625-5663, at the KDHE Northwest District Office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Alan Brooks, KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, 66620. In order to be considered in formulating a final permit decision, written comments must be received by the close of business January 2.

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 January 2 in order for the Secretary of Health and Environment to consider the request.

The United States 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.

Clyde D. Graeber  
Secretary of Health  
and Environment

Doc. No. 025917

## 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-00-356/357  
Application(s) for New or Expansion of  
Existing Swine Facilities**

Name and Address of Applicant	Owner of Property Where Facility Will Be Located
Sperflage Dairy Route 3, Box 205 Seneca, KS 66538	Steven Sperflage Route 3, Box 205 Seneca, KS 66538
Legal Description	Receiving Water
Northwest Quarter of Section 14, Township 3 South, Range 13 East, Nemaha County	Missouri River Basin
Application Number A-MONM-M022	

This is an application for a permit for the construction of wastewater control structures for a dairy and swine operation. The application is for a new facility for a maximum of 250 head of swine, each weighing more than 55 pounds, and 650 head of swine, each weighing 55 pounds or less, and 200 dairy cows, for a total capacity of 165 animal units. A new or modified permit will not be issued without additional public notice.

(continued)

<b>Name and Address of Applicant</b>	<b>Owner of Property Where Facility Will Be Located</b>
Raymond Williams 2020 24th Ave. Galva, KS 67443	Raymond Williams 2020 24th Ave. Galva, KS 67443
<b>Legal Description</b>	<b>Receiving Water</b>
Southwest Quarter of Section 19 Township 18 South, Range 1 West, McPherson County	Smoky Hill River Basin
Application Number A-SHMP-S007	

This is an application for expansion of an existing swine facility from a capacity of 800 head of swine (320 animal units) to 1,000 head of swine weighing more than 55 pounds (400 animal units) and 1,280 head of swine weighing less than 55 pounds (128 animal units), for a total of 2,280 head of swine (528 animal units). A new or modified permit will not be issued without additional public notice.

**Public Notice No. KS-AG-00-358/368  
Pending Permits for Confined Feeding Facilities**

<b>Name and Address of Applicant</b>	<b>Legal Description</b>	<b>Receiving Water</b>
Dale and Gerimarie Steinlage Route 1, Box 83A Corning, KS 66417	SW/4 of Section 30, T4S, R13E, Nemaha County	Missouri River Basin

Kansas Permit No. A-MONM-M021

This is a permit for a previously-certified dairy facility. The facility is expanding from 60 dairy cows (84 animal units) to 75 dairy cows (105 animal units), 12 dry and 40 replacement heifers (52 animal units), for a total of 157 animal units.

**Wastewater Control Facilities:** Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided which meets or exceeds KDHE minimum requirements.

**Compliance Schedule:** The approved manure/waste management plan for the facility shall be adhered to as a condition of the permit.

<b>Name and Address of Applicant</b>	<b>Legal Description</b>	<b>Receiving Water</b>
Farwell Farms, Farm #2 Route 1, Box 39 Seneca, KS 66538	NW/4 of Section 11, T1S, R12E, Nemaha County	Missouri River Basin

Kansas Permit No. A-MONM-S047

This is a permit renewal for an existing facility for a maximum of 990 head (396 animal units) of swine weighing greater than 55 pounds.

**Wastewater Control Facilities:** Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided which meets or exceeds KDHE minimum requirements.

**Compliance Schedule:** The approved manure/waste management plan for the facility shall be adhered to as a condition of the permit.

<b>Name and Address of Applicant</b>	<b>Legal Description</b>	<b>Receiving Water</b>
Farwell Farms, Farm #1 Route 1, Box 39, Seneca, KS 66538	SE/4 of Section 10, T1S, R12E, Nemaha County	Missouri River Basin

Kansas Permit No. A-MONM-S032

This is a permit renewal of a current permit for an existing facility for a maximum of 1,675 head (670 animal units) of swine weighing greater than 55 pounds and 150 head (150 animal units) of cattle weighing greater than 700 pounds, for a total of 820 animal units.

**Wastewater Control Facilities:** Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided which meets or exceeds KDHE minimum requirements.

**Compliance Schedule:** A manure/waste management plan for the facility shall be developed.

<b>Name and Address of Applicant</b>	<b>Legal Description</b>	<b>Receiving Water</b>
Porters Porkers Partnership John D. Porter Route 1, P.O. Box 55 Glen Elder, KS 67446	NE/4 of Section 26, T6S, R9W, Mitchell County	Solomon River Basin

Kansas Permit No. A-SOMC-S007

This is a permit renewal and change of operation for an existing facility for a maximum of 9,752 head (975.2 animal units) of swine weighing 55 pounds or less.

**Wastewater Control Facilities:** Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided which meets or exceeds KDHE minimum requirements.

**Compliance Schedule:** The approved manure/waste management plan for the facility shall be adhered to as a condition of the permit. Once during the term of the permit (five years), the soil in each field that is identified as located in a sensitive groundwater area and has received manure or wastewater in the previous five years shall be sampled and analyzed.

<b>Name and Address of Applicant</b>	<b>Legal Description</b>	<b>Receiving Water</b>
Galen W. Penner 2255 K-15 Highway Hillsboro, KS 67063-8304	NE/4 of Section 17, T19S, R2E, Marion County	Neosho River Basin

Kansas Permit No. A-NEMN-M006

This is a permit renewal for an existing facility for a maximum of 165 head (190 animal units) of dairy cows.

**Wastewater Control Facilities:** Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided which meets or exceeds KDHE minimum requirements.

**Compliance Schedule:** The approved manure/waste management plan for the facility shall be adhered to as a condition of the permit. Dewatering equipment shall be obtained within six months after the issuance of the permit.

<b>Name and Address of Applicant</b>	<b>Legal Description</b>	<b>Receiving Water</b>
K-BAR-S Gene Knackstedt 675 Chisholm Road Inman, KS 67546	NE/4 of Section 6, T21S, R4W, McPherson County	Little Arkansas River Basin

Kansas Permit No. A-LAMP-M028

This is a new permit for an existing facility for a maximum of 205 head (225.5 animal units) of dairy cattle.

**Wastewater Control Facilities:** Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided which meets or exceeds KDHE minimum requirements.

**Compliance Schedule:** The approved manure/waste management plan for the facility shall be adhered to as a condition of the permit.

<b>Name and Address of Applicant</b>	<b>Legal Description</b>	<b>Receiving Water</b>
MLC Farms Inc. David Crumbaker Route 4, Box 3 Beloit, KS 67420	N/2 of Section 27, T7S, R7W, Mitchell County	Kansas River Basin

Kansas Permit No. A-SOMC-S014

This is a permit renewal for an existing facility for a maximum of 700 head (280 animal units) of swine weighing greater than 55 pounds, and 3,340 head (234 animal units) of swine weighing 55 pounds or less, for a total of 3,040 head (514 animal units).

**Wastewater Control Facilities:** Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided which meets or exceeds KDHE minimum requirements.

**Compliance Schedule:** The approved manure/waste management plan for the facility shall be adhered to as a condition of the permit. Once during the term of the permit (five years), the soil in each field that

is identified as located in a sensitive groundwater area and has received manure or wastewater in the previous five years shall be sampled and analyzed.

Name and Address of Applicant	Legal Description	Receiving Water
Dairy Queen Dairy Quentin Unruh 1285 27th Ave. Canton, KS 67428	NE/4 of Section 33, T19S, R1W, McPherson County	Little Arkansas River Basin

Kansas Permit No. A-LAMP-M021

This is a permit renewal for an existing facility for a maximum of 55 head (62 animal units) of dairy cattle.

**Wastewater Control Facilities:** Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided which meets or exceeds KDHE minimum requirements.

**Compliance Schedule:** The approved manure/waste management plan for the facility shall be adhered to as a condition of the permit.

Name and Address of Applicant	Legal Description	Receiving Water
Currie Inc. Mike Currie 3548 S. Gypsum Valley Road Gypsum, KS 67448	SE/4 of Section 4, T15S, R1W, Saline County	Smoky Hill River Basin

Kansas Permit No. A-SHSA-M005

This is a permit renewal and change of operation, from a dairy operation to production of dairy replacement heifers at the facility, for an existing facility for a maximum of 300 head (300 animal units).

**Wastewater Control Facilities:** Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided which meets or exceeds KDHE minimum requirements.

**Compliance Schedule:** The approved manure/waste management plan for the facility shall be adhered to as a condition of the permit. Once during the term of the permit (five years), the soil in each field that is identified as located in a sensitive groundwater area and has received manure or wastewater in the previous five years shall be sampled and analyzed.

Name and Address of Applicant	Legal Description	Receiving Water
Roderick Arnoldy 226 W. 190th Drive Tipton, KS 67485	SW/4 of Section 3, T9S, R11W, Osborne County	Solomon River Basin

Kansas Permit No. A-SOOB-B007

This is a new permit for and expanding facility for 300 head (300 animal units) of cattle weighing greater than 700 pounds each, and 300 head (150 animal units) of cattle weighing 700 pounds or less.

**Wastewater Control Facilities:** Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided which meets or exceeds KDHE minimum requirements.

**Compliance Schedule:** The approved manure/waste management plan for the facility shall be adhered to as a condition of the permit.

Name and Address of Applicant	Legal Description	Receiving Water
Benedict Streit 218 W. 180th Drive Tipton, KS 67485	E/2 of the SW/4 of Section 34, T8S, R11W, Osborne County	Solomon River Basin

Kansas Permit No. A-SOOB-B005

This is a new permit for a new facility for a maximum of 300 head (150 animal units) of cattle weighing 700 pounds or less.

**Wastewater Control Facilities:** Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided which meets or exceeds KDHE minimum requirements.

**Compliance Schedule:** The approved manure/waste management plan for the facility shall be adhered to as a condition of the permit. Per-

meability tests shall be conducted on the earthen wastewater retention structure.

**Public Notice No. KS-00-237/238**

Name and Address of Applicant	Waterway	Type of Discharge
The Catholic Diocese of Wichita Catholic School Office 424 N. Broadway Wichita, KS 67202	Arkansas River via Storm Ditch	Cooling Water

Facility Name: Trinity Junior-Senior Catholic High School

Kansas Permit No. I-AR49-CO21 Federal Permit No. KS0095575

Legal: SW¼, S5, T23S, R5W, Reno County

**Facility Description:** The proposed action is to issue a new permit for the discharge of cooling water from this school. The school uses groundwater to cool a chiller for the building. The chiller is normally operated three months out of the year with a maximum daily discharge of 230,000 gallons per day. No chemicals are added to the cooling water. The proposed permit includes monitoring for chlorides and effluent flow. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

Name and Address of Applicant	Waterway	Type of Discharge
The Marley Cooling Tower Company Marley and Lone Elm Road Olathe, KS 66061	Kansas River via Cedar Creek via Unnamed Tributary	Cooling Water and Stormwater Runoff

Kansas Permit No. I-KS52-CO02 Federal Permit No. KS0002607

Facility Location: Marley and Lone Elm Road, Olathe, KS 66061, Johnson County

**Facility Description:** The proposed action is to re-issue an existing permit for the discharge of cooling water and stormwater runoff from this facility. This facility is engaged in the manufacture of parts for water cooling towers. The parts are made from polyester resin and fiberglass using the spray lay-up process. Manufacture of cooling tower parts involves machining, welding and painting. A large part of the facility is used for assembly, storage and shipment of parts. Monitoring of the effluent will not be required unless there is a significant change in the quality or quantity of the subject discharge. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

**Public Notice No. KS-ND-00-050**

Name and Address of Applicant	Legal Location	Type of Discharge
Missionary Baptist State Convention of Kansas 2600 N. Grove Wichita, KS 67219	NE¼, S25, T25S, R13E, Woodson County	Nonoverflowing

Facility Name: Camp Ascension Wastewater Treatment Lagoon

Facility Location: 886 Coyote Road, Toronto, KS 66777

Kansas Permit No. C-VE36-NO02

**Facility Description:** The proposed action is to re-issue an existing permit for the operation of an existing wastewater treatment facility treating primarily domestic wastewater. This facility has a one-cell wastewater stabilization lagoon system. Included in this permit is a schedule of compliance requiring the permittee to obtain the services of a KDHE-certified wastewater treatment plant operator. Discharge of wastewater from this treatment facility to the surface waters of the State of Kansas is prohibited by this permit. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f).

Persons wishing to comment on or object to the draft permits and/or permit applications must submit their  
*(continued)*

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

All comments regarding the draft permit or application notice postmarked or received on or before December 30 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate Kansas permit number (KS-AG-00-356/357, KS-AG-00-358/368, KS-00-237/238, KS-ND-00-050) and name of applicant/application as listed when preparing comments.

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

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

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

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

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

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

Clyde D. Graeber  
Secretary of Health  
and Environment

Doc. No. 025925

## State of Kansas

### Department of Health and Environment

#### Request for Comments

The Kansas Department of Health and Environment is soliciting comments regarding a proposed Class I air quality operating permit. UtiliCorp United, Inc. 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.

UtiliCorp United, Inc., Kansas City, Missouri, owns and operates an electric power station located at U.S. Highway 54 and Cimarron River, Liberal.

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, Building 283, Forbes Field, Topeka, and at the KDHE South Central District Office, 130 S. Market, sixth floor, Wichita. To obtain or review the proposed permit and supporting documentation, contact Alan Brooks, (785) 296-6281, at the KDHE central office, or David Butler, (316) 337-6020, at the KDHE South Central District Office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Alan Brooks, KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, 66620. In order to be considered in formulating a final permit decision, written comments must be received by the close of business January 2.

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 January 2 in order for the Secretary of Health and Environment to consider the request.

The United States 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.

Clyde D. Graeber  
Secretary of Health  
and Environment

Doc. No. 025919

State of Kansas

## Kansas Lottery

### Temporary Administrative Regulations

#### Article 2.—LOTTERY RETAILERS

**111-2-30. Retailer bonus.** (a) On all Powerball, Winners Take All, and Kansas Cash drawings in which the prize claimed and awarded is the "jackpot prize" offered in the game it represents, the Kansas lottery retailer(s) selling the ticket(s) shall receive \$10,000 for Powerball, the greater of \$100 or one percent of the jackpot prize awarded for Winners Take All, and \$1,000 for Kansas Cash, or share equally in a bonus if there are multiple winners and the prize is paid on a parimutuel basis. The bonus shall be in addition to compensation specified in K.A.R. 111-2-4.

(b) A "jackpot prize" is the highest prize awarded in the prize structure of the Powerball, Winners Take All, or Kansas Cash game it represents.

(c) On all Powerball and Cash 4 Life drawings where the prize claimed and awarded is less than the jackpot prize and is not less than \$100,000, the Kansas lottery retailer selling the ticket shall receive \$1,000.

(d) On all Keno drawings where the prize claimed and awarded is not less than \$100,000, the Kansas lottery retailer selling the ticket shall receive \$1,000.

(e) In addition to other commissions and bonuses received, each retailer shall receive a sales bonus of one percent (1%) of each instant and online ticket sold by the retailer where the prize claimed and awarded is over \$599, with a minimum bonus of \$10 and a maximum bonus of \$100. A retailer receiving a bonus pursuant to subsections (a), (b), (c) or (d) above shall not be entitled to this bonus.

(f) A bonus as provided in subsections (a), (b), (c), (d), or (e) above shall only be paid to a Kansas lottery retailer that, at the time the qualifying prize is claimed and awarded, is not delinquent in any payments due the lottery, is a certified lottery retailer, is not suspended or on "hold" status, and is otherwise in compliance with retailer's contract with the lottery. In the event a bonus is earned but the retailer is not at that time eligible to receive the bonus, the lottery will withhold payment or credit for up to 90 days to allow the retailer to cure any such delinquency or other deficiency. If after 90 days the retailer fails to cure said delinquency or deficiency, the retailer

shall forfeit said bonus. Under extenuating circumstances, as determined by the executive director, the time for curing said delinquency or deficiency may be extended. (Authorized by and implementing K.S.A. 1999 Supp. 74-8710; effective, T-111-8-5-94, July 15, 1994; amended, T-111-3-22-95, March 16, 1995; amended, T-111-5-22-96, May 15, 1996; amended, T-111-6-27-96, June 21, 1996; amended, T-111-7-22-96, July 19, 1996; amended, T-111-3-13-98, Feb. 20, 1998; amended, T-111-5-28-98, May 15, 1998; amended, T-111-7-19-99, June 17, 1999; amended, T-111-6-8-00, May 12, 2000; amended, T-111-7-31-00, July 21, 2000; amended, T-111-11-14-00, Oct. 20, 2000.)

**111-2-117. "Holiday Gift Pack" retailer incentive.** (a) During the period beginning November 1, 2000, and ending at the end of the business day on November 30, 2000, in addition to compensation specified in K.A.R. 111-2-4, the Kansas lottery shall also offer for all retailers the "Holiday Gift Pack" retailer incentive promotion. It will be held in conjunction with the Kansas lottery's "Holiday Gift Pack" game (K.A.R. 111-4-1759 through 111-4-1763).

(b) With each book of "Holiday Gift Pack" tickets activated, a retailer location will automatically be entitled to one entry for the random selection of winning entries. Entries for each eligible book of tickets will be completed by the lottery based upon computer records identifying the activation of each book of "Holiday Gift Pack" tickets by a retailer location. Entries shall be segregated according to the Kansas lottery region in which each retailer location is located. Only "Holiday Gift Pack" tickets activated between November 1, 2000, and the end of the business day on November 30, 2000, will be eligible.

(c) The random selection of winners will be held at approximately 10:15 a.m. on Friday, December 8, 2000, at lottery headquarters. The first 10 entries selected from each Kansas lottery region shall entitle the retailer location named thereon to win the prize of credit for one book of "Holiday Gift Pack" tickets. The first set of 10 entries selected will be from the Topeka regional entries. The second set of 10 entries selected will be from the Great Bend regional entries. The third set of 10 entries selected will be from the Wichita regional entries. Each retailer location may only win one prize. If a retailer location which has already won a prize is selected again, additional entries shall be selected until 10 eligible winners have been chosen from each region.

(d) In the event any book of "Holiday Gift Pack" tickets is returned to the lottery, based upon which book a prize was won in this promotion, the retail location shall not be entitled to said prize and the prize credit awarded shall be reversed. (Authorized by and implementing K.S.A. 1999 Supp. 74-8710; effective, T-111-11-14-00, Oct. 20, 2000.)

**111-2-118. Pete's Corporation "Ask for the sale" promotion.** (a) During the period beginning November 1, 2000, and ending November 30, 2000, in addition to compensation provided for in K.A.R. 111-2-4, the Kansas lottery also offers all Pete's Corporation stores located in Kansas an opportunity to participate in a bonus retailer "ask for the sale" incentive promotion of lottery tickets.

(continued)

(b) On each Wednesday in November 2000, including November 1, 8, 15, 22, and 29, all Pete's Corporation store personnel selling Kansas lottery tickets will ask every adult customer making a purchase if the customer would like to purchase a lottery ticket. If the employee fails to ask adult customers for the purchase of a lottery ticket and the customer brings it to the clerk's attention before leaving the premises, the retailer shall give the adult customer one \$1.00 instant lottery ticket at no charge.

(c) All retailer employees at each location shall wear promotional buttons and display special point-of-sale materials provided by the lottery each Wednesday from 6:00 a.m. to 10:00 p.m. during the promotion announcing the promotion to its customers. These promotional materials consist of:

(1) A tent card to be displayed at the point where tickets are sold.

(2) A window/monitor banner to be displayed at the front entrance of the business and/or below the lottery information display system monitor.

These materials must be on display during all hours of the promotion at the times and dates established in subsections (b) and (c) for a store to be eligible for a prize.

(d) Any tickets given away above the \$35 allowance representing 35 tickets per location will be the responsibility of Pete's Corporation.

(e) Each retail location shall maintain a ticket log form to be completed every time a lottery ticket is given away. The log will be picked up by the Kansas lottery district manager servicing the retailer location at the end of the promotion. If all terms of the promotion have been complied with by the retail location, \$35 will be credited to the retailer's lottery account.

(f) At the end of the promotion, the store with the greatest percentage increase in total lottery ticket sales for the period from November 1, 2000, through November 30, 2000, over the base sales period will win credit for one pack of instant lottery tickets valued at \$285. Promotional items will also be awarded to the first, second, and third place stores based on the percentage increase in total lottery sales over the base sales period. The base sales period for each store shall be total lottery ticket sales from November 1, 1999, through November 30, 1999. (Authorized by K.S.A. 1999 Supp. 74-8710, implementing K.S.A. 1999 Supp. 74-8710 and K.S.A. 74-8708; effective, T-111-11-14-00, Oct. 20, 2000.)

**Article 4.—INSTANT GAME RULES**

**111-4-1792. "Caribbean Stud Poker" instant ticket lottery game number 121.** (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Caribbean Stud Poker" commencing on or after October 30, 2000. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-1792.

(b) The "play symbols" and "play symbol captions" for this game are as follows:

Play Symbols	Play Symbol Captions
FREE	TICKET
\$1. <sup>00</sup>	ONES\$
\$2. <sup>00</sup>	TWO\$
\$3. <sup>00</sup>	THR\$

\$5. <sup>00</sup>	FIVES\$
10. <sup>00</sup>	TENS\$
15. <sup>00</sup>	FIFTEEN
20. <sup>00</sup>	TWENTY
25. <sup>00</sup>	TWEN-FIV
50. <sup>00</sup>	FIFTY
\$100\$	ONE-HUN
\$250\$	TWHNFTY
\$1000	ONETHOU
\$20000	20-THOU
Symbol of a cruise ship	CRUISE
Two of hearts	twoh
Two of diamonds	twod
Two of clubs	twoc
Two of spades	twos
Three of hearts	thr
Three of diamonds	thrd
Three of clubs	thrc
Three of spades	thrs
Four of hearts	forh
Four of diamonds	ford
Four of clubs	forc
Four of spades	fors
Five of hearts	fiveh
Five of diamonds	fived
Five of clubs	fivec
Five of spades	fives
Six of hearts	sixh
Six of diamonds	sixd
Six of clubs	sixc
Six of spades	sixs
Seven of hearts	sev
Seven of diamonds	sevd
Seven of clubs	sevc
Seven of spades	sevs
Eight of hearts	egh
Eight of diamonds	egtd
Eight of clubs	egtc
Eight of spades	egts
Nine of hearts	nineh
Nine of diamonds	nined
Nine of clubs	ninec
Nine of spades	nines
10 of hearts	tenh
10 of diamonds	tend
10 of clubs	tenc
10 of spades	tens
Jack of hearts	jackh
Jack of diamonds	jackd
Jack of clubs	jackc
Jack of spades	jacks
Queen of hearts	qunh
Queen of diamonds	qund
Queen of clubs	qunc
Queen of spades	quns
King of hearts	kingh
King of diamonds	kingd
King of clubs	kingc
King of spades	kings
Ace of hearts	aceh
Ace of diamonds	aced
Ace of clubs	acec
Ace of spades	aces
Symbol of a joker	wild

(c) For this game, a play symbol shall appear in each of 35 play spots within the play area or areas.

(d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 149.

(e) The three letters comprising the retailer validation codes used in this game shall appear in three of eight varying locations among the play symbols. The retailer validation codes for this game and their meanings are as follows:

FRE	=	FREE TICKET
TWO	=	\$2.00
THR	=	\$3.00
FIV	=	\$5.00
TEN	=	\$10.00
FTN	=	\$15.00
TWF	=	\$25.00
FTY	=	\$50.00
HUN	=	\$100.00
THY	=	\$250.00

(f) The price of instant tickets sold by a retailer for this game shall be \$2.00 each.

(g) "Caribbean Stud Poker" is a ticket with five separate game plays. The player will remove the scratch-off covering the play area to reveal five player's hands, "HAND 1," "HAND 2," "HAND 3," "HAND 4," and "HAND 5," five "PRIZE" amounts, and one "Dealer's Hand." If the value of any player's "HAND" is higher than the "Dealer's Hand," the player wins the corresponding "PRIZE" amount shown for that hand. The possible poker hands in order from highest to lowest are as follows:

(1) Five of a kind (beats everything) consists of four of a kind plus a wild card.

(2) Straight Flush (beats four of a kind) consists of five consecutive cards in the same suit. (A wild card may substitute for one of the cards.)

(3) Four of a kind (beats a full house) consists of four cards having the same value or three of a kind plus a wild card.

(4) Full house (beats a flush) consists of three of a kind plus a pair or two pair plus a wild card.

(5) Flush (beats a straight) consists of five cards of the same suit or four cards of the same suit plus a wild card.

(6) Straight (beats three of a kind) consists of five consecutive cards not of the same suit. (A wild card may substitute for one of the cards.)

(7) Three of a kind (beats two pair) consists of three cards having the same value or one pair plus a wild card.

(8) Two pair (beats a pair) consists of two cards having the same value plus another two cards of the same value, distinct from the first pair. It will not be possible to find a wild card to complete this combination.

(9) One pair consists of two cards having the same value or any card plus a wild card.

(h) Each ticket in this game may win up to five times.

(i) Approximately 900,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 300,000 tickets, and the same odds as were contained in the initial ticket order.

(j) The expected number and value of instant prizes in this game shall be as follows:

Get	Prizes	Expected Number of Prizes in Game	Expected Value in Game
FREE	Free ticket	78,000	\$0
\$2	\$2	30,000	60,000
\$2 (\$1 + \$1)	\$2	30,000	60,000

\$3	\$3	15,000	45,000
\$5	\$5	6,000	30,000
\$5 (\$3 + \$2)	\$5	6,000	30,000
\$5 (\$1 x 5)	\$5	5,400	27,000
\$10	\$10	2,700	27,000
\$10 (\$5 + \$3 + \$2)	\$10	2,700	27,000
\$10 (\$5 x 2)	\$10	2,100	21,000
\$15	\$15	1,500	22,500
\$15 (\$10 + \$5)	\$15	1,500	22,500
\$15 (\$3 x 5)	\$15	1,500	22,500
\$25	\$25	1,125	28,125
\$25 (\$10 x 2 + \$5)	\$25	1,125	28,125
\$25 (\$5 x 5)	\$25	1,050	26,250
\$50	\$50	825	41,250
\$50 (\$25 x 2)	\$50	825	41,250
\$50 (\$10 x 5)	\$50	825	41,250
\$100	\$100	240	24,000
\$100 (\$50 x 2)	\$100	300	30,000
\$100 (\$20 x 5)	\$100	300	30,000
\$100 (\$25 x 4)	\$100	300	30,000
\$250	\$250	99	24,750
\$250 (\$50 x 5)	\$250	102	25,500
\$1,000	\$1,000	21	21,000
Carnival Cruise Trip	\$3,234	20	64,680
\$20,000	\$20,000	5	100,000
<b>TOTAL</b>		<b>189,562</b>	<b>\$950,680</b>

(k) The odds of winning a prize in this game are approximately one in 4.75. (Authorized by K.S.A. 1999 Supp. 74-8710; implementing K.S.A. 1999 Supp. 74-8710 and K.S.A. 74-8720; effective, T-111-11-14-00, Oct. 20, 2000.)

**111-4-1793. "Frosty Fun Tripler" instant ticket lottery game number 120.** (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Frosty Fun Tripler" commencing on or after October 30, 2000. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-1793.

(b) The "play symbols" and "play symbol captions" for this game are as follows:

Play Symbols	Play Symbol Captions
FREE	TICKET
\$1. <sup>00</sup>	ONE\$
\$2. <sup>00</sup>	TWO\$
\$5. <sup>00</sup>	FIVE\$
\$10. <sup>00</sup>	TEN\$
\$20. <sup>00</sup>	TWENTY
\$30. <sup>00</sup>	THIRTY
\$1000	ONETHOU
TRIPLE PRIZE	3XPRIZE

(c) For this game, a play symbol shall appear in each of six play spots within the play area or areas.

(d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 299.

(e) The three letters comprising the retailer validation codes used in this game shall appear in three of eight varying locations among the play symbols. The retailer validation codes for this game and their meanings are as follows:

FRE	=	FREE TICKET
ONE	=	\$1.00
THR	=	\$3.00
FIV	=	\$5.00
SIX	=	\$6.00
TEN	=	\$10.00
FTN	=	\$15.00

(continued)

TWY	=	\$20.00
TRY	=	\$30.00
SXY	=	\$60.00

(f) The price of instant tickets sold by a retailer for this game shall be \$1.00 each.

(g) "Frosty Fun Tripler" is a match three of six dollar amounts or a match two dollar amounts plus a tripler symbol to win triple the dollar amount. The player will remove the latex covering over the play area to reveal six prize amounts or five prize amounts and a tripler symbol. If the player matches three like prize amounts, the player wins that prize amount. If the player matches two like prize amounts plus a tripler symbol, the player wins triple the prize amount.

(h) Each ticket in this game may win up to one time.

(i) Approximately 1,500,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 300,000 tickets, and the same odds as were contained in the initial ticket order.

(j) The expected number and value of instant prizes in this game shall be as follows:

Get	Prizes	Expected Number of Prizes in Game	Expected Value in Game
3 - Free's	Free ticket	160,000	\$0
3 - \$1.00's	\$1	25,000	25,000
2 - \$1.00's & (triple prize)	\$3	55,000	165,000
3 - \$5.00's	\$5	20,000	100,000
2 - \$2.00's & (triple prize)	\$6	15,000	90,000
3 - \$10.00's	\$10	10,000	100,000
2 - \$5.00's & (triple prize)	\$15	5,000	75,000
3 - \$20.00's	\$20	4,700	94,000
3 - \$30.00's	\$30	500	15,000
2 - \$10.00's & (triple prize)	\$30	2,000	60,000
2 - \$20.00's & (triple prize)	\$60	250	15,000
3 - \$1,000's	\$1,000	10	10,000
2 - \$1,000's & (triple prize)	\$3,000	5	15,000
<b>TOTAL</b>		<u>297,465</u>	<u>\$764,000</u>

(k) The odds of winning a prize in this game are approximately one in 5.04. (Authorized by K.S.A. 1999 Supp. 74-8710; implementing K.S.A. 1999 Supp. 74-8710 and K.S.A. 74-8720; effective, T-111-11-14-00, Oct. 20, 2000.)

**111-4-1794. "Fat Frog Doubler" instant ticket lottery game number 122.** (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Fat Frog Doubler" commencing on or after October 30, 2000. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-1794.

(b) The "play symbols" and "play symbol captions" for this game are as follows:

Play Symbols	Play Symbol Captions
\$1.00	ONE\$
\$2.00	TWO\$
\$4.00	FOUR\$
\$5.00	FIVE\$
10.00	TEN\$
20.00	TWENTY

40. <sup>00</sup>	FORTY
\$500\$	FIVE-HUN
\$750\$	SVHNFTY
\$1500	FTNHUN
Symbol of a frog	DOUBLER

(c) For this game, a play symbol shall appear in each of six play spots within the play area or areas.

(d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 299.

(e) The three letters comprising the retailer validation codes used in this game shall appear in three of eight varying locations among the play symbols. The retailer validation codes for this game and their meanings are as follows:

ONE	=	\$1.00
TWO	=	\$200
FOR	=	\$4.00
FIV	=	\$5.00
TEN	=	\$10.00
TWY	=	\$20.00
FRY	=	\$40.00
FHN	=	\$500.00

(f) The price of instant tickets sold by a retailer for this game shall be \$1.00 each.

(g) "Fat Frog Doubler" is a match three of six dollar amounts or a match two dollar amounts plus a doubler symbol to win double the dollar amount. The player will remove the latex covering over the play area to reveal six prize amounts or five prize amounts and a doubler symbol. If the player matches three like prize amounts, the player wins that prize amount. If the player matches two like prize amounts plus a doubler symbol, the player wins double the prize amount.

(h) Each ticket in this game may win up to one time.

(i) Approximately 1,500,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 300,000 tickets, and the same odds as were contained in the initial ticket order.

(j) The expected number and value of instant prizes in this game shall be as follows:

Get	Prizes	Expected Number of Prizes in Game	Expected Value in Game
3 - \$1.00's	\$1	110,000	110,000
2 - \$1.00's & (D)	\$2	50,000	100,000
3 - \$2.00's	\$2	45,000	90,000
2 - \$2.00's & (D)	\$4	15,000	60,000
3 - \$4.00's	\$4	15,000	60,000
3 - \$5.00's	\$5	20,000	100,000
2 - \$5.00's & (D)	\$10	8,000	80,000
3 - \$10.00's	\$10	5,000	50,000
2 - \$10.00's & (D)	\$20	3,250	65,000
3 - \$20.00's	\$20	2,400	48,000
2 - \$20.00's & (D)	\$40	450	18,000
3 - \$40.00's	\$40	415	16,600
3 - \$500's	\$500	40	20,000
2 - \$750's & (D)	\$1,500	15	22,500
3 - \$1,500's	\$1,500	10	15,000
<b>TOTAL</b>		<u>274,580</u>	<u>\$855,100</u>

(D) Denotes doubler symbol.

(k) The odds of winning a prize in this game are approximately one in 5.46. (Authorized by K.S.A. 1999 Supp. 74-8710; implementing K.S.A. 1999 Supp. 74-8710



and K.S.A. 74-8720; effective, T-111-11-14-00, Oct. 20, 2000.)

**Article 7.—ON-LINE GAMES**

**111-7-152. Prizes, probability of winning.** (a) Prizes shall be awarded for matching two, three, four, or five numbers on a board. Prize categories, probability of winning rounded to the nearest whole number and prize allocation for each game in which at least one ticket matches five of five numbers, four of five numbers, and three of five numbers are as follows:

Prize Category	Matches in One Game Play	Probability of Winning	Prize	Percent of Prize Pool Allocated to Prize
1	All 5	1 in 237,336	Parimutuel (Jackpot)	Approximately 44.52%
2	Any 4	1 in 1,695	Parimutuel	Approximately 11.87% (parimutuel share)
3	Any 3	1 in 63	Parimutuel	Approximately 16.00% (parimutuel share)
4	Any 2	1 in 7	\$1.00	Approximately 27.61%

(b) Prize categories, probability of winning rounded to the nearest whole number and prize allocation for each game in which no ticket matches five of five numbers but at least one ticket matches four of five numbers and three of five numbers are as follows:

Prize Category	Matches in One Game Play	Probability of Winning	Prize	Percent of Prize Pool Allocated to Prize
5	Any 4	1 in 1,695	Parimutuel	Approximately 40.39% (parimutuel share)
6	Any 3	1 in 63	Parimutuel	Approximately 32.00% (parimutuel share)
7	Any 2	1 in 7	\$1.00	Approximately 27.61%

(c) Prize categories, probability of winning rounded to the nearest whole number and prize allocation for each game in which at least one ticket matches five of five numbers and three of five numbers, but no ticket matches four of five numbers are as follows:

Prize Category	Matches in One Game Play	Probability of Winning	Prize	Percent of Prize Pool Allocated to Prize
8	All 5	1 in 237,336	Parimutuel (Jackpot)	Approximately 44.52%
9	Any 3	1 in 63	Parimutuel	Approximately 27.87% (parimutuel share)
10	Any 2	1 in 7	\$1.00	Approximately 27.61%

(d) Prize categories, probability of winning rounded to the nearest whole number and prize allocation for each game in which at least one ticket matches five of five numbers and four of five numbers, but no ticket matches three of five numbers are as follows:

Prize Category	Matches in One Game Play	Probability of Winning	Prize	Percent of Prize Pool Allocated to Prize
11	All 5	1 in 237,336	Parimutuel (Jackpot)	Approximately 44.52%
12	Any 4	1 in 1,695	Parimutuel	Approximately 27.87% (parimutuel share)

13	Any 2	1 in 7	\$1.00	Approximately 27.61%
----	-------	--------	--------	----------------------

(e) Prize categories, probability of winning rounded to the nearest whole number and prize allocation for each game in which at least one ticket matches five of five numbers, but no tickets match four of five or three of five numbers are as follows:

Prize Category	Matches in One Game Play	Probability of Winning	Prize	Percent of Prize Pool Allocated to Prize
14	All 5	1 in 237,336	Parimutuel (Jackpot)	Approximately 72.39%
15	Any 2	1 in 7	\$1.00	Approximately 27.61%

(f) Prize categories, probability of winning rounded to the nearest whole number and prize allocation for each game in which at least one ticket matches three of five numbers, but no ticket matches five of five numbers or four of five numbers are as follows:

Prize Category	Matches in One Game Play	Probability of Winning	Prize	Percent of Prize Pool Allocated to Prize
16	Any 3	1 in 63	Parimutuel	Approximately 72.39% (parimutuel share)
17	Any 2	1 in 7	\$1.00	Approximately 27.61%

(g) Prize categories, probability of winning rounded to the nearest whole number and prize allocation for each game in which at least one ticket matches four of five numbers, but no ticket matches five of five numbers or three of five numbers are as follows:

Prize Category	Matches in One Game Play	Probability of Winning	Prize	Percent of Prize Pool Allocated to Prize
18	Any 4	1 in 1,695	Parimutuel	Approximately 72.39% (parimutuel share)
19	Any 2	1 in 7	\$1.00	Approximately 27.61%

(h) Prize categories, probability of winning rounded to the nearest whole number and prize allocation for each game in which no ticket matches five of five numbers, four of five numbers, or three of five numbers are as follows:

Prize Category	Matches in One Game Play	Probability of Winning	Prize	Percent of Prize Pool Allocated to Prize
20	Any 2	1 in 7	\$1.00	Approximately 27.61%

(i) The prizes for matching three, four, or five winning numbers shall be calculated on a parimutuel basis.

(j) The overall odds of winning any prize are approximately one in 6.00.

(k) The calculation of prizes shall be rounded down so that prizes can be paid in multiples of whole dollars.

(l) Amounts remaining after all prize liability is calculated shall accumulate and be retained in a lottery reserve account to be used as may be needed in future drawings to fund the \$1.00 prizes in the match two of 33 prize categories. (Authorized by and implementing K.S.A. 1999 Supp. 74-8710; effective, T-111-10-16-00, Sept. 8, 2000; amended, T-111-11-14-00, Oct. 20, 2000.)

Ed Van Petten  
Executive Director

Doc. No. 025897

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 index to the 1997 Volumes of the Kansas Administrative Regulations and the 1999 Supplement to the Kansas Administrative Regulations.

AGENCY 1: DEPARTMENT OF ADMINISTRATION

Table with 3 columns: Reg. No., Action, Register. Lists regulations from 1-1-5 to 1-49-1.

AGENCY 3: KANSAS STATE TREASURER

Table with 3 columns: Reg. No., Action, Register. Lists regulations from 3-2-1 to 3-3-1.

AGENCY 4: DEPARTMENT OF AGRICULTURE

Table with 3 columns: Reg. No., Action, Register. Lists regulations from 4-7-213 to 4-21-6.

AGENCY 5: DEPARTMENT OF AGRICULTURE—DIVISION OF WATER RESOURCES

Table with 3 columns: Reg. No., Action, Register. Lists regulations from 5-1-1 to 5-1-12.

Table with 3 columns: Reg. No., Action, Register. Lists regulations from 5-2-3 to 5-46-4.

AGENCY 7: SECRETARY OF STATE

Table with 3 columns: Reg. No., Action, Register. Lists regulations from 7-31-1 through 7-40-1.

Table with 3 columns: Reg. No., Action, Register. Lists regulations from V. 19, p. 1484 to V. 19, p. 1485.

Table with 3 columns: Reg. No., Action, Register. Lists regulations from V. 19, p. 1485, 1486 to V. 19, p. 1490.

Table with 3 columns: Reg. No., Action, Register. Lists regulations from V. 19, p. 1490-1493 to V. 19, p. 1496.

Table with 3 columns: Reg. No., Action, Register. Lists regulations from V. 19, p. 1497-1499 to V. 19, p. 1503.

Table with 3 columns: Reg. No., Action, Register. Lists regulations from V. 19, p. 1503, 1504.

Table with 3 columns: Reg. No., Action, Register. Lists regulations from V. 19, p. 1504-1507.

Table with 3 columns: Reg. No., Action, Register. Lists regulations from V. 19, p. 1507-1509 to V. 19, p. 1520.

AGENCY 9: ANIMAL HEALTH DEPARTMENT

Table with 3 columns: Reg. No., Action, Register. Lists regulations from 9-10-33 to 9-29-6.

AGENCY 11: STATE CONSERVATION COMMISSION

Table with 3 columns: Reg. No., Action, Register. Lists regulations from 11-7-1 through 11-9-10.

AGENCY 16: ATTORNEY GENERAL

Table with 3 columns: Reg. No., Action, Register. Lists regulations from 16-6-1 to 16-6-1.

AGENCY 17: STATE BANK COMMISSIONER

Table with 3 columns: Reg. No., Action, Register. Lists regulations from 17-22-1 to 17-24-2.

AGENCY 22: STATE FIRE MARSHAL

Table with 3 columns: Reg. No., Action, Register. Lists regulations from 22-19-1 to 22-19-4a.

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

Table with 3 columns: Reg. No., Action, Register. Lists regulations from 25-5-1 to 25-5-1.

AGENCY 26: DEPARTMENT ON AGING

Table with 3 columns: Reg. No., Action, Register. Lists regulations from 26-1-2 to 26-8-4.

AGENCY 27: STATE CORPORATION COMMISSION (KANSAS ENERGY OFFICE)

Table with 3 columns: Reg. No., Action, Register. Lists regulations from 27-2-1 to 27-2-1.

AGENCY 28: DEPARTMENT OF HEALTH AND ENVIRONMENT

Table with 3 columns: Reg. No., Action, Register. Lists regulations from 28-1-2 to 28-4-513.









115-11-2 Amended V. 18, p. 484  
 115-15-1 Amended V. 18, p. 1724  
 115-15-2 Amended V. 18, p. 1725  
 115-16-4 Amended V. 18, p. 780  
 115-17-21 New V. 18, p. 781  
 115-18-4 Amended V. 18, p. 1334  
 115-18-7 Amended V. 18, p. 1335  
 115-18-10 Amended V. 19, p. 1474  
 115-18-13 Amended V. 19, p. 1475  
 115-18-14 Amended V. 18, p. 1336  
 115-18-16 New (T) V. 19, p. 242  
 115-18-16 New V. 19, p. 1475

115-30-10 Amended V. 18, p. 781  
**AGENCY 117: REAL ESTATE APPRAISAL BOARD**  

Reg. No.	Action	Register
117-2-1	Amended	V. 18, p. 294
117-2-2	Amended	V. 18, p. 295
117-3-1	Amended	V. 18, p. 296
117-3-2	Amended	V. 18, p. 296
117-4-1	Amended	V. 18, p. 297
117-4-2	Amended	V. 18, p. 298
117-6-1	Amended	V. 18, p. 955

117-6-3	Amended	V. 19, p. 472
117-7-1	Amended	V. 19, p. 41
117-8-1	Amended	V. 19, p. 473
117-9-1	Amended	V. 19, p. 41

**AGENCY 118: KANSAS STATE HISTORICAL SOCIETY**

Reg. No.	Action	Register
118-4-1 through 118-4-4	New	V. 18, p. 672, 673

**Kansas Register  
Secretary of State  
1st Floor, Memorial Hall  
120 S.W. 10th Ave.  
Topeka, KS 66612-1594**

---

**Use this form or a copy of it to enter a subscription:**

\_\_\_\_\_ **One-year subscription @ \$80 ea.**  
**(Kansas residents must include**  
**\$5.44 state and local sales tax.)**

**Total Enclosed** \_\_\_\_\_  
**(Make check payable to the Kansas Register)**

**Send to:**

(Please, no  
more than  
4 address  
lines.)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Zip code must be included

<p><b>This space for Register office use only.</b></p>
Rec. No. _____
Exp. _____
Code _____

---

**Use this form or copy of it to enter a name or address change:**

Remove your mailing label (above) and affix it here:

Indicate change of name or address  
here:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

---

**Mail either form to: Kansas Register, Secretary of State, 1st Floor,  
Memorial Hall, 120 S.W. 10th Ave., Topeka, KS 66612-1594**