

Kansas Register

Ron Thornburgh, Secretary of State

Vol. 20, No. 9 March 1, 2001 Pages 271-310

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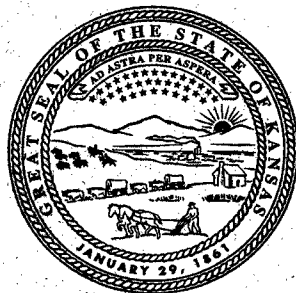
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The Kansas Register (ISSN No. 0662-190) is an official publication of the State of Kansas, published by authority of K.S.A. 75-430. The Kansas Register is published weekly by the Kansas Secretary of State, 1st Floor, Memorial Hall, 120 S.W. 10th Ave., 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.

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PUBLISHED BY
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 Secretary of State
 1st Floor, Memorial Hall
 120 S.W. 10th Ave.
 Topeka, KS 66612-1594
 (785) 296-4564
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 Garden Level, Memorial Hall
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(Published in the Kansas Register March 1, 2001.)

City of Wichita, Kansas

Notice to Bidders

The City of Wichita will receive bids at the Purchasing Office, 455 N. Main, 12th Floor, Wichita, 67201, until 10 a.m. Friday, March 30, for the following project:

**KDOT Project No. 87 TE-0156-01/472-83181/785012
(OCA Code 785012)**

Paving

3rd Street Drainage Enhancements — Pedestrian Bridges
(3rd Street between Drainage Canal and Hillside)

Requests for the bid documents and plans should be directed to KBP Reprographics, (316) 264-9344, or Sandra Loggins, (316) 268-4488. Other questions should be directed to the respective design engineer at (316) 268-4501.

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

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

Sandra Loggins
Administrative Aide
City of Wichita—Engineering

Doc. No. 026244

State of Kansas

Criminal Justice Coordinating Council

Notice of Available Grant Funding

Applications for the Edward Byrne Memorial State and Local Law Enforcement Assistance Grant Program are available. This grant program was established by the Anti-Drug Abuse Act of 1988 and the Crime Control Act of 1990.

The State of Kansas will be awarded funding by the U.S. Department of Justice, Bureau of Justice Assistance, which will be subgranted to Kansas criminal justice agencies to assist their efforts in combating illicit drug use, violent crime and system improvement needs.

Cities, counties, state agencies and native Indian tribes are eligible to receive grant funding. Program areas for which applicants can apply include prevention, enforcement, treatment, criminal interdiction, adjudication, and criminal justice information systems improvement.

Applicants are required to provide at least 25 percent of the total amount requested (local matching funds). The percent of the local matching funds is contingent on the number of years a grant has been funded.

The Byrne grant allows for the possibility of four years of funding in a program area. Program areas are described in the grant application.

Grants operate on a reimbursement basis. Subrecipients will be reimbursed the federal portion for author-

ized expenditures. Reimbursements are processed monthly.

The grant award period will be from July 1, 2001 to June 30, 2002.

Applications must be postmarked not later than April 27 to the address listed below.

Grant awards will be announced before June 30, 2001.

Additional information on the Edward Byrne Memorial State and Local Law Enforcement Assistance Grant can be found at: www.ink.org/public/ksc/federal.htm. The SFY2002 Byrne grant application is available at this Web site. The application is available in WordPerfect 8, Word 97 and Adobe Acrobat formats.

Request for a hard copy of the grant application must be made in writing. To obtain an application kit or more information, contact the Kansas Criminal Justice Coordinating Council, Suite 501, Jayhawk Tower, 700 S.W. Jackson, Topeka, 66603.

Barbara Tombs
Executive Director

Doc. No. 026236

State of Kansas

Real Estate Appraisal Board

**Notice of Hearing on Proposed
Administrative Regulations**

A public hearing will be conducted at 10 a.m. Thursday, May 3, in the lower level conference room at 1100 S.W. Wanamaker, Topeka, to consider the adoption of proposed amendments to regulation 117-8-1 on a permanent basis.

This 60-day notice of public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed regulation. All interested parties may submit written comments prior to the hearing to the Kansas Real Estate Appraisal Board, 1100 S.W. Wanamaker, Suite 104, Topeka, 66604. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulation during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request each participant to limit any oral presentation to five minutes.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulation and economic impact statement in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Michael Haynes at (785) 271-3373.

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

117-8-1. Uniform standards of professional appraisal practice. This regulation is being amended so that the current edition of the uniform standards of professional appraisal practice is adopted by reference.

Michael K. Haynes
Director

Doc. No. 026258

State of Kansas

Kansas State University

Notice to Bidders

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

Thursday, March 15, 2001

#40039

Banking services and/or credit card processing services

William H. Sesler
Director of Purchasing

Doc. No. 026254

State of Kansas

Racing and Gaming Commission

Notice of Hearing on Proposed Administrative Regulations

A public hearing will be conducted at 9 a.m. Friday, May 4, at The Turf Club, Eureka Downs Racing Facility, 210 N. Jefferson, Eureka, to consider the adoption of a proposed permanent regulation of the Kansas Racing and Gaming Commission. This 60-day notice constitutes a public comment period for the purpose of receiving written public comments on the proposed regulation.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulation and economic impact statement in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting the Kansas Racing and Gaming Commission, 3400 Van Buren, Topeka, 66611-2228, (785) 296-5800.

A copy of the full text of the regulation and the economic impact statement may be reviewed or obtained at the commission office. The following is a summary of the proposed regulation:

K.A.R. 112-4-1. Occupation licenses. This regulation amendment eliminates the need for the licensees to complete a validation form to receive validation stickers on the second and third years of their three-year license. This amendment is due to the implementation of the new photo ID badges on December 1, 2000.

Economic Impact: The Racing Commission bears the expense of running a computer check of license records from other racing jurisdictions on each licensee, which is done on an annual basis. The commission is a member of the North American Pari-Mutuel Regulators Association (NAPRA) and pays an annual membership fee of \$10,000. The commission also bears the expense of administrative processing of licenses, validation forms and validation stickers as well as administrative costs for processing fingerprint cards. No additional administrative costs in excess of budgeted amounts are expected.

Tracy T. Diel
Acting Executive Director

Doc. No. 026241

State of Kansas

Legislature

Legislative Bills and Resolutions Introduced

The following numbers and titles of bills and resolutions were introduced February 15-21 by the 2001 Kansas Legislature. Copies of bills and resolutions are available free of charge from the Legislative Document Room, 145-N State Capitol, 300 S.W. 10th Ave., Topeka, 66612, (785) 296-4096. Full texts of bills, bill tracking and other information may be accessed at ink.org/public/legislative.

House Bills

HB 2509, An act concerning the Kansas tort claims act; relating to the Kansas guardianship program; amending K.S.A. 2000 Supp. 75-6102 and repealing the existing section; also repealing K.S.A. 2000 Supp. 75-6102a, by Committee on Appropriations.

HB 2510, An act relating to income taxation; providing a check-off for senior citizen pharmaceutical assistance, by Committee on Taxation.

HB 2511, An act relating to income taxation; providing check-offs for school district contributions, by Committee on Taxation.

HB 2512, An act relating to sales taxation; concerning times for payment thereof; amending K.S.A. 79-3607 and repealing the existing section, by Committee on Taxation.

HB 2513, An act concerning the department of social and rehabilitation services; relating to rehabilitation services; creating the AgrAbility assistive technology initiative; prescribing certain powers, duties and functions; making appropriations for the fiscal year ending June 30, 2002, by Committee on Appropriations.

HB 2514, An act concerning compensation and allowances for members of the legislature; amending K.S.A. 46-137a and repealing the existing section, by Committee on Appropriations.

HB 2515, An act concerning cities and counties; relating to convention and tourism committees; amending K.S.A. 12-1695 and 12-16,101 and repealing the existing sections, by Committee on Federal and State Affairs.

HB 2516, An act concerning colleges and universities; prohibiting smoking in certain locations, by Committee on Federal and State Affairs.

HB 2517, An act concerning abortion; relating to requirements under the woman's-right-to-know act; amending K.S.A. 2000 Supp. 65-6709 and repealing the existing section, by Committee on Federal and State Affairs.

HB 2518, An act establishing a joint committee on school finance reform; providing for the composition, duties and functions of the joint committee; repealing K.S.A. 72-6405, 72-6406, 72-6408, 72-6411, 72-6413, 72-6415, 72-6416, 72-6418, 72-6419, 72-6420, 72-6421, 72-6422, 72-6423, 72-6424, 72-6425, 72-6427, 72-6428, 72-6429, 72-6432, 72-6434, 72-6435, 72-6436, 72-6437 and 72-6440 and K.S.A. 2000 Supp. 72-6407, 72-6409, 72-6410, 72-6412, 72-6414, 72-6417, 72-6426, 72-6430, 72-6431, 72-6433, 72-6438, 72-6439, 72-6441, 72-6442, 72-6443, 72-6444 and 72-6445, by Committee on Appropriations.

HB 2519, An act amending the homestead property tax refund act; concerning the definition of income for eligibility purposes; amending K.S.A. 2000 Supp. 79-4502 and repealing the existing section, by Committee on Appropriations.

HB 2520, An act relating to property taxation; exempting certain residential property therefrom, by Committee on Appropriations.

HB 2521, An act amending and supplementing the Kansas underground utility damage prevention act; amending K.S.A. 2000 Supp. 66-1801, 66-1802, 66-1803, 66-1811, 66-1812 and 66-1813 and repealing the existing sections; also repealing K.S.A. 2000 Supp. 66-1804, 66-1805, 66-1806, 66-1807, 66-1809 and 66-1810, by Committee on Appropriations.

HB 2522, An act concerning children; relating to the infant and toddler program; transferring certain powers and duties to the state board of education; amending K.S.A. 75-5648 and 75-5649 and repealing the existing sections, by Committee on Appropriations.

HB 2523, An act concerning retirement; relating to the Kansas police and firemen's retirement system; purchase of service credit; amending K.S.A. 2000 Supp. 74-4963 and 74-4963a and repealing the existing sections, by Committee on Appropriations.

HB 2524, An act concerning oil and gas; relating to the abandoned oil and gas well fund; concerning certain transfers to such fund; amending K.S.A. 2000 Supp. 55-193 and repealing the existing section, by Committee on Appropriations.

HB 2525, An act concerning docket fees; relating to compensation for certain nonjudicial employees in the judicial branch; amending K.S.A. 21-4610a, 28-170 and 60-2419 and K.S.A. 2000 Supp. 21-4619, 22-2410, 59-104, 60-1621 and 61-3504 and repealing the existing sections, by Committee on Appropriations.

HB 2526, An act establishing the Kansas utility energy assistance program; providing for the funding thereof, by Committee on Federal and State Affairs.

HB 2527, An act concerning abortion; relating to the notification of certain persons prior to the performance of an abortion on a minor; amending K.S.A. 2000 Supp. 65-6705 and repealing the existing section, by Committee on Federal and State Affairs.

HB 2528, An act concerning alcoholic beverages; concerning certain licensees; relating to bond requirements; amending K.S.A. 41-301, 41-316, 41-317, 41-502, 79-4106 and 79-41a03 and repealing the existing sections, by Committee on Federal State Affairs.

HB 2529, An act concerning the department of corrections; concerning a prison to work program, by Committee on Federal and State Affairs.

HB 2530, An act concerning retirement and pensions; relating to the Kansas public employees retirement system and systems thereunder; affiliation and membership in Kansas police and firemen's retirement system; election; employee and employer contributions, by Committee on Federal and State Affairs.

HB 2531, An act concerning elections; relating to advance voting; amending K.S.A. 25-1122, 25-1123 and 25-1124 and repealing the existing sections, by Committee on Federal and State Affairs.

HB 2532, An act concerning the state historical society; amending K.S.A. 75-2701 and repealing the existing section, by Committee on Appropriations.

HB 2533, An act concerning retirement; relating to defined benefit and defined contribution plans; amending K.S.A. 2000 Supp. 74-4911 and 74-4917 and repealing the existing sections, by Committee on Appropriations.

HB 2534, An act concerning retirement; relating to the Kansas public employees retirement system; board of trustees; obtaining certain services, by Committee on Appropriations.

HB 2535, An act concerning the developmental disabilities reform act; relating to intake and service referral functions; concerning administration of certain functions; amending K.S.A. 39-1804, 39-1805 and 39-1806 and repealing the existing sections, by Committee on Appropriations.

HB 2536, An act concerning retirement and benefits; relating to the Kansas public employees retirement system; investment fund; interest earnings; amending K.S.A. 2000 Supp. 74-4921 and repealing the existing section, by Committee on Appropriations.

HB 2537, An act concerning retirement; relating to the Kansas public employees retirement system; board of trustees; appointment of officers and employees; amending K.S.A. 2000 Supp. 74-4908 and repealing the existing section, by Committee on Appropriations.

HB 2538, An act; concerning retirement and benefits; relating to the Kansas public employees retirement system; employer certification of members contributions; amending K.S.A. 2000 Supp. 74-4915 and repealing the existing section, by Committee on Appropriations.

HB 2539, An act concerning land surveyors; relating to trespassing; amending K.S.A. 2000 Supp. 21-3721 and repealing the existing section, by Committee on Federal and State Affairs.

HB 2540, An act concerning retirement; relating to employees of the state board of regents; tax sheltered annuities; amending K.S.A. 2000 Supp. 74-4925 and 74-4925e and repealing the existing sections, by Committee on Appropriations.

HB 2541, An act concerning retirement and pensions; relating to the Kansas police and firemen's retirement system; affiliation; membership; employee and employer contributions; capitol area security patrol and motor carrier inspection officers, by Committee on Appropriations.

House Concurrent Resolutions

HCR 5021, A concurrent resolution proposing to name the new state office building the Charles Curtis State Office Building.

HCR 5022, A concurrent resolution urging the Governor and members of the Finance Council to proclaim an energy resources emergency.

HCR 5023, A concurrent resolution celebrating the 100th anniversary of the authorization of Fort Hays State University by the State of Kansas.

Senate Bills

SB 325, An act concerning the health care professionals' rights of conscience, by Committee on Federal and State Affairs.

SB 326, An act concerning social welfare; relating to payment schedules for providers of adult care home services; amending K.S.A. 39-708c and repealing the existing section, by Committee on Ways and Means.

SB 327, An act concerning nursing facilities; salaries of direct care staff; creating the nursing facility direct care salaries fund; making and concerning appropriations for the fiscal year ending June 30, 2002, for the department on aging; amending K.S.A. 2000 Supp. 75-4265 and repealing the existing section, by Committee on Ways and Means.

SB 328, An act concerning alcoholic and cereal malt beverages; requiring certain licensees to maintain records of purchasers of certain containers of beer or cereal malt beverage, by Committee on Federal and State Affairs.

SB 329, An act concerning child support enforcement; establishing the Kansas payment center; income withholding; amending K.S.A. 23-4,136, 38-1121, 38-1123 and 60-2803 and K.S.A. 2000 Supp. 23-4,106, 23-4,108, 23-4,118, 60-1610 and 60-2308 and repealing the existing sections, by Committee on Ways and Means.

SB 330, An act concerning the professional services sunshine act; relating to certain exemptions; amending K.S.A. 2000 Supp. 75-37,132 and repealing the existing section, by Committee on Ways and Means.

SB 331, An act concerning school districts; relating to lease and lease-purchase agreements entered into by boards of education; amending K.S.A. 2000 Supp. 72-8225 and repealing the existing section, by Committee on Ways and Means.

SB 332, An act establishing the individual development account program and individual development account reserve fund, by Committee on Ways and Means.

SB 333, An act concerning the state board of regents; related to Kansas residents designated for admission to certain accredited schools of dentistry; requiring agreements for service commitments and repayment of certain amounts, by Committee on Ways and Means.

SB 334, An act concerning agriculture; relating to commercial feeding stuffs; amending K.S.A. 2000 Supp. 2-1008 and 2-1011 and repealing the existing sections, by Committee on Ways and Means.

SB 335, An act concerning criminal procedure; relating to parole and the Kansas parole board; amending K.S.A. 2000 Supp. 22-3707, 22-3709 and 22-3713 and repealing the existing sections, by Committee on Ways and Means.

SB 336, An act concerning committees of the legislature; relating to the composition and appointment of certain committees; creating certain committees; amending K.S.A. 32-874, 32-966, 46-1604, 46-1801 and 46-2201 and K.S.A. 2000 Supp. 2-3703, 2-3710, 65-1,195, 65-1,198, 65-34,154, 65-6206, 66-2011, 68-2003, 74-9001 and 79-32,204 and repealing the existing sections; also repealing K.S.A. 32-874e, 46-2507, 46-2701 and 46-3001 and K.S.A. 2000 Supp. 74-2623 and 74-9005, by Committee on Ways and Means.

SB 337, An act concerning the racing and gaming commission; relating to salaries of commission members; amending K.S.A. 2000 Supp. 74-8803 and repealing the existing section, by Committee on Ways and Means.

SB 338, An act concerning school district finance; revising the definition of enrollment; amending K.S.A. 2000 Supp. 72-6407 and repealing the existing section, by Committee on Ways and Means.

SB 339, An act concerning persons in the custody of the secretary of corrections; relating to early medical release, by Committee on Federal and State Affairs.

SB 340, An act concerning retirement; relating to local police or fire pension plan; amending K.S.A. 2000 Supp. 12-5002 and repealing the existing section, by Committee on Ways and Means.

SB 341, An act concerning crimes, criminal procedure and punishment; relating to domestic violence; assessment of certain fees; amending K.S.A. 22-2802 and K.S.A. 2000 Supp. 21-4603d and repealing the existing sections, by Committee on Ways and Means.

Senate Resolutions

SR 1817, A resolution congratulating and commending Darren Sproles.

SR 1818, A resolution congratulating and commending the 2000 Olathe North Senior High School football team.

SR 1819, A resolution congratulating and commending Goddard High School Lion PRIDE band.

SR 1820, A resolution congratulating and commending the Goddard High School science team.

SR 1821, A resolution congratulating and commending Ben Vidricksen.

Doc. No. 026232

State of Kansas

Department on Aging

Request for Applications for PEANE Grant Funds

The Kansas Department on Aging is accepting applications for Special Project Grant Funds to provide either education/training and research for the Prevention of Elder Abuse, Neglect or Exploitation (PEANE) or a study of the nature or extent of financial exploitation of older individuals.

Any Kansas public agency or private not-for-profit corporation registered with the Kansas Secretary of State may apply for these funds. Applicants must provide proof of tax-exempt status from the Internal Revenue Service. Only applicants requesting \$6,000 or less for their projects will be considered. The grant proposal period is from May 1, 2001 through April 30, 2002.

To request a Special Project Grant Application, contact Yvonne Viator at (785) 368-7324 or 1-800-432-3535. The original and three copies of the completed application must be returned to the Kansas Department on Aging, 503 S. Kansas Ave., Topeka, 66603-3404, by 5 p.m. Thursday, March 29.

Connie Hubbell Secretary of Aging

Doc. No. 026247

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:

Tuesday, March 13, 2001

02941

Department of Transportation—Bituminous Plant Mixture (Hot Mix-Cold Lay), District 4

02942

Department of Transportation—Aggregate (District 4)

02950

Statewide—Veterinary Pharmaceuticals

02953

State Corporation Commission—Abandoned Well Plugging, Vogt Lease

Wednesday, March 14, 2001

02943

Department of Transportation—Bituminous Plant Mixture, Commercial Grade (District 4)

02958

Kansas State Fair—Construction of Asphalt Road

Thursday, March 15, 2001

A-9025

Department of Transportation—Reroof Sub-Area Shop, Medicine Lodge

A-9159

Kansas State University—Reroof Buildings R and T, Jardine Terrace Buildings

02930

Statewide—Room Air Conditioners

02945

Department of Wildlife and Parks—Fish Food

02964

Department of Corrections, Wichita Work Release Facility—Tower and Rooftop Unit Replacement

Tuesday, March 20, 2001

A-9047(a)

Osawatomie State Hospital—Reroof Storage Building and Fire Station

A-9058

Kansas Neurological Institute—Tuckpoint Flinthills Lodge, Pleasantview Dietary and Honeybee Lodge

A-9175

Lansing Correctional Facility—Paint Factory Addition

Thursday, March 22, 2001

A-9110

University of Kansas—Concrete Repairs and Restoration, Wescoe Hall

Tuesday, March 27, 2001

02965

Adjutant General's Department—All Labor and Materials to Renovate Office

02967

Adjutant General's Department—All Labor and Materials for Rehabilitation of Aircraft Hanger

Request for Proposals

Tuesday, March 20, 2001

02951

Reject Repair Services for Tax Documents for the Department of Revenue

Thursday, March 22, 2001

02917

Kansas! Magazine Editor for the Department of Commerce and Housing

Tuesday, April 10, 2001

02955

Systems Development Solutions for Public Transit Providers for the Department of Transportation

Friday, April 13, 2001

02786

Medical Services for the Department of Administration, Division of Personnel Services

John T. Houlihan Director of Purchases

Doc. No. 026259

State of Kansas

Pooled Money Investment Board

Notice of Investment Rates

The following rates are published in accordance with K.S.A. 75-4210. These rates and their uses are defined in K.S.A. 2000 Supp. 12-1675(b)(c)(d), and K.S.A. 75-4201(l) and 75-4209(a)(1)(B).

Effective 2-26-01 through 3-4-01	
Term	Rate
1-89 days	5.49%
3 months	4.70%
6 months	4.66%
1 year	4.59%
18 months	4.59%
2 years	4.58%

Derl S. Treff
Director of Investments

Doc. No. 026233

(Published in the Kansas Register March 1, 2001.)

City of Overland Park, Kansas

Notice to Bidders

Sealed bids for **Fiber Optic Interconnect Conduit Installation—95th, 135th, 151st, and Metcalf Avenue** will be received by the City of Overland Park, Kansas, at the office of the city clerk, City Hall, 8500 Santa Fe Drive, Overland Park, KS 66212, until 2 p.m. local time Tuesday April 3, 2001. At that time all sealed bids will be transferred to the City Council Chamber, City Hall, where they will be publicly opened and read aloud. Any bid received after the designated closing time will be returned unopened.

All bids shall be submitted in sealed envelopes addressed to the city clerk of Overland Park, Kansas, and marked "Bid for Fiber Optic Interconnect Conduit Installation—95th, 135th, 151st, and Metcalf Avenue." Copies of plans, specifications, bid documents and other contract documents are on file at the office of Olsson Associates, 8301 State Line Road, Suite 101, Kansas City, MO 64114, (816) 361-1177. Contractors desiring the contract documents for use in preparing bids may obtain a set of such documents from Olsson Associates upon payment of \$30, which amount is not refundable.

Contractors should read and be fully familiar with all contract documents before submitting a bid. In submitting a bid, the bidder warrants that it has read the contract documents and is fully familiar therewith and that it has visited the site of the work to fully inform itself as to all existing conditions and limitations, and shall include in its bid a sum to cover the cost of all items of the work.

Should a bidder find "defects" as defined in paragraph GC-2 of the General Conditions, it shall follow the procedures outlined in paragraph GC-3 to bring same to the attention of the city. Changes necessitated thereby shall be in the form of addenda issued by the consulting engineer.

All bidders shall verify that they have considered all written addenda. Neither the city nor the consulting engineer shall be responsible for oral instructions.

Any written addenda issued during the time of bidding shall be covered and included in the bid. There will be no clarifications or exceptions allowed on the bid. Bids are for a total bid package, total contract price.

Bids shall be made upon the form provided in ink or typewritten. Numbers shall be stated both in writing and in figures, the signature shall be long hand, and the complete form shall be without alteration or erasure. On alternate items for which a bid is not submitted, a written indication of "no bid" on the bid form is required.

No oral, telegraphic, facsimile or telephonic bids or alterations will be considered.

The following items must be included in the sealed envelope with the bid:

- a. Bid
- b. 5% Bid Security—Bid Bond, Cashier's Check or Certified Check (see below)
- c. Signed Documents (KDOT Certifications)
 - Certification—Noncollusion & History of Debarment
 - Certification—Federal Funds for Lobbying
 - Required Contract Provisions—Certification—Contractual Services with Current Legislator or Legislator's Firm
 - Required Contract Provision—DBE Contract Goals

Each bidder shall file with its bid a bid bond, a cashier's check or a certified check drawn on any acceptable bank, made payable to the City of Overland Park, Kansas, in an amount of not less than 5 percent of the total bid, which shall be retained by the City of Overland Park until a contract for the project has been executed. Bid bonds will be returned to the unsuccessful bidders, with the exception of the second qualifying bidder, at such time as their bids are rejected. The bid deposit of the successful bidder and the second qualifying bidder will be returned when satisfactory bonds in an amount equal to 100 percent of the contract amount, required insurance certificates and other required documents shall have been furnished and the contract documents have been executed.

In the event the successful bidder is unable to execute the contract, for whatever reason, the city may exercise its legal prerogatives, including, but not limited to, enforcement of its rights as to the bid security.

The city reserves the right to accept or reject any and all bids and to waive any technicalities or irregularities therein. Bids may be modified or withdrawn by written request of the bidder received in the office of the city clerk prior to the time and date for bid opening, provided, however, that no bidder may withdraw its bid for a period of 30 days from the date set for the opening thereof. All bidders agree that rejection shall create no liability on the part of the city because of such rejection, and the filing of any bid in response to this invitation shall constitute an agreement of the bidder to these conditions.

Mary Lou McCann
Contract Specialist
Public Works Department
City of Overland Park, Kansas

Doc. No. 026253

State of Kansas

Kansas Insurance Department

Notice of Hearing on Proposed
Administrative Regulations

A public hearing will be conducted at 9 a.m. Tuesday, May 15, in the third floor conference room, Kansas Insurance Department, 420 S.W. 9th, Topeka, to consider the adoption of proposed changes in existing rule and regulation K.A.R. 40-4-35.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed rule and regulation. All interested parties may submit written comments prior to the hearing to Rebecca Sanders, Kansas Insurance Department, 420 S.W. 9th, Topeka, 66612-1678. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulation during the hearing.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulation and economic impact statement in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Rebecca Sanders at (785) 296-7811.

A copy of the complete text of the regulation and the economic impact statement may be obtained by contacting Rebecca Sanders. A summary of the regulation and its economic impact follows.

In November 1999, Congress amended Section 1882 of the Social Security Act, which governs Medicare supplement insurance. Prior to the 1999 amendments, the National Association of Insurance Commissioners Model Regulation governing minimum standards for Medicare supplement insurance set the standard for state certification. However, the current federal standard consists of the National Association of Insurance Commissioners Model Regulation and new provisions that were added to the Social Security Act.

State regulatory programs are required to meet the requirements equal to or more stringent than the provisions of Section 1882 of the Social Security Act.

Almost all of the amendments being proposed are to bring the Kansas regulation in compliance with the required federal standards. The National Association of Insurance Commissioners has drafted and sent to the states recommended language that incorporates the 1999 amendments. This recommended language has been incorporated into these proposed amendments. These proposed amendments are necessary for Kansas to maintain the certification of the Kansas Medicare Supplement Insurance Program by the Secretary of Health and Human Services.

The proposed amendments to K.A.R. 40-4-35 are as follows:

Persons who are eligible for guaranteed issue is expanded to include individuals who are 65 or older and re-enrolled in the Program for All-Inclusive Care for the Elderly (PACE) if their enrollment with a PACE provider ceases under circumstances similar to those that provide

guaranteed issue rights to beneficiaries enrolled in a Medicare+Choice plan. A PACE beneficiary is entitled to guaranteed issue of a Medigap policy if they lose their coverage because: (1) the plan has terminated or discontinued providing the plan in the area in which the beneficiary resides; (2) the plan has lost certification; (3) the individual is no longer able to elect the plan because of a change in the individual's place of residence; (4) the individual disenrolls from a Medicare Supplement policy to enroll in a PACE plan for the first time and disenrolls from the PACE plan within the first 12 months of subsequent enrollment; and (5) the beneficiary upon first becoming eligible for Medicare enrolls in a PACE plan, and if a PACE beneficiary leaves the PACE plan because of a material misrepresentation or substantial violation of a provision of the contract on the part of the organization. These provisions do not apply to beneficiaries enrolled in a PACE program prior to November 29, 1999.

Insureds have a right to suspend benefits and premiums at the request of the policyholder if the policyholder is entitled to benefits under the Ticket To Work and Work Incentives Act of 1999 and is covered under a group health plan. If the suspension occurs and the policyholder subsequently loses coverage under the group health plan, the policy shall be automatically reinstated as of the date of loss of the coverage if the policyholder provides notice of loss of coverage within 90 days after the date of such loss.

Eligible persons may elect to begin their 63-day guaranteed issue period upon the date of notification of impending termination of coverage or the date that coverage actually ends.

Standards that are applicable to all Medicare supplement policies are amended to delete fecal occult blood test, mammogram and influenza vaccine from the list of preventive screening tests and services because all three of these service are included Medicare Part B and, therefore, are not to be included in benefits covered under a Medicare supplement policy.

The rest of the amendments could be characterized as grammatical or technical amendments. One amendment that the Kansas Insurance Department is proposing that is not required by a federal mandate is the striking of the phrase in K.A.R. 40-4-35(a)(13), which states "An issuer shall not deny coverage to an applicant under 65 years of age who enrolled for benefits under Medicare part B prior to the effective date of this regulation when the applicant applies for coverage during the six month period beginning with the effective date of this regulation." The department is recommending that this phrase be struck because this standard applied to an open enrollment period from April to October of 1996 and is no longer applicable.

The amendments that have the potential to have the most economic impact on insureds and companies are in K.A.R. 40-4-35(a)(9), which allows for an insured to suspend the policies at the request of the policyholder if there is other coverage available to the insured, and in K.A.R. 40-4-35(a)(15), which expands the classification of persons eligible for guaranteed issue.

The economic impact of these two amendments is minimal in Kansas. First, a majority of insureds with Medicare supplement policies are covered under attained age

policies with Parts A, B, C or F, and they already have suspension rights. Also, the premiums would be based on the attained age of the insured whether or not the policy was suspended. Second, the expansion to include Program for All-inclusive Care for the Elderly and Medicare+Choice recipients being included in guaranteed issue rights is not significant in Kansas. There are no insureds in the PACE program in Kansas and the Medicare+Choice population is limited in Kansas.

The other amendments are technical and should have no economic impact. Any additional regulatory responsibilities that these amendments could impose on the department can be handled with present staff and budget. There is no economic impact on other state or local governmental entities.

Kathleen Sebelius
Kansas Insurance Commissioner

Doc. No. 026243

State of Kansas
Department of Transportation

Notice to Consulting Engineers

The Kansas Department of Transportation is seeking qualified consulting engineering firms for safety projects on an as-needed basis according to guidelines provided by KDOT's Bureau of Traffic Engineering. Two or three firms will be selected. Seven signed copies of the response should be mailed to Neil Rusch, P.E., Assistant to the Director, Division of Engineering and Design, KDOT, Room 1084-West, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612-1568. Responses shall be limited to four pages. Responses must be received in Room 1084-West by 5 p.m. March 14 for the consulting engineering firm to be considered.

From the firms expressing interest, the Consultant Selection Committee will select the most highly qualified (not less than three, not more than five) and invite them to attend an individual interview conference. At this time, the consulting firms can more thoroughly discuss their experience related to the type of project at hand and will be expected to discuss, in some detail, their approach to this project and the personnel to be assigned to the project. Firms not to be interviewed will be notified by letter.

The Consultant Negotiating Committee, appointed by the Secretary of Transportation, will conduct the interviews with the selected firms. The committee will select the firm most qualified to perform the professional services required for completing the advertised project. All firms will be notified of the outcome of the interviews by letter.

It is KDOT's policy to use the following criteria as the basis for selection of the consulting engineering firms:

1. Size and professional qualifications;
2. Experience of staff;
3. Location of firm with respect to proposed project;
4. Work load of firm; and
5. Firm's performance record.

E. Dean Carlson
Secretary of Transportation

Doc. No. 026204

State of Kansas

Advisory Committee on Trauma

Notice of Meeting

The Advisory Committee on Trauma will meet from 10 a.m. to 3 p.m. Tuesday, March 6, at the Kansas Medical Society, 623 S.W. 10th Ave., Topeka. For further information, contact the KDHE Office of Local and Rural Health, (785) 296-1200.

Clyde D. Graeber
Secretary of Health
and Environment

Doc. No. 026234

State of Kansas

Department of Transportation

Notice to Contractors

Sealed proposals for the construction of road and bridge work in the following Kansas counties will be received at the Bureau of Construction and Maintenance, KDOT, Topeka, or at the Capitol Plaza Hotel, Topeka, until 2 p.m. March 14 and then publicly opened:

District One - Northeast

Atchison—73-3 K-7944-01 - U.S. 73 Walnut Creek Drainage and Walnut Creek, bridge overlay. (State Funds)

Brown—20-7 K-7697-01 - K-20 Bridge 26, Delaware River, bridge repair. (State Funds)

Jackson-Nemaha—62-106 K-7700-01 - K-62 Culvert 508 in Jackson County and Culvert 503 in Nemaha County, culvert replacement. (State Funds)

Johnson—16-46 K-8323-01 - I-35 and U.S. 169/K-7/151st Street Interchange Bridges, joint repair. (State Funds)

Johnson—46 C-3464-01 - 179th Street from Switzer Road to U.S. 69, 1.5 miles (2.4 kilometers), grading, bridge and surfacing. (Federal Funds)

Lyon—35-56 K-5088-01 - I-35 from the east junction of U.S. 50 east to the Lyon-Coffey county line, 10.3 miles (16.5 kilometers), pavement reconstruction. (Federal Funds)

Marshall-Nemaha-Brown—36-106 K-7878-01 - U.S. 36 from the east city limits of Marysville east to the west city limits of Seneca and from the west junction of U.S. 75 east to County Route 1265, 0.5 mile (0.8 kilometer), guard fence. (Federal Funds)

Pottawatomie—24-75 K-6760-01 U.S. 24 and Green Valley Road in Pottawatomie County, 0.2 mile (0.4 kilometer), intersection improvement. (State Funds)

Riley—81 C-3618-01 - Scenic Drive from Anderson Avenue to K-18 in Manhattan, 3 miles (4.8 kilometers), grading and surfacing. (Federal Funds)

Shawnee—89 U-1801-01 - Southwest Huntoon from Fairlawn Road to McAlister in Topeka, 0.6 mile (1 kilometer), grading, bridge and surfacing. (Federal Funds)

Wyandotte—5-105 K-7938-01 - K-5 Bridge 192 over 10th Street, bridge overlay. (State Funds)

(continued)

District Two - Northcentral

Dickinson—18-21 K-7111-01 - K-18 Bridge 70 over Chapman Creek, 4.8 miles (7.8 kilometers) east of the junction of K-15, bridge deck. (State Funds)

Geary—57-31 K-6363-01 - Dry Creek Drainage Bridge 59, 12.2 miles (19.7 kilometers) southeast of I-70, bridge replacement. (Federal Funds)

Ottawa—81-72 K-7875-01 - U.S. 81 from Saline-Ottawa county line, north to the junction of K-106, guard fence. (Federal Funds)

Republic—36-79 K-7956-01 - U.S. 36 Bridge over Riley Creek, bridge repair. (State Funds)

District Three - Northwest

Logan—55 C -3592-01 - County road from the junction of U.S. 83 and County Road 1635 east 0.8 mile (1.3 kilometers), surfacing. (Federal Funds)

Norton—9-69 K-6359-01 - K-9 Bridges over Elk Creek, East Elk Creek and Otter Creek, bridge replacement. (Federal Funds)

District Four - Southeast

Bourbon—69-6 K-7967-01 - U.S. 69 Bridges 15 and 16 over National Avenue, bridge overlay. (State Funds)

Bourbon-Crawford—69-106 K-7876-01 - U.S. 69 from 23rd Street to U.S. 54 in Fort Scott and from the north city limits in Pittsburg north to K-57, guard fence. (Federal Funds)

District Five - Southcentral

Barton—281-5 K-8314-01 - U.S. 281 from the west city limits of Hoisington west and north to the west junction of K-4, 4.3 miles (6.9 kilometers), crack repair. (State Funds)

Butler—177-8 K -7977-01 - K-177 Bridge over the Kansas Turnpike Authority, bridge overlay. (State Funds)

Harper—160-39 K-6700-01 - Intersection of U.S. 160 and K-14 in Harper, 0.19 mile (0.3 kilometer), grading and surfacing. (State Funds)

Harper—160-39 K-7974-01 - U.S. 160 Bridges over Spring Creek, Rush Creek, Rush Creek Drainage and the Burlington Northern Railroad, bridge overlay. (State Funds)

Reno—78 U-1853-01 - 11th and Monroe and 11th and Main in Hutchinson, intersection improvement. (Federal Funds)

Rice—4-80 K-8315-01 - K-4 from the Barton-Rice county line east to the junction of K-14, 15.2 miles (24.5 kilometers), crack repair. (State Funds)

Sedgwick—96-87 K-7874-01 - K-96 from Arkansas River bridge east to the junction of I-235, guard fence. (Federal Funds)

District Six - Southwest

Finney-Lane—23-106 K-8301-01 - K-23 from the west junction of K-156 north to the Finney-Lane county line; K-23 from the Finney-Lane county line north to the south city limits of Dighton, 28.7 miles (46.2 kilometers), sealing. (State Funds)

Grant—34 U-1788-01 - Nebraska Street from Colorado to Missouri Street in Ulysses, 0.5 mile (0.8 kilometer), grading and surfacing. (Federal Funds)

Hamilton-Greeley—27 K-8299-01 - K-27 from the west junction of U.S. 50 north to the Hamilton-Greeley county line; K-27 from the Hamilton-Greeley county line north to the junction of K-96 at Tribune, 33.5 miles (54 kilometers), sealing. (State Funds)

Haskell-Gray—144-106 K-8300-01 - K-144 from the Haskell-Gray county line east to the junction of U.S. 56; K-144 from the junction of U.S. 83 east to the Haskell-Gray county line, 16.8 miles (19.3 kilometers), sealing. (State Funds)

Kearny—25-47 K-6864-01 - K-57 Amazon Ditch Bridge, 0.8 mile (1.2 kilometers) north of the junction of U.S. 50, bridge replacement. (Federal Funds)

Meade—54-60 K-8298-01 - U.S. 54 from the east city limits of Meade northeast to the Meade-Clark county line, 15.4 miles (24.7 kilometers), sealing. (State Funds)

Meade—60 K-2832-04 - Meade State Park, 1.3 miles (2.1 kilometers), surfacing. (State Funds)

Scott—86 K-2493-04 - Scott State Park, 5 miles (8.1 kilometers), surfacing. (State Funds)

Steward-Stevens—51-106 K-8318-01 - K-51 from the Stevens-Seward county line east to the junction of U.S. 83; K-51 from the east city limits of Hugoton east to the Stevens-Seward county line, 22.9 miles (36.3 kilometers), crack repair. (State Funds)

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

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

Plans and specifications for the 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. 026212

State of Kansas

Department of Health and Environment

Notice Concerning Kansas Water Pollution Control Permits

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

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

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

Public Notice No. KS-AG-01-052
Application(s) for New or Expansion of Existing Swine Facilities

Name and Address of Applicant	Owner of Property Where Facility Will Be Located	Legal Description	Receiving Water
Jim C. Hicks Maple Creek Farms, LLC Wasinger 2 Site P.O. Box 718 Leoti, KS 67861	Jim C. Hicks Maple Creek Farms, LLC Wasinger 2 Site P.O. Box 718 Leoti, KS 67861	Southwest Quarter of Section 28, Township 20 South, Range 32 West, Scott County	Upper Arkansas River Basin
Kansas Permit No. A-UASC-H006E Federal Permit No. KS-0094862			
This is an application for an expansion of 10,800 head (4,320 animal units) at an existing swine facility. A new or modified permit will not be issued without additional public notice.			

Public Notice No. KS-AG-01-053/058
Pending Permits for Confined Feeding Facilities

Name and Address of Applicant	Legal Description	Receiving Water
Gary Graff Graff & Sons, Inc. Route 1, Box 3 Marienthal, KS 67863	SE/4 of Section 34, T18S, R35W, Wichita County	Upper Arkansas River
Kansas Permit No. A-UAWH-B001		
This is a renewal permit for an existing facility for 950 head (950 animal units) of beef cattle weighing greater than 700 pounds.		
Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided that meets or exceeds KDHE minimum requirements.		
Compliance Schedule: Existing controls meet KDHE requirements.		

Name and Address of Applicant	Legal Description	Receiving Water
Darrel Schwartz 154 N. Gage Road Dighton, KS 67839	SE/4 of Section 18, T18S, R29W, Lane County	Upper Arkansas River
Kansas Permit No. A-UALE-B006		
This is a new permit for an existing facility for 950 head (950 animal units) of beef cattle.		
Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided that meets or exceeds KDHE minimum requirements.		
Compliance Schedule: Permeability tests shall be conducted on the earthen wastewater retention structure(s). Should any structure not meet the permeability requirements, additional sealing will be required. The approved manure waste management plan shall be adhered to as a condition of this permit.		

Name and Address of Applicant	Legal Description	Receiving Water
Cottonwood Corral Inc. Route 2, Box 240 Jetmore, KS 67854	NW/4 of Section 9, T21S, R24W, Hodgeman County	Upper Arkansas River
Kansas Permit No. A-UAHG-C005		Federal Permit No. KS-0086819
This is a renewal for an existing facility for 2,200 head (2,200 animal units) of beef cattle.		
Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided that meets or exceeds KDHE minimum requirements.		
Compliance Schedule: Existing controls meet KDHE requirements.		

Name and Address of Applicant	Legal Description	Receiving Water
Davidson Cattle Company P.O. Box 415 Allen, KS 66830	E/2 of Section 8, W/2 of Section 9, T16S, R11E, Lyon County	Neosho River Basin
Kansas Permit No. A-NELY-C006		Federal Permit No. KS-0092177
This is a renewal permit for an existing facility for 5,000 head (5,000 animal units) of beef cattle.		
Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided that meets or exceeds KDHE minimum requirements.		
Compliance Schedule: The approved manure waste management plan shall be adhered to as a condition of this permit.		

Name and Address of Applicant	Legal Description	Receiving Water
James C. Bornholdt Bornholdt Farms 272 Cimarron Road Inman, KS 67546	SE/4 of Section 28, T20S, R5W, McPherson County	Little Arkansas River
Kansas Permit No. A-LAMP-B002		
This is a permit renewal for a maximum of 100 head (100 animal units) weighing 700 pounds or more and 650 head (325 animal units) weighing less than 700 pounds, for a total of 750 head (425 animal units) of beef cattle.		
Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided that meets or exceeds KDHE minimum requirements.		
Compliance Schedule: The approved manure waste management plan shall be adhered to as a condition of this permit.		

Name and Address of Applicant	Legal Description	Receiving Water
Fuller Farms, Inc. Route 4, P.O. Box 24 Beloit, KS 67420	SW/4 of Section 14, T8S, R7W, Mitchell County	Solomon River
Kansas Permit No. A-SOMC-B013		
This is a new permit for a new facility for 999 head (499.5 animal units) of cattle.		

(continued)

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

Compliance Schedule: Permeability tests shall be conducted on the earthen wastewater retention structure(s). Should any structure not meet the permeability requirements, additional sealing will be required. The approved manure waste management plan shall be adhered to as a condition of this permit.

Persons wishing to comment on or object to the draft permits and/or permit applications must submit their comments in writing to the Kansas Department of Health and Environment if they wish to have the comments or objections considered in the decision making process. Comments or objections should be submitted to the attention of 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 March 31 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate Kansas permit number (KS-AG-01-052/058) 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.

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. 026242

State of Kansas

Department of Health and Environment

Request for Comments

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality construction permit. APAC-Kansas, Inc., Shears Division Hays Branch has applied for an air quality construction permit in accordance with the provisions of K.A.R. 28-19-300 to install a portable asphalt plant. Emissions of sulfur oxides (SO_x), nitrogen oxides (NO_x), carbon monoxide (CO), volatile organic compounds (VOC), total particulate matter (PM) and particulate matter equal to or less than 10 microns in diameter (PM₁₀) were evaluated during the permit review process.

APAC-Kansas, Inc., Shears Division Hays Branch, Hutchinson, owns and operates the portable asphalt plant.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during review of the permit application is available for public inspection for a period of 30 days from the date of publication during normal business hours at the KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, and at the KDHE South Central District Office, 130 S. Market, sixth floor, Wichita. To obtain or review the proposed permit and supporting documentation, contact Herbert Buckland, (785) 296-6438, at the KDHE central office, or Dave Butler, (316) 337-6020, at the KDHE South Central District Office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Herbert Buckland, 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 April 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 April 2 in order for the Secretary of Health and Environment to consider the request.

Clyde D. Graeber
Secretary of Health
and Environment

Doc. No. 026238

State of Kansas

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

The Bureau for Children, Youth and Families (BCYF), Kansas Department of Health and Environment, will provide funding in fiscal year 2002 for the Southwest Kansas Disparity Initiative, funded through the Teen Pregnancy Prevention Program of KDHE.

The goal of the initiative is to reduce and, if possible, eliminate disparities in teen pregnancy rates between racial and ethnic groups in Southwest Kansas. Based upon the premise that an effective program utilizes peers in providing a comprehensive, educational message that fits the community's needs, the cornerstone of this initiative will be the Peer Education Model.

Potential applicants may call KDHE at (785) 296-1300 to request a proposal packet. The application deadline is 5 p.m. April 9. One award will be granted.

Clyde D. Graeber
Secretary of Health
and Environment

Doc. No. 026250

State of Kansas

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

The Kansas Department of Health and Environment is soliciting comments regarding a proposed modification to an air quality operating permit. EOTT Energy Pipeline, L.P. has applied for a Class II operating permit modification in accordance with the provisions of K.A.R. 28-19-544. Emissions of volatile organic compounds were evaluated during the permit review process. The purpose of a Class II permit is to limit the potential-to-emit for these pollutants to below major source thresholds.

EOTT Energy Pipeline, L.P., Houston, Texas, owns—and Enron Pipeline Services Company, Liberal, Kansas, operates—a crude oil storage facility located at NE/4, Section 34, Township 33 South, Range 21 West, Clark County, Kansas.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during the permit application review process is available for public review for a period of 30 days from the date of publication during normal business hours at the KDHE, Bureau of Air and Radiation, 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 Ann L. Spitz, (785) 291-3271, 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 Ann L. Spitz, 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 April 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 April 2 in order for the Secretary of Health and Environment to consider the request.

Clyde D. Graeber
Secretary of Health
and Environment

Doc. No. 026239

State of Kansas

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

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality construction permit. Williams Gas Pipeline Central, Inc. has applied for an air quality construction permit in accordance with the provisions of K.A.R. 28-19-300 to permit a turbine and a combustion flare. Emissions of oxides of nitrogen (NOx), carbon monoxide (CO), hazardous air pollutants (HAPs) and volatile organic compounds (VOCs) were evaluated during the permit review process.

Williams Gas Pipeline Central, Inc., Owensboro, Kentucky, owns and operates the stationary source located at Section 34, Township 21 South, Range 19 East, Anderson County, Kansas, at which the turbine and a combustion flare are to be installed.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during review of the permit application is available for public inspection for a period of 30 days from the date of publication during normal business hours at the KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, and at the KDHE Southeast District Office, 1500 W. 7th, Chanute. To obtain or review the proposed permit and supporting documentation, contact Daizy Dandass, (785) 296-6427, at the KDHE central office, or Lynelle Stranghoner, (316) 431-2390, at the KDHE Southeast District Office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Daizy Dandass, KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, 66620. In order to be considered in formulating a final permit decision, written comments must be received by the close of business April 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 April 2 in order for the Secretary of Health and Environment to consider the request.

Clyde D. Graeber
Secretary of Health
and Environment

Doc. No. 026257

State of Kansas

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

The Kansas Department of Health and Environment is soliciting comments regarding the amendment of a previously-issued air quality construction permit. Pioneer Natural Resources, 10565 E. Road 20, Ulysses, owns and operates the stationary source located at Section 10, Township 30 South, Range 37 West, in Grant County. Certain requirements were found to no longer be appropriate in the construction permit dated September 24, 1996. These requirements are being modified by an applicability determination.

A copy of the applicability determination is available for public inspection for a period of 30 days from the date of publication during normal business hours at the KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, and at the KDHE South Central District Office, 130 S. Market, sixth floor, Wichita. To obtain or review the applicability determination, contact Michael Stewart, (785) 296-1994, 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 applicability determination to Michael Stewart, 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 April 2.

A person may request a public hearing be held on the proposed applicability determination. 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 April 2 in order for the Secretary of Health and Environment to consider the request.

Clyde D. Graeber
Secretary of Health
and Environment

Doc. No. 026237

State of Kansas

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

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality construction permit. The City of Russell has applied for an air quality construction permit in accordance with the provisions of K.A.R. 28-19-300 for a new power plant. Emissions of oxides of nitrogen, sulfur dioxide and carbon monoxide were evaluated during the permit review process.

The City of Russell owns and operates the stationary source located at 15th Street east of Copeland, Russell, at which the new power plant with three cogeneration combustion turbines is to be constructed.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during review of the permit application is available for public inspection for a period of 30 days from the date of publication during normal business hours at the KDHE, Bureau of Air and Radiation, 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 Rick Bolfig, (785) 296-1576, at the KDHE central office, or Richard Robinson, (785) 625-5664, 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 Rick Bolfig, 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 April 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 April 2 in order for the Secretary of Health and Environment to consider the request.

Clyde D. Graeber
Secretary of Health
and Environment

Doc. No. 026251

State of Kansas

State Corporation Commission**Notice of Motor Carrier Hearings**

The following motor carriers have filed various applications and are scheduled for hearing at 9:30 a.m. March 20 before the commission at its offices, 1500 S.W. Arrowhead Road, Topeka, as indicated below. All applications listed herein are for statewide authority, unless otherwise stated. This list does not include cases that have been continued from earlier assigned hearing dates for which parties of record have received notice.

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

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

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

Jim Aller, dba Aller Repair Wrecker Service, Route 5, Box 10,
Hiawatha, KS 66434-9805; MC ID No. 131202
Scott J. Anderson, dba Anderson Body Shop, 2382 Osage Road,
Clay Center, KS 67432; MC ID No. 118109

Wayne Becker, dba Double B Transport, 169 E. Barbara Ave., Russell, KS 67665; MC ID No. 156328

Bruce Bierig, P.O. Box 1171, St. Francis, KS 67756; MC ID No. 151581

Lee Brin, dba Lee Brin Trucking, 1707 Rush, Salina, KS 67401; MC ID No. 157422

Douglas W. Brockman, dba Brockman Trucking, 317 N. Arapahoe, Grand Island, NE 68803; MC ID No. 156957

Ron Cox, dba D & R Service, 220 S. Broadway, Taloga, OK 73667; MC ID No. 158350

David Davidson, dba Budget Mover's, 1217 Augusta, Salina, KS 67401; MC ID No. 157306

Dill Trucking, Inc., 1976 Road 110, Hartford, KS 66854; MC ID No. 158485

Lee Donley, dba Donley's Repair & Towing, 112 E. Front St., Minneola, KS 67865; MC ID No. 157247

Duane Eickhoff and Phyllis Eickhoff, dba D-P Eickhoff Trucking, Route 3, Box 177, Falls City, NE 68355-9655; MC ID No. 142508

Tobias Goertzen, dba Goertzen Trucking, P.O. Box 366, Lakin, KS 67860; MC ID No. 157428

H & A Trucking, Inc., 11095 Hwy. 16, Blaine, KS 66549; MC ID No. 154228

Habiger Bros., Inc., 422 Massachusetts Ave., Kinsley, KS 67547; MC ID No. 152650

Jerry D. Hainline, dba M & S Trucking, 14715 Q Road, Mayetta, KS 66509; MC ID No. 157399

Husker Express, Inc., 1041 Elm St., Seward, NE 68434-2324; MC ID No. 126429

Dub Johnson & Sons Transportation, Inc., 904 K-106, Minneapolis, KS 67467; MC ID No. 154081

Franklin D. Johnson, Sr., dba Johnson Motors, 5500 Leavenworth Road, Kansas City, KS 66104-1826; MC ID No. 123745

KTC, Inc., 2100 S. K-61 Hwy., Hutchinson, KS 67501; MC ID No. 133622

Kansas Feeds, Inc., 1110 E. Trail St., Dodge City, KS 67801; MC ID No. 117266

Kelly Truck Line, Inc., 20th and US 69 Bypass, Pittsburg, KS 66762; MC ID No. 100515

Frank McKay, P.O. Box 306, Lenora, KS 67645; MC ID No. 152964

Christopher A. Morse, dba Morse Hauling, 1313 17th St., Wamego, KS 66547; MC ID No. 157377

Daniel Oeding, dba Oeding Trucking, 10842 S.W. 110th St., Zenda, KS 67159; MC ID No. 156218

Geoffrey G. Perry, dba R.K. Transfer, 224 E. Queen, Stockton, IL 61085; MC ID No. 211405

Francis E. Roush, dba Roush Oil Co., 221 E. Martin, Stafford, KS 67578; MC ID No. 115698

Schibi Trucking, Inc., 22503 Hwy. 52, Ionia, MO 65335; MC ID No. 157414

Schwie Tank & Lease Service, Inc., P.O. Box 86, Bazine, KS 67516-0086; MC ID No. 131205

Specialty Moving Systems, Inc., 120 International Blvd., Glendale Heights, IL 60139; MC ID No. 138521

TK Enterprises, Inc., 1521 S. Maple, Ottawa, KS 66067-3813; MC ID No. 132057

Wheaties, Inc., Vincent and Hwy. 56, Copeland, KS 67837-0218; MC ID No. 130246

Dean White and Larry White, dba Dean & Larry White Trucking, 204 N. 90th Road, Culver, KS 67484-9767; MC ID No. 106898

Jacquelyn S. Miller
Administrator
Transportation Division

Doc. No. 026246

State of Kansas

State Corporation Commission

Notice of Motor Carrier Applications

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

Requests to inspect and copy the notices provided to the parties and questions in regard to these applications should be addressed to the State Corporation Commission, Transportation Division, 1500 S.W. Arrowhead Road, Topeka, 66604-4027, (785) 271-3225 or 271-3151. For general inquiries, contact Vickie Berg at (785) 271-3225. To lodge an official complaint, submit your protest in writing, supported by relevant facts, to Jackie Miller, Director of Transportation, at the address above within 20 days of the date of publication of this notice.

Applications for Certificate of Public Service:

AKTD, Inc., dba Fuel Unlimited, 1315 Beverly Drive, Salina, KS 67401; MC ID No. 159614; S. Andrew Heidrick, Attorney; Gasoline, diesel fuel

Carpenter Cattle Company, Inc., 2257 County Road 2, Brewster, KS 67732; MC ID No. 159613; General commodities (except household goods and hazardous materials)

DJ's Loader Services, Inc., Route 1, Box 348, Paxico, KS 66526; MC ID No. 159615; General commodities (except household goods and hazardous materials)

Troy S. Freeman, dba Jim's Truck and Trailer Service, 232 S. Broadway, Salina, KS 67401; MC ID No. 159616; Wrecked, disabled, repossessed and replacement vehicles

Heath Farms, Inc., 410 S. Central, Dighton, KS 67839; MC ID No. 159617; General commodities (except household goods and hazardous materials)

Nicholas Service, Inc., 14704 S.W. 60th Ave., Zenda, KS 67159; MC ID No. 159612; William Barker, Attorney; General commodities (except explosives and household goods)

Michael J. Van Nice, dba Van Nice Trucking, 743 Shuey, Osage City, KS 66523; MC ID No. 159619; General commodities (except household goods and hazardous materials)

Alvin C. Wade, dba Wade's Automotive Center and Wrecker, 1917 S. Main, Galena, KS 66739; MC ID No. 159611; Wrecked, disabled, repossessed and replacement vehicles

Wallace County Cooperative Equity Exchange, 102 N. Front, Sharon Springs, KS 67758; MC ID No. 153649; General commodities (except household goods)

Russell D. Wiley, dba Wiley Trucking, 204 W. 18th St., Wichita, KS 67203; MC ID No. 159510; General commodities (except household goods and hazardous materials)

Application for Extension of Certificate of Public Service:

Roberts Express, Inc., dba Indian Delivery Service, 2828 S.W. Arrowhead Road, Topeka, KS 66614-2447; MC ID No. 100058; General commodities (except household goods)

Application for Transfer of Certificate of Public Service:

Warren E. Hollis, dba Hollis Truck Line, 5168 134th, Valley Falls, KS 66088, MC ID No. 126452, to: Hollis Truck Line, Inc., 5168 134th, Valley Falls, KS 66088; General commodities including ammonium nitrate (except household goods, Classes A and B explosives and all other hazardous materials)

Jacquelyn S. Miller
Administrator
Transportation Division

Doc. No. 026245

(Published in the Kansas Register March 1, 2001.)

Summary Notice of Bond Sale**City of Maize, Kansas****\$510,000****General Obligation Internal Improvement Bonds****(General obligation 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 February 26, 2001, of the City of Maize, Kansas, in connection with the city's General Obligation Internal Improvement Bonds, Series 2001, hereinafter described, sealed and facsimile bids will be received at the office of the city clerk at City Hall, 123 Khedive, Maize, Kansas, fax (316) 722-0346, until 4:30 p.m., and after which time sealed bids may be delivered to the Maize Community Building, 401 Khedive, Maize, between 7 and 7:30 p.m. Monday, March 12, 2001, for the purchase of the bonds. All bids shall be publicly opened, read aloud and tabulated at 7:30 p.m. March 12, 2001, 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, delivered in person or faxed to (316) 722-0346, 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 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 \$510,000, and shall bear a dated date of March 15, 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 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 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 in 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:

Principal Amount	Maturity Date
\$15,000	2002
25,000	2003
25,000	2004

30,000	2005
30,000	2006
30,000	2007
30,000	2008
35,000	2009
35,000	2010
35,000	2011
40,000	2012
40,000	2013
45,000	2014
45,000	2015
50,000	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. (Reference is made to the official notice of bond sale for complete details regarding redemption of the bonds.)

Payment of Principal and Interest

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

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, New York, New York (DTC).

Security for the Bonds

The bonds and the interest thereon shall constitute general obligations of the city, and the full faith, credit and resources of the city shall be pledged to the payment thereof. The bonds shall be payable as to both the principal of and the interest thereon, in part, from the collection of special assessment taxes that have been levied against certain real properties in the city. To the extent the proceeds of such special assessment taxes are insufficient, 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 Thursday, March 29, 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 current equalized assessed tangible valuation is as follows:

Assessed Valuation of Taxable Tangible Property	\$ 7,884,397
Taxable Value of Motor Vehicles	1,527,861
Assessed Tangible Valuation for Computation of Bonded Debt Limitations	\$9,412,258

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 March 15, 2001, the city's gross outstanding debt will be \$4,393,228, including the bonds. The total indebtedness, after statutory adjustments, as of March 15, 2001, will be \$931,681, which is 9.90 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. 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, 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 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, Dave

Malone, Cooper Malone McClain, Inc., 7701 E. Kellogg, Suite 700, Wichita, KS 67278, (316) 685-5777.

Angela Hermann, City Clerk
City Hall
123 Khedive
Maize, KS 67101
(316) 722-7561
Fax (316) 722-0346

Doc. No. 026262

State of Kansas

Department of Health and Environment

Request for Comments

The Kansas Department of Health and Environment and the Unified Government of Wyandotte County/Kansas City, Kansas - Department of Air Quality (DAQ) are soliciting comments regarding proposed modifications to an air quality operating permit. Harcros Chemicals Inc. has applied for a Class II operating permit modification in accordance with the provisions of K.A.R. 28-19-544. Emissions of volatile organic compounds (VOCs), hazardous air pollutants (HAPs) and sulfur dioxide (SO₂) were evaluated during the permit review process. The purpose of a Class II permit is to limit the potential-to-emit for these pollutants to below major source thresholds.

Harcros Chemicals Inc., Kansas City, Kansas, owns and operates a surface active agent manufacturing facility located at 5200 Speaker Road, Kansas City, Kansas.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during the permit application review process is available for public review for a period of 30 days from the date of publication during normal business hours at the KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, and at the DAQ, 619 Ann Ave., Kansas City, Kansas. To obtain or review the proposed permit and supporting documentation, contact Connie Carreno, (785) 296-6422, at the KDHE central office, or William P. Stevenson, (913) 573-6700, at the DAQ. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to William P. Stevenson, Unified Government of Wyandotte County/Kansas City, Kansas - Department of Air Quality, 619 Ann Ave., Kansas City, KS 66101. In order to be considered in formulating a final permit decision, written comments must be received by the close of business April 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 April 2 in order for the Secretary of Health and Environment to consider the request.

Clyde D. Graeber
Secretary of Health
and Environment

Doc. No. 026235

(Published in the Kansas Register March 1, 2001.)

Revised
Summary Notice of Bond Sale
City of Topeka, Kansas
\$6,240,000

General Obligation Bonds
Series 2001-A (Parking Garage)

(General obligation bonds payable from
unlimited ad valorem taxes)

Revision

This summary notice of bond sale previously published in the Kansas Register February 15, 2001, has been revised to reflect a change in the sale date from Tuesday, February 27, 2001, to Tuesday, March 13, 2001.

Sealed Bids

Subject to the official notice of bond sale and preliminary official statement to be dated on or about February 28, 2001, sealed bids will be received by the city clerk of the City of Topeka, Kansas (the issuer), on behalf of the governing body of the city at City Hall, 215 E. 7th, Topeka, KS 66603, until 11 a.m. Tuesday, March 13, 2001, for the purchase of \$6,240,000 principal amount of General Obligation Bonds, Series 2001-A (Parking Garage). No bid of less than 98.5 percent of the aggregate principal amount of the bonds and accrued interest thereon to the date of delivery will be considered, and no supplemental interest payments 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 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 March 1, 2001, and will become due on August 15 in the years as follows:

Year	Principal Amount
2007	\$130,000
2008	135,000
2009	140,000
2010	150,000
2011	155,000
2012	160,000
2013	170,000
2014	180,000
2015	190,000
2016	195,000
2017	205,000
2018	220,000
2019	230,000
2020	240,000
2021	255,000
2022	270,000
2023	285,000
2024	300,000
2025	315,000
2026	335,000

2027	355,000
2028	375,000
2029	395,000
2030	415,000
2031	440,000

The bonds will be subject to mandatory and optional redemption prior to maturity as provided in the official 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 February 15 and August 15 in each year, beginning August 15, 2001.

Paying Agent and Bond Registrar

The Kansas State Treasurer, Topeka, Kansas, is designated as the paying agent and bond registrar for the bonds.

Good Faith Deposit

Each bid shall be accompanied by 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 \$124,800 (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 to the facilities of the Depository Trust Company, New York, New York, 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 city for the year 2000 is \$884,196,253. The total general obligation indebtedness of the issuer following the concurrent issuance of the bonds and the city's Temporary Notes, Series 2001-A, in the aggregate principal amount of \$7,500,000, is \$136,425,000.

Approval of Bonds

The bonds will be sold subject to the legal opinion of Nichols and Wolfe Chartered, Topeka, Kansas, 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 Randall Bailes, the city's director of finance, (785) 368-3970, fax (785) 368-3975; from the city's financial advisor, CSG Advisors Incorporated (Kansas City), 4310 Madison Ave., Suite 200, Kansas City, MO 64111, (816) 531-1777, fax (816) 531-0503; or from Columbia Capital Management, LLC, 11405 W. 62nd Terrace, Shawnee, KS 66203, (913) 248-8500, fax (913) 248-8502.

Dated February 28, 2001.

City of Topeka, Kansas
Iris E. Walker, City Clerk
City Hall
215 S.E. 7th
Topeka, KS 66603
(785) 368-3940

Doc. No. 026255

(Published in the Kansas Register March 1, 2001.)

Corrected
Summary Notice of Bond Sale
Unified School District No. 473
Dickinson County, Kansas (Chapman)
\$1,000,000
General Obligation School Building Bonds
Series 2001
(General obligation bonds payable from
unlimited ad valorem taxes)

Bids

Subject to the notice of bond sale dated February 12, 2001, sealed, facsimile and electronic bids will be received by the clerk of Unified School District No. 473, Dickinson County, Kansas (Chapman) (the issuer), in the case of sealed and facsimile bids, on behalf of the governing body at 822 N. Marshall, Chapman, KS 67431, and in the case of electronic bids, through Thomson Financial Municipals Group BiDCOMP/PARITY electronic bid submission system, until 4 p.m. March 5, 2001, for the purchase of \$1,000,000 principal amount of General Obligation School Building Bonds, Series 2001. 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 March 1, 2001, and will become due on September 1 in the years as follows:

Year	Principal Amount
2002	\$140,000
2003	170,000
2004	220,000
2005	230,000
2006	240,000

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.

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 \$20,000 (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 March 29, 2001, 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 \$45,801,925. The total general obligation indebtedness of the issuer as of the date of delivery of the bonds, including the bonds being sold, is \$1,000,000.

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, (785) 922-6521, fax (785) 922-6446; 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 February 12, 2001.

Unified School District No. 473
 Dickinson County, Kansas (Chapman)

Doc. No. 026265

(Published in the Kansas Register March 1, 2001.)

Summary Notice of Bond Sale
Unified School District No. 360
Sumner County, Kansas (Caldwell)
\$4,800,000
General Obligation School Building Bonds
Series 2001
(General obligation bonds payable from
unlimited ad valorem taxes)

Bids

Subject to the notice of bond sale dated February 12, 2001, sealed, facsimile and electronic bids will be received by the clerk of Unified School District No. 360, Sumner County, Kansas (Caldwell) (the issuer), in the case of sealed and facsimile bids, on behalf of the governing body at the office of the Board of Education, 22 N. Webb, Caldwell, KS 67022, and in the case of electronic bids, through Thomson Financial Municipals Group BiDCOMP/PARITY electronic bid submission system, until 4 p.m. March 12, 2001, for the purchase of \$4,800,000 principal amount of General Obligation School Building Bonds, Series 2001. 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 March 1, 2001, and will become due on September 1 in the years as follows:

(continued)

Year	Principal Amount
2003	\$ 90,000
2004	150,000
2005	160,000
2006	170,000
2007	180,000
2008	190,000
2009	205,000
2010	215,000
2011	230,000
2012	245,000
2013	260,000
2014	275,000
2015	290,000
2016	310,000
2017	325,000
2018	345,000
2019	365,000
2020	385,000
2021	410,000

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.

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 \$96,000 (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 April 10, 2001, 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 \$13,578,349. The total general obligation indebtedness of the issuer as of the date of delivery of the bonds, including the bonds being sold, is \$4,800,000.

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) 845-2511, fax (316) 845-2610; 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 February 12, 2001.

Unified School District No. 360
Sumner County, Kansas (Caldwell)

Doc. No. 026261

(Published in the Kansas Register March 1, 2001.)

**Summary Notice of Bond Sale
Unified School District No. 492
Butler County, Kansas (Flinthills)
\$3,890,000**

**General Obligation School Building Bonds
Series 2001**

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

Bids

Subject to the notice of bond sale dated February 14, 2001, sealed, facsimile and electronic bids will be received by the clerk of Unified School District No. 492, Butler County, Kansas (Flinthills) (the issuer), in the case of sealed and facsimile bids, on behalf of the governing body at 806 S.E. Rosalia Road, P.O. Box 188, Rosalia, KS 67132, and in the case of electronic bids, through Thomson Financial Municipals Group BiDCOMP/PARTY electronic bid submission system, until 4 p.m. March 14, 2001, for the purchase of \$3,890,000 principal amount of General Obligation School Building Bonds, Series 2001. 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 March 1, 2001, and will become due on September 1 in the years as follows:

Year	Principal Amount
2003	\$100,000
2004	120,000
2005	130,000
2006	135,000
2007	145,000
2008	155,000
2009	165,000
2010	175,000
2011	185,000
2012	195,000
2013	210,000
2014	220,000
2015	235,000
2016	250,000
2017	265,000
2018	275,000

2019	295,000
2020	310,000
2021	325,000

(Published in the Kansas Register March 1, 2001.)

Summary Notice of Bond Sale
City of Mulvane, Kansas
\$700,000

General Obligation Improvement Bonds
Series A, 2001

**(General obligation improvement 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 \$77,800 (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 April 10, 2001, 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 \$13,723,534. The total general obligation indebtedness of the issuer as of the date of delivery of the bonds, including the bonds being sold, is \$3,890,000.

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, (620) 476-2215, fax (620) 476-2244; or from the financial advisor, Ranson & Associates, Inc., 250 N. Rock Road, Suite 150, Wichita, KS 67206, Attention: Stephen E. Shogren, (316) 681-3123, fax (316) 681-3147.

Dated February 14, 2001.

Unified School District No. 492
Butler County, Kansas (Flinthills)

Doc. No. 026264

Details of the Sale

Subject to the terms and conditions of the complete official notice of bond sale dated as of February 19, 2001, of the City of Mulvane, Kansas, in connection with the city's General Obligation Improvement Bonds, Series A, 2001, hereinafter described, written bids shall be received at the office of the city clerk at City Hall, 211 N. 2nd, Mulvane, KS 67110, or by telefacsimile at (316) 777-4081, until 4 p.m. Monday, March 19, 2001, for the purchase of the bonds. All bids shall be disclosed publicly and tabulated or compared on said date at 7:30 p.m. at the Mulvane City Hall 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) 777-4081, and must be received at the place and not later than the date and time hereinbefore specified. Neither the city, its bond counsel, 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 \$700,000, and shall bear a dated date of April 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 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 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 April 1 and October 1 of each year, commencing April 1,

(continued)

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

Maturity Schedule	
Principal Amount	Maturity Date
\$15,000	2002
35,000	2003
35,000	2004
35,000	2005
40,000	2006
40,000	2007
45,000	2008
45,000	2009
50,000	2010
50,000	2011
55,000	2012
60,000	2013
60,000	2014
65,000	2015
70,000	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, New York, New York (DTC).

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, April 12, 2001, at such bank or trust company or other qualified depository in the contiguous United States, as may be specified by the successful bidder. De-

livery 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	\$18,010,972
Taxable Value of Motor Vehicles	5,322,190
Assessed Tangible Valuation for Debt Limit Computation	<u>\$23,333,162</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 April 1, 2001, the city's gross outstanding debt, including the bonds, will be \$5,382,475.40; which includes temporary notes outstanding in the amount of \$660,000 that will be retired out of the proceeds of the bonds herein offered for sale. The city's total indebtedness that is subject to debt limitation (including temporary notes to be retired) as of April 1, 2001, will be \$2,981,855.28, which is 12.78 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. 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, J.O. Davidson & Associates, Inc., 245 N. Waco, Suite 525, P.O. Box 205, Wichita, KS 67201-0205, (316) 265-9411.

City of Mulvane, Kansas
 By Patty Gerwick
 City Clerk
 City Hall, 211 N. 2nd
 Mulvane, KS 67110
 (316) 777-1143
 Fax (316) 777-4081

2011	505,000
2012	535,000
2013	545,000
2014	585,000
2015	620,000
2016	680,000
2017	710,000
2018	750,000
2019	810,000
2020	855,000
2021	905,000

Doc. No. 026249

(Published in the Kansas Register March 1, 2001.)

**Summary Notice of Bond Sale
 Unified School District No. 250
 Crawford County, Kansas (Pittsburg)
 \$11,950,000
 General Obligation Bonds
 Series 2001**

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

Bids

Subject to the notice of bond sale dated February 12, 2001, sealed, facsimile and electronic bids will be received by the clerk of Unified School District No. 250, Crawford County, Kansas (Pittsburg) (the issuer), in the case of sealed and facsimile bids, on behalf of the governing body at 510 Deill, Pittsburg, KS 66762, and in the case of electronic bids, through Thomson Financial Municipals Group BiDCOMP/PARITY electronic bid submission system, until 2 p.m. March 12, 2001, for the purchase of \$11,950,000 principal amount of General Obligation Bonds, Series 2001. 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 March 1, 2001, and will become due on September 1 in the years as follows:

Year	Principal Amount
2002	\$750,000
2003	750,000
2004	565,000
2005	325,000
2006	360,000
2007	380,000
2008	410,000
2009	440,000
2010	470,000

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 \$239,000 (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 March 28, 2001, at 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 \$122,615,244. The total general obligation indebtedness of the issuer as of the date of delivery of the bonds, including the bonds being sold, is \$11,950,000.

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, U.S.D. 250, 510 Deill, Pittsburg, KS 66762, (620) 235-3100, fax (620) 235-3106; or from the financial advisor, U.S. Bancorp Piper Jaffray, 4600 Madison Ave., Suite 1200, Kansas City, MO 64112-3025, Attention: Greg Vahrenberg, (816) 360-3074, or Dennis Mitchell, (816) 360-3072, fax (816) 360-3093.

Dated February 12, 2001.

Unified School District 250
 Crawford County, Kansas (Pittsburg)

Doc. No. 026263

(Published in the Kansas Register March 1, 2001.)

**Summary Notice of Bond Sale
Leavenworth County, Kansas
\$1,680,000**

**General Obligation Bonds
Series 2001A (Roads)**

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

Sealed Bids

Subject to the official notice of bond sale and preliminary official statement dated March 6, 2001, sealed, facsimile and electronic bids will be received by the county clerk of Leavenworth County, Kansas (the issuer), in the case of sealed and facsimile bids, on behalf of the governing body of the county at the Leavenworth County Courthouse, 300 Walnut, Leavenworth, KS 66048, and in the case of electronic bids, through Thomson Financial Municipals Group BiDCOMP/PARITY electronic bid submission system, until 11 a.m. Thursday, March 15, 2001, for the purchase of \$1,680,000 principal amount of General Obligation Bonds, Series 2001A (Roads). 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 March 15, 2001, and will become due on September 1 in the years as follows:

Year	Principal Amount
2002	\$180,000
2003	220,000
2004	230,000
2005	245,000
2006	255,000
2007	270,000
2008	280,000

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.

Paying Agent and Bond Registrar

The paying agent and bond registrar will be the Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by 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 \$33,600 (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 regis-

tered to the facilities of the Depository Trust Company, New York, New York, 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 county for the year 2000 is \$356,551,663. The total general obligation indebtedness of the issuer as of the date of the bonds, including the bonds being sold, is \$19,110,000.

Approval of Bonds

The bonds will be sold subject to the legal opinion of Nichols and Wolfe Chartered, Topeka, Kansas, 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 county clerk, (913) 684-0404, or from the financial advisor, U.S. Bancorp Piper Jaffray, 4600 Madison Ave., Suite 1200, Kansas City, MO 64112-3025, (816) 360-3074, Attn: Greg Vahrenberg.

Dated March 6, 2001.

Leavenworth County, Kansas
Linda A. Scheer, County Clerk
Leavenworth County Courthouse
300 Walnut
Leavenworth, KS 66048

Doc. No. 026256

State of Kansas

Department of Agriculture

**Permanent Administrative
Regulations**

**Article 25.—BIG BEND GROUNDWATER
MANAGEMENT DISTRICT NO. 5**

5-25-4. Sustainable yield. (a) Except as set forth in subsections (b), (c), and (d), the district has been determined to be appropriated to the sustainable yield level, and therefore the entire district shall be closed to further new surface water and groundwater appropriations filed on or after December 17, 1998.

(b) The following types of applications shall be exempt from the closure of the district to new appropriations of water described in subsection (a):

- (1) Domestic use;
- (2) temporary permits;
- (3) applications for a change in the point of diversion for which the diversion works have been completed under the original approved application;
- (4) standby wells used for emergency purposes only;
- (5) permits to appropriate 15 acre-feet of water or less per year that will not impair use under an existing right or prejudicially and unreasonably affect the public interest;
- (6) term permit applications of one year or less;
- (7) permits to appropriate water from a bedrock aquifer; and

(8) permits to appropriate water from the Dakota aquifer if the applicant can show that an impermeable zone of 10 or more feet of Graneros shale exists between the Pleistocene aquifer and the Dakota aquifer at the proposed well location.

(c)(1) For each application for a change in the point of diversion, if the diversion works have not been completed, the application shall be exempt from the closure to new appropriations set forth in subsection (a). However, the proposed appropriation, when added to the vested rights, prior appropriation rights, earlier priority applications, term permits for more than a year, and all baseflow node allocations within a two-mile-radius circle whose center is the location of the proposed well, shall not exceed 1,500 acre-feet. It shall be assumed for purposes of analysis that all prior applications, permits, certificates, and vested rights are being fully exercised and that all limitation clauses listed on permits and certificates are in force.

(2) If part of the area within the two-mile-radius circle around the proposed well location is outside the district boundaries, the 1,500 acre-feet quantity of water referred to above in paragraph (c)(1) shall be reduced proportionately by the percentage of the circle lying outside of the district boundaries. Only the baseflow node allocations, vested rights, prior appropriations, earlier priority applications, and term permits for more than one year ascribed to wells within the portion of the circle within the district shall be considered.

(3) If wells authorized under a vested right or an application are divided by the circumference of the circle, then a reasonable quantity shall be allocated to each well or wells based upon the best available information.

(4) Each analysis for an application for a change in the point of diversion referred to in subsection (c) shall include all applications with a priority earlier than the priority established by the filing of the application for change.

(d) Exceptions to this regulation may be recommended by the board to the chief engineer if the applicant proves to the board that the exceptions will neither impair a use under an existing right nor prejudicially and unreasonably affect the public interest. (Authorized by K.S.A. 82a-706a and 82a-1028(o); implementing K.S.A. 82a-1028(n); effective May 1, 1980; amended May 1, 1981; amended, T-86-4, March 22, 1985; amended May 1, 1986; amended May 1, 1987; amended May 1, 1988; amended April 19, 1996; amended March 16, 2001.)

Jamie Clover Adams
Secretary of Agriculture

Doc. No. 026252

State of Kansas

Department of Health and Environment

Permanent Administrative Regulations

Article 59.—DIETITIAN

28-59-1. Application for a license or temporary license. (a) Each applicant for a license or temporary license shall submit a completed, department-approved application form and any requested supporting documentation to the department, together with the appropriate fee specified in K.A.R. 28-59-7.

(b) Each applicant for a license or temporary license shall provide the department with the applicant's academic transcripts and proof of receipt of a baccalaureate or postbaccalaureate degree. These documents shall be provided directly to the department by the academic institution.

(c) A temporary license may be issued for either of the following purposes:

(1) The applicant's completion of the examination specified in K.A.R. 28-59-4; or

(2) the applicant's accrual of continuing education credits required to reinstate a lapsed license.

(d) Each applicant for renewal of a temporary license shall submit a letter to the secretary requesting the renewal and describing why the applicant has failed to obtain a license in the last six months and what measures are being taken to secure a license, together with the temporary license renewal fee specified in K.A.R. 28-59-7. (Authorized by K.S.A. 65-5904; implementing K.S.A. 65-5906 and 65-5907; effective Feb. 18, 1991; amended March 16, 2001.)

28-59-2. Application for a person licensed in another state. (a) Each applicant who is presently or has been previously licensed in another state shall submit a completed, department-approved application form with the license fee specified in K.A.R. 28-59-7.

(b) Each applicant shall meet current requirements for licensure in Kansas. The requirements of one of the states that issued a license to the applicant shall be at least equal to Kansas licensure requirements at the time the applicant seeks a Kansas license.

(c) Each applicant shall be in good standing with each licensing agency that has issued a license to the applicant.

(d) "Good standing" means both of the following:

(1) The applicant's license is not under any administrative proceeding.

(2) The applicant's license is not under any disciplinary action. (Authorized by K.S.A. 65-5904; implementing K.S.A. 65-5910; effective Feb. 18, 1991; amended March 16, 2001.)

28-59-3. Educational and experience requirements. (a) To determine whether an applicant has complied with the requirement that the person has received a baccalaureate or postbaccalaureate degree pursuant to K.S.A. 65-5906, and amendments thereto, consideration shall be given to whether the course of study is accredited

(continued)

or approved by the American dietetic association or is deemed equivalent by the secretary.

(b) Each applicant who has received a baccalaureate or postbaccalaureate degree outside the United States or its territories and whose transcript is not in English shall submit an officially translated English copy of the applicant's transcript and, if necessary, supporting documents. The transcript shall be translated by a source and in a manner that are acceptable to the secretary. Each applicant shall pay any transcription fee directly to the transcriber.

(c) Each applicant who has received a baccalaureate or postbaccalaureate degree outside of the United States and its territories shall obtain an equivalency validation from an agency that is approved by the secretary and that specializes in educational credential evaluations. Each applicant shall pay the required equivalency validation fee directly to the validation agency.

(d) Each applicant who received a baccalaureate or postbaccalaureate degree and whose course of study was not from an American dietetic association accredited or approved program shall obtain an equivalency validation from a college or university accredited or approved dietetics program approved by the secretary.

(e) To determine whether an applicant has complied with the requirement that a person complete 900 clock hours of dietetic experience pursuant to K.S.A. 65-5906, and amendments thereto, consideration shall be given to whether or not the supervised experience is acquired through an American dietetic association approved or accredited program for dietitians or is deemed its equivalent by the secretary.

(f) Each applicant who did not receive the supervised experience from an American dietetic association accredited or approved program shall obtain an equivalency validation from a college or university accredited or approved dietetics program approved by the secretary.

(g) Each applicant shall submit the necessary documentation for an equivalency validation to be made. Each equivalency validation evaluation and corresponding documentation shall be sent directly to the department by the agency providing the validation. After consideration of the evaluation and documentation, the applicant shall be notified in writing of the decision of the secretary.

(h) "American dietetic association" means the national professional association that accredits or approves educational programs and supervised experience programs in dietetics. (Authorized by K.S.A. 65-5904; implementing K.S.A. 65-5905 and 65-5906; effective Feb. 18, 1991; amended March 16, 2001.)

28-59-4. Examination requirement. The following shall be the procedures for the examination of applicants:

(a) Each applicant for a license shall pass an examination for dietitians approved by the secretary. The minimum passing score for the examination shall be 25.

(b) Each applicant shall have successfully completed a course of study and supervised experience pursuant to K.S.A. 65-5906, and amendments thereto, before submitting an application to sit for the examination.

(c) Each applicant shall pay the required examination fee directly to the testing agency. (Authorized by K.S.A.

65-5904; implementing K.S.A. 65-5906; effective Feb. 18, 1991; amended March 16, 2001.)

28-59-5. License renewal. The provisions of this regulation shall not apply to temporary licenses. (a) Each applicant for renewal of a license shall submit a completed, department-approved application form and any requested supporting documentation with the license renewal fee specified in K.A.R. 28-59-7.

(b) Each applicant for renewal of a license shall have completed 15 clock hours of documented and approved continuing education during each renewal period. Approved continuing education clock hours completed in excess of the 15-hour requirement shall not be carried over to the subsequent renewal period. "One clock hour" means a minimum of 50 minutes of direct instruction, exclusive of registration, breaks, and meals.

(c) Each application for renewal of a license shall be filed on or before the last day of February of the calendar year in which the license expires. Licenses shall be renewable biennially, with the day of expiration being the last day of February of the applicable year.

(d) "Sponsorship" means an approved, long-term sponsoring of programs for the purpose of fulfilling renewal or reinstatement continuing education requirements. Each approved sponsor shall be accountable for upholding the standards in place for the approval of continuing education programs under the authority of the department. Each sponsor shall make application and fulfill requirements as prescribed on department-approved forms. The authority to sanction or otherwise discipline an approved sponsor shall be maintained by the department. These sanctions may include any of the following:

- (1) Supplementary documentation;
- (2) program restrictions;
- (3) temporary or permanent suspension of long-term sponsorship approval; or
- (4) other disciplinary steps as prescribed by the department.

(e) Methods of accruing continuing education hours.

(1) Continuing education may be accrued from any of the following:

- (A) Academic courses;
- (B) workshops, seminars, or poster sessions;
- (C) self-directed study materials; or
- (D) presentations.

(2) Academic courses shall be from a regionally accredited college or university.

(3) Self-study materials may include audio tapes, study kits, and videotapes.

(f) The content and objective of the continuing education activity shall be primarily related to the practice of dietetics pursuant to K.S.A. 65-5902, and amendments thereto. The purpose of the educational activity shall be the furthering of the applicant's education and shall not be a part of the applicant's job responsibilities. In-service shall be considered to be part of the applicant's job responsibilities.

(g) Each applicant shall have requested and received approval by the department for continuing education activities before submission of the license renewal application and license renewal fee.

(h)(1) Approval for a continuing education activity may be obtained by either of the following methods:

(A) The instructor or sponsor of a single-offering continuing education activity submitting information and documentation on forms approved by the department before the activity's occurrence; or

(B) the applicant submitting information and documentation on forms approved by the department requesting approval for an activity that has already taken place.

(2) An organization, institution, agency, or individual shall be qualified for approval as a long-term sponsor of continuing education activities if, after review of the application, the secretary determines that the applicant agrees to perform all of the following:

(A) Present organized programs of learning;

(B) present subject matter that integrally relates to the practice of dietetics;

(C) approve and present program activities that contribute to the professional competency of the licensee; and

(D) sponsor program presenters who are individuals with education, training, or experience qualifying them to present the subject matter of the programs.

(i) All continuing education sponsors that received approval as specified in paragraph (h)(2) shall provide a certificate of attendance to each licensee who attends a continuing education activity. This certificate shall state the following:

(1) The sponsor's name and approval number;

(2) the date of the program;

(3) the name of the participant;

(4) the total number of clock hours of the approved activity attended, excluding introductions, registration, breaks, and meals;

(5) the activity title and its presenter;

(6) the location; and

(7) an indication of whether or not the activity has been approved for dietetics continuing education.

(j) Assignment of clock hours to approved continuing education activities shall be determined by the following criteria:

(1) One academic-semester credit hour course shall be equivalent to 15 clock hours of continuing education. One academic-trimester credit hour course shall be equivalent to 14 clock hours of continuing education. One academic-quarter credit hour course shall be equivalent to 10 clock hours of continuing education.

(2) One academic-semester credit hour course audited shall be equivalent to eight clock hours of continuing education. One academic-trimester credit hour course audited shall be equivalent to seven clock hours of continuing education. One academic-quarter credit hour course audited shall be equivalent to five clock hours of continuing education.

(3) One clock hour of contact between a presentation instructor and the applicant shall be equivalent to one clock hour of continuing education for the applicant.

(A) Contact time shall be rounded down to the nearest one-half hour interval.

(B) The presenting instructor may be given two clock hours of continuing education for every one clock hour of contact between the instructor and the attendees for

each first-time preparation and presentation of a new workshop, seminar, or poster session.

(C) If the presentation was presented by more than one instructor, the continuing education clock hours shall be prorated among the instructors.

(4) One clock hour of time required to complete the self-directed study material, as specified by the sponsor of the material, shall be equivalent to one clock hour of continuing education. The criteria for approving self-directed study shall include the following:

(A) Contact time shall be rounded down to the nearest one-half hour interval.

(B) Each applicant shall provide validation of actual completion of the material.

(k) Each applicant shall maintain individual records of information and documentation on approved continuing education hours. A verification of these records shall be submitted to the department as part of the license renewal application.

(l) Each licensee whose initial licensure period is less than 24 months shall be required to obtain not less than one-half hour of continuing education for each month in the initial licensure period. (Authorized by and implementing K.S.A. 65-5904 and K.S.A. 1999 Supp. 65-5909; effective Feb. 18, 1991; amended Sept. 26, 1994; amended March 16, 2001.)

28-59-5a. Reinstatement of license. Each applicant for reinstatement of a license shall meet the following criteria:

(a) Submit an application on department-approved forms accompanied by the appropriate fee specified in K.A.R. 28-59-7; and

(b) document and verify the accumulation of not less than 15 hours of approved continuing education as specified in K.A.R. 28-59-5 for the previous complete or partial licensure period. The required hours of approved continuing education shall have been accumulated within the past two calendar years before the date of application for reinstatement. (Authorized by and implementing K.S.A. 65-5904 and K.S.A. 1999 Supp. 65-5909; effective Sept. 26, 1994; amended March 16, 2001.)

28-59-6. Unprofessional conduct. Any of the following acts shall be evidence of unprofessional conduct of a licensee, temporary licensee, or applicant:

(a) Misrepresenting any professional qualifications or credentials;

(b) promoting or endorsing products in a manner that is misleading or false;

(c) making false or misleading claims about the efficacy of any dietetic services;

(d) permitting the use of one's name or credentials for the purpose of certifying that dietetic services have been rendered when the licensee or applicant has not provided or supervised the provision of the services;

(e) failing to maintain the knowledge and skills required for continuing professional competence;

(f) failing to exercise appropriate supervision over persons if there is a supervisory relationship;

(g) impersonating another person who is licensed;

(continued)

(h) knowingly allowing another person to use one's license;

(i) assisting another person to obtain a license under false pretense;

(j) failing to report to the department alleged violations of K.S.A. 65-5901, et seq., and amendments thereto, and article 59 of these regulations;

(k) failing to notify the department of any disciplinary action or limitation, restriction, or revocation of an individual's license, or of termination or suspension of employment in a dietetic practice for some form of misfeasance, malfeasance, or nonfeasance;

(l) refusing to cooperate in a timely manner with the department's investigation of complaints lodged against a licensee, temporary licensee, or applicant;

(m) acquiring or providing a commission or rebate or any other form of remuneration for referral to any other service or for the use of any services;

(n) failing to disclose to a client any interest in commercial enterprises that the licensee, temporary licensee, or applicant promotes for the purpose of personal gain or profit;

(o) using undue influence on a client, including the promotion of the sales of services and products in a manner that exploits the client for financial gain or personal gratification;

(p) failing to provide prospective clients with information, including obligation for fee payment and financial arrangements, that might affect the client's decision to enter into the relationship;

(q) misrepresenting professional competency by performing or offering to perform services that are clearly unwarranted on the basis of education, training, or experience; or

(r) failing to conform to generally accepted principles and standards of dietetic practice, which shall be those generally recognized by the profession as appropriate for the situation presented, including those promulgated or interpreted by professional or governmental bodies. (Authorized by and implementing K.S.A. 1999 Supp. 65-5911(a)(2); effective Feb. 18, 1991; amended March 16, 2001.)

28-59-7. Fees. (a) The license application fee shall be \$140.00. The license application fee for an initial licensure period of less than 24 months shall be prorated at \$5.50 per month for any full or partial month, until the last day of February of the calendar year that is not less than 12 months and not more than 24 months from the date of application.

(b) The license renewal fee shall be \$135.00.

(c) The license renewal late fee shall be \$50.00.

(d) The temporary license application fee shall be \$70.00.

(e) The temporary license renewal fee shall be \$70.00.

(f) The application fee for reinstatement of a lapsed or revoked license shall be \$100.00 in addition to the license renewal fee established in subsection (b) of this regulation.

(g) The wall or wallet card license replacement fee shall be \$10.00.

(h) The sponsorship application fee shall be \$150.00. (Authorized by and implementing K.S.A. 1999 Supp. 65-

5913; effective Feb. 18, 1991; amended Dec. 7, 1992; amended Sept. 26, 1994; amended March 16, 2001.)

28-59-8. Change of name or address. (a) Each licensee shall notify the department of any changes in name or mailing address within 15 days of these changes.

(b) Notification of address changes shall be made directly to the department and shall include the name, old mailing address, new mailing address, and zip code.

(c) Within 90 days of the notification of name change, the following shall be received by the department:

(1) A copy of a marriage certificate, the court decree evidencing the change, or a social security card reflecting the new name; and

(2) payment of the applicable fee specified in K.A.R. 28-59-7 if a new wallet card is requested. In addition, the previously issued identification card shall be returned to the department. (Authorized by and implementing K.S.A. 65-5904; effective Feb. 18, 1991; amended March 16, 2001.)

Article 61.—LICENSURE OF SPEECH LANGUAGE PATHOLOGISTS AND AUDIOLOGISTS

28-61-1. Definitions. (a) "American speech-language-hearing association" means the national professional association that accredits academic and clinical practicum programs and continuing education sponsors in speech-language pathology and audiology and that issues a certificate of clinical competence in speech-language pathology and audiology.

(b) "Department" means the Kansas department of health and environment.

(c) "Licensure period" means the period of time between the date a license is issued and the date it expires. All full licenses shall expire biennially on October 31.

(d) "Sponsorship" means an approved, long-term sponsoring of programs for the purpose of fulfilling renewal or reinstatement continuing education requirements. Each approved sponsor shall be accountable for upholding the department's standards for the approval of continuing education programs. Each sponsor shall make application and submit the annual report on department-approved forms. The authority to sanction or otherwise discipline an approved sponsor shall be maintained by the department. These sanctions may include the following:

(1) Supplementary documentation;

(2) program restrictions;

(3) temporary or permanent suspension of long-term sponsorship approval; or

(4) other disciplinary steps as prescribed by the department. (Authorized by and implementing K.S.A. 65-6503; effective Dec. 28, 1992; amended March 16, 2001.)

28-61-2. Qualifications for licensure. (a) To determine whether or not an applicant has received at least a master's degree and completed a supervised clinical practicum in the area for which the applicant seeks licensure pursuant to K.S.A. 65-6505, and amendments thereto, consideration shall be given to whether or not the academic course of study and practicum content are accredited by the American speech-language-hearing associa-

tion or are deemed equivalent to the course of study and practicum content of Kansas universities by the secretary.

(b) Each applicant who received at least a master's degree or completed a supervised clinical practicum, or both, from a program not accredited by the American speech-language-hearing association shall obtain an equivalency validation of the academic course of study or practicum content, or both, from a Kansas college or university with a speech-language pathology or audiology program accredited by the American speech-language-hearing association.

(c) To determine whether or not an applicant has complied with the requirement that the degree be from an educational institution with standards consistent with the standards of Kansas universities pursuant to K.S.A. 65-6505, and amendments thereto, consideration shall be given to whether or not the institution is accredited by an accrediting body recognized by either the council on post-secondary accreditation or the secretary of the U.S. department of education, or is deemed equivalent by the secretary.

(d) Each applicant who received at least a master's degree outside the United States or its territories and whose transcript is not in English shall submit an officially translated English copy of the applicant's transcript and, if necessary, supporting documents. The transcript shall be translated by a source and in a manner that are acceptable to the secretary.

(e) Each applicant who received at least a master's degree outside the United States or its territories shall obtain an equivalency validation from an agency approved by the secretary that specializes in educational credential evaluations.

(f) Each applicant shall pay any transcription or equivalency validation fee directly to the transcriber or the validating agency.

(g) The supervised clinical practicum as specified in K.S.A. 65-6505, and amendments thereto, shall be at least 375 hours, at least 250 of which shall be earned at the graduate level in the area in which licensure is sought.

(h) Each applicant, after completing the requirements in K.S.A. 65-6505, and amendments thereto, shall successfully complete the supervised postgraduate professional experience requirement in the area for which the applicant seeks licensure. The applicant may complete the requirement on a full-time or part-time basis.

(1) "Full-time" means 30 hours per week for nine months.

(2) "Part-time" means 15 to 19 hours per week for 18 months, 20 to 24 hours per week for 15 months, or 25 to 29 hours per week for 12 months.

(3) Each applicant working full-time shall spend 80 percent of the week in direct client contact and activities related to client management.

(4) Each applicant working part-time shall spend 100 percent of the week in direct client contact and activities related to client management.

(5) "Direct client contact" means assessment, diagnosis, evaluation, screening, habilitation, or rehabilitation of persons with speech, language, or hearing handicaps.

(6) Each postgraduate professional experience supervisor shall be currently and fully licensed in Kansas for

speech-language pathology or audiology or, if the experience was completed in another state, either be currently and fully licensed in that state or hold the certificate of clinical competence issued by the American speech-language-hearing association. The supervisor's license or certificate shall be in the area for which the applicant seeks licensure.

(7) The supervisor shall evaluate the applicant on no less than 36 occasions of monitoring activities with a minimum of four hours per month. At least 18 on-site observations with a minimum of two hours per month shall be made by the supervisor.

(8) Monitoring occasions may include on-site observations, conferences in person or on the telephone, evaluation of written reports, evaluations by professional colleagues, or correspondence.

(9) The supervisor shall maintain careful written records of all contacts and conferences during this period. If the supervisor determines that the applicant is not providing satisfactory services at any time during the period, the supervisor shall inform the applicant in writing and make written reports to the applicant during the period of resolution.

(10) No licensee shall be approved to serve as a supervisor for a postgraduate professional experience once the secretary initiates a disciplinary proceeding pursuant to K.S.A. 65-6508, and amendments thereto. After the disciplinary action or actions have been concluded, a licensee whose license has been reinstated or otherwise determined to be in good standing may be considered as a supervisor:

(i) Each applicant shall be required to successfully pass the specialty area test of the national teacher examination of the educational testing service in the area for which licensure is being sought. The passing score for the examination shall be 600.

(1) The educational testing service shall administer the examinations at least twice a year within Kansas.

(2) Each applicant shall register to take the examination through the educational testing service, pay the examination fee directly to the educational testing service, and request that the test score be sent directly to the department from the educational testing service. (Authorized by K.S.A. 1991 Supp. 65-6503; implementing K.S.A. 1991 Supp. 65-6505; effective Dec. 28, 1992; amended March 16, 2001.)

28-61-3. Application for a license. (a) Each applicant applying for a license shall submit to the department a completed department-approved application form, the required supporting documentation showing completion of all qualifications for licensure, and the appropriate fee as specified in K.A.R. 28-61-9.

(b) Each applicant shall provide to the department the applicant's academic transcripts and proof of receipt of at least a master's degree. These documents shall be provided directly to the department by the academic institution.

(c) Each applicant who seeks licensure in both speech-language pathology and audiology shall submit a separate application for each license, meet the qualifications

(continued)

for each license, and pay the fee for each license as specified in K.A.R. 28-61-9. (Authorized by K.S.A. 65-6503; implementing K.S.A. 1999 Supp. 65-6506; effective Dec. 28, 1992; amended March 16, 2001.)

28-61-4. Application for a temporary license. (a) Each applicant who has completed the education and clinical practicum pursuant to K.S.A. 65-6505, and amendments thereto, but has not completed a supervised postgraduate professional experience or examination, or both, shall apply for a temporary license. This temporary license shall be issued for a period of 12 months and may be renewed for one subsequent 12-month period upon request and with the department's approval.

(b) Each applicant applying for a temporary license shall submit to the department a completed department-approved application form, the required supporting documentation showing completion of education and clinical practicum, and the appropriate fee as specified in K.A.R. 28-61-9.

(c) Each applicant shall provide to the department the applicant's academic transcripts and proof of receipt of at least a master's degree. These documents shall be provided directly to the department by the academic institution.

(d) Each applicant seeking a temporary license for the purpose of completing a supervised postgraduate professional experience shall receive a temporary license before beginning the supervised postgraduate professional experience:

(1) Each applicant shall provide to the department a plan for completion of the supervised postgraduate professional experience that has been signed by a supervisor who is currently fully licensed in Kansas in the area in which the applicant seeks licensure.

(2) Each applicant shall report any changes in the plan to the department.

(3) At the conclusion of the experience, each supervisor shall sign and submit to the department a report that documents satisfactory completion of the supervised postgraduate professional experience.

(e) To renew a temporary license, each applicant shall submit to the secretary a letter of appeal, supporting documentation showing that the examination or supervised professional experience, or both, was not completed, and the temporary licensure fee as specified in K.A.R. 28-61-9.

(f) Each applicant who seeks temporary licensure in both speech-language pathology and audiology shall submit a separate application for each temporary license, meet the qualifications for each temporary license, and pay the fee for each temporary license.

(g) A temporary license may be issued to enable an applicant for reinstatement to complete the continuing education requirements. This license shall be valid for up to 12 months and shall not be renewed. (Authorized by K.S.A. 65-6503; implementing K.S.A. 1999 Supp. 65-6506; effective Dec. 28, 1992; amended March 16, 2001.)

28-61-5. License renewal. (a) Each applicant for renewal of a license shall submit a completed department-approved application form, the required supporting doc-

umentation, and the license renewal fee as specified in K.A.R. 28-61-9.

(b) Each applicant for renewal of a license shall have completed the required clock hours of documented and approved continuing education during each licensure period immediately preceding renewal of the license. Approved continuing education clock hours completed in excess of the requirement shall not be carried over to the subsequent renewal period. There shall be 20 hours of approved continuing education required for each applicant holding a single two-year license and 30 hours if the applicant is licensed in both speech-language pathology and audiology.

(c) Each applicant shall maintain individual records, consisting of documentation and validation of approved continuing education clock hours, a summary of which shall be submitted to the department on the approved form as part of the license renewal application.

(d) For the purpose of measuring continuing education credit, "one clock hour" means a minimum of 50 minutes of direct instruction, exclusive of registration, breaks, or meals.

(e) The content and objective of the continuing education activity shall be primarily related to the practice of speech-language pathology as defined by K.S.A. 65-6501, and amendments thereto, or the practice of audiology as defined by K.S.A. 65-6501, and amendments thereto:

(1) The educational activity shall be for the purpose of furthering the applicant's education in one of the following three content areas:

(A) Basic communication processes, including information applicable to the normal development and use of speech, language, and hearing. Issues related to this content area may include any of the following:

(i) Anatomic and physiologic bases of the normal development and use of speech, language, and hearing;

(ii) physical bases and processes of the production and perception of speech, language, and hearing;

(iii) linguistic and psycholinguistic variables related to normal development and use of speech, language, and hearing; or

(iv) technological, biomedical, engineering, and instrumentation information;

(B) professional areas, including information pertaining to disorders of speech, language, and hearing. Issues related to this content area may include any of the following:

(i) Various types of communication disorders, their manifestations, classification, and causes;

(ii) evaluation skills, including procedures, techniques, and instrumentation for assessment; or

(iii) management procedures and principles in habilitation and rehabilitation of communication disorders; or

(C) related areas, including study pertaining to the understanding of human behavior, both normal and abnormal, as well as services available from related professions that apply to the contemporary practice of speech-language pathology, audiology or both. Issues related to this content area may include any of the following:

(i) Theories of learning and behavior;

(ii) services available from related professions that also deal with persons who have disorders of communications;

(iii) information from these professions about the sensory, physical, emotional, social, or intellectual states of child or adult; or

(iv) other areas, including general principles of program management, professional ethics, clinical supervision, counseling, and interviewing.

(2) Unacceptable content areas shall include marketing, personal development, time management, human relations, collective bargaining, and tours.

(3) The educational activity shall not be a part of the applicant's job responsibilities. In-service shall be considered part of the applicant's job responsibilities.

(f) Continuing education may be accrued by any of the following methods:

(1) Academic coursework related to the contemporary practice of speech-language pathology or audiology, offered by a regionally accredited college or university and documented by transcript or grade sheet:

(A) One academic-semester credit hour shall be equivalent to 15 clock hours of continuing education. One academic-trimester credit hour shall be equivalent to 14 clock hours of continuing education. One academic-quarter credit hour shall be equivalent to 10 clock hours of continuing education; and

(B) one audited academic-semester credit hour shall be equivalent to eight clock hours of continuing education. One audited academic-trimester credit hour shall be equivalent to seven clock hours of continuing education. One audited academic-quarter credit hour shall be equivalent to five clock hours of continuing education;

(2) workshops, seminars, and educational sessions sponsored by an organization, agency, or other entity that has been approved by the secretary:

(A) One clock hour of contact between either a presenter or instructor and the applicant shall be equivalent to one clock hour of continuing education for the applicant; and

(B) contact time shall be rounded down to the nearest one-half hour interval;

(3) preparation and presentation of a new seminar, lecture, or workshop according to the following criteria:

(A) "New" means that the applicant is preparing and making the presentation for the first time in any setting;

(B) credit shall be awarded only for the first presentation at the rate of two clock hours of continuing education for every one clock hour of contact between the instructor and attendees;

(C) if the presentation was given by more than one instructor, the continuing education clock hours shall be prorated among the instructors;

(D) if the sponsor of the workshop, seminar, or lecture did not obtain prior approval from the secretary, the applicant shall be required to present documentation for the secretary's subsequent approval for continuing education credit; and

(4) preparation and presentation of a new graduate course in speech-language pathology or audiology at an accredited college or university:

(A) "New" means that the applicant is teaching the course for the first time in any setting;

(B) six clock hours of credit shall be awarded per new course, up to a maximum of 12 clock hours per licensure period; and

(C) if the course was prepared and presented by more than one instructor, the continuing education clock hours shall be prorated among the instructors;

(5) the successfully completed supervision of a postgraduate professional experience as specified in K.A.R. 28-61-2 and K.A.R. 28-61-4:

(A) The licensee's name and signature shall appear as the supervisor on the temporary license application submitted by the supervisee as specified in K.A.R. 28-61-4(d)(1);

(B) five clock hours of credit per supervisee shall be awarded to the licensee;

(C) the maximum amount of credit awarded for the supervision of a postgraduate professional experience shall be five clock hours per licensee per licensure period; and

(D) the licensee seeking continuing education credit shall apply for subsequent approval according to subsection (1) of this regulation; or

(6) self-directed study courses that are directly oriented to improving the applicant's professional competence and that are approved by the secretary:

(A) Self-directed study courses shall receive prior approval from the secretary;

(B) courses shall be sponsored by a nationally recognized professional organization in audiology or speech-language pathology and that are accompanied by an examination or measurement tool to determine successful completion of the course;

(C) self-study materials may include audiotapes, videotapes, and study kits; and

(D) one clock hour of time required to complete the self-directed study material, as specified by the sponsor of the material, shall be equivalent to one clock hour of continuing education.

(g) Continuing education sponsors seeking prior approval for a single offering of a continuing education activity shall apply to the secretary. Approval may be granted by the secretary by one of the following methods.

(1) An organization, institution, agency, or individual shall be qualified for approval as a sponsor of a continuing education activity if, after review of the application, the secretary determines that the applicant meets all of the following conditions:

(A) The sponsor presents organized programs of learning.

(B) The sponsor presents subject matters that integrally relate to the practice of speech-language pathology or audiology, or both as specified in K.A.R. 28-61-5(e).

(C) The sponsor's program activities contribute to the professional competency of the licensee.

(D) The sponsor's program presenters are individuals who have education, training, or experience that qualifies them to present the subject matter of the programs.

(2) An organization, institution, agency, or individual shall be qualified for approval as a sponsor of continuing education if the American speech-language-hearing association has approved the organization, institution, agency, or individual as a continuing education sponsor and the sponsor presents subject matter as specified in K.A.R. 28-61-5(e).

(continued)

(h) Continuing education sponsors seeking long-term sponsorship for continuing education activities shall apply to the secretary. Approval may be granted by the secretary if the organization, institution, agency, or individual agrees to perform all of the following:

- (1) Present organized programs of learning;
- (2) Present subject matter that integrally relates to the practice of speech-language pathology or audiology, or both and the sponsor presents the subject matter specified in K.A.R. 28-61-5(e);
- (3) Approve and present program activities that contribute to the professional competency of the licensee; and
- (4) Sponsor program presenters who are individuals with education, training, or experience that qualifies them to present the subject matter of the programs.

(i) All approved continuing education sponsors that received approval by the method specified in subsection (i) shall provide the following:

(1) A certificate of attendance to each licensee who attends a continuing education activity. The certificate shall state the following:

- (A) The sponsor's name and approval number;
 - (B) The date of the program;
 - (C) The name of the participant;
 - (D) The total number of clock hours of the program, excluding introductions, registration, breaks, and meals;
 - (E) The program's title and its presenter;
 - (F) The program site; and
 - (G) A designation of whether the program is approved for speech-language pathology or audiology, or both; and
- (2) A list of attendees, license numbers, and the number of continuing education clock hours completed by each licensee upon request and in a format approved by the department.

(j) (1) Licensees who attend activities of continuing education sponsored by the American speech-language-hearing association shall retain either of the following:

(A) The letter of confirmation received from the continuing education registry of the American speech-language-hearing association that includes the following:

- (i) The licensee's name, address, and social security number;
- (ii) The course title;
- (iii) The sponsor's name; and
- (iv) The number of continuing education units awarded; or

(B) The licensee's transcript from the continuing education registry of the American speech-language-hearing association.

(2) One continuing education unit shall be equivalent to 10 clock hours of continuing education.

(k) All continuing education sponsors that received approval by the method outlined in subsection (i) shall report to the secretary annually to maintain the designation as an approved sponsor. The application shall require a list of all continuing education programs provided by the approved sponsor during the previous calendar year and additional documentation deemed necessary by the secretary to ensure that the approved sponsor is meeting or exceeding the standards set forth in article 61.

(l) Any licensee who completes a continuing education activity that was not sponsored by an approved continuing education sponsor may submit information and documentation on a form provided by the department, requesting subsequent approval for an activity that has already taken place.

(m) Each licensee whose initial licensure period is less than 24 months shall be required to obtain not less than one hour of continuing education for each month in the initial licensure period for those who hold a single license and not less than one and one-quarter hours of continuing education for each month in the initial licensure period for those who hold a dual license. (Authorized by K.S.A. 65-6503; implementing K.S.A. 1999 Supp. 65-6506; effective Dec. 28, 1992; amended March 16, 2001.)

28-61-6. Application for person with license issued by another state. (a) Each applicant applying for a license who is presently or has been licensed in another state shall submit a completed department-approved application form with the license fee as specified in K.A.R. 28-61-9.

(b) Each application shall be evaluated by comparing the qualifications met to obtain the original license, and any subsequent licenses, with the current qualifications for Kansas licensure. The qualifications of one of the states that issued a license shall be equal to or in excess of the Kansas licensure qualifications at the time the applicant seeks a Kansas license.

(c) Each applicant shall be in good standing with each licensing agency that has issued a license to the applicant.

(d) "Good standing" means both of the following:

(1) The applicant's license is not under any administrative proceeding.

(2) The applicant's license is not under any disciplinary action. (Authorized by K.S.A. 65-6503; implementing K.S.A. 1999 Supp. 65-6506; effective Dec. 28, 1992; amended March 16, 2001.)

28-61-7. Reinstatement of a lapsed license. (a) Each applicant whose license has lapsed shall pay the reinstatement fee and license renewal fee as specified in K.A.R. 28-61-9.

(b) Each applicant whose license has lapsed shall, within five years of the most recent expiration date, reinstate that license by submitting evidence that the applicant has accumulated, within the past two calendar years before the date of application for reinstatement, 20 contact hours of approved continuing education.

(c) Each applicant whose Kansas license has lapsed for more than five years beyond its expiration date shall reinstate by submitting any of the following types of evidence:

(1) Current licensure in another jurisdiction that requires completion of a number of contact hours of continuing education for license renewal that is equivalent to or greater than the number of hours required in Kansas;

(2) licensure in another jurisdiction sometime during the preceding five-year period, and completion of 20 contact hours of approved continuing education within two calendar years before the date of application for reinstatement; or

(3) satisfactory completion of a plan for reinstatement that has been submitted to and approved by the speech-language pathology and audiology advisory board and by the department. (Authorized by K.S.A. 65-6503; implementing K.S.A. 1999 Supp. 65-6506; effective Dec. 28, 1992; amended March 16, 2001.)

28-61-8. Assistants. (a) Each speech-language pathology assistant and audiology assistant shall meet the following criteria:

(1) Have received a high school diploma or equivalent;
 (2) complete a training program conducted by a Kansas-licensed speech-language pathologist or audiologist. This training shall include the following:

- (A) Ethical and legal responsibilities;
 (B) an overview of the speech, language, and hearing disorders;
 (C) response discrimination skills;
 (D) behavior management;
 (E) charting of behavioral objectives and recordkeeping;
 (F) teaching principles, if applicable to the employment setting; and
 (G) other skill training as required by the employment setting; and

(3) receive ongoing supervised training by a Kansas-licensed speech-language pathologist or audiologist for a minimum of one hour per month.

(b) Each speech-language pathology assistant or audiology assistant may perform the following tasks:

- (1) Deliver programs and procedures that are planned, designed, and supervised by the Kansas-licensed speech-language pathologist or audiologist;
 (2) record, chart, graph, report, or otherwise display data relative to client performance, using behavior modification charting and graphing when appropriate;
 (3) participate with the Kansas-licensed speech-language pathologist or audiologist in research projects, public relations programs, or similar activities;
 (4) perform clerical duties;
 (5) prepare instructional materials; and
 (6) monitor hearing aids and other equipment.

(c) A speech-language pathology assistant or audiologist assistant shall not perform any of the following tasks:

- (1) Diagnose or write treatment plans for individuals with speech, language, or hearing disorders;
 (2) interpret or discuss confidential information or test results, despite the fact that this information may be requested by the client, a family member, or referring agent; or

(3) perform any procedure for which the assistant is not qualified, has not been adequately trained, or is not receiving adequate supervision.

(d) Each assistant shall be supervised by a Kansas-licensed speech-language pathologist or audiologist. The supervisor shall be licensed to practice in the field in which the assistant is providing services.

(1) Each supervisor shall be responsible for determining that the assistant is satisfactorily qualified and prepared for the duties assigned to the assistant.

(2) Each supervisor shall obtain, retain, and maintain on file documentation of the assistant's qualifications and training outlined in subsection (a).

(3) Only the supervisor shall exercise independent judgment in performing professional procedures for the client. The supervisor shall not delegate the exercise of independent judgment to the assistant.

(e) Each supervisor shall directly supervise at least 10 percent of the assistant's client contact time. No portion of the assistant's direct client contact shall be counted toward the ongoing training required in subsection (a).

(f) "Direct supervision" means the physical presence of the supervisor while the assistant is in contact with the client.

(g) Each supervisor shall, within 30 days of employing an assistant, submit written notice to the department of the assistant's name, employment location, and verification that the assistant meets the established qualifications listed in subsection (a). Each supervisor shall notify the department of any change in the status of an assistant.

(h) Each supervisor shall perform all of the following tasks:

- (1) Develop a system to evaluate the performance level of each assistant under the licensee's supervision;
 (2) retain and maintain on file documentation of the performance level of each assistant supervised; and
 (3) report to the department at the time of the supervisor's license renewal, on a department-approved form, the name and employment location of each assistant. (Authorized by K.S.A. 65-6503; implementing K.S.A. 1999 Supp. 65-6501; effective Dec. 28, 1992; amended March 16, 2001.)

28-61-9. Fees. (a) The license fee shall be \$135.00. The license application fee for an initial licensure period of less than 24 months shall be prorated at \$5.50 per month for any full or partial month, until October 31 of the calendar year that is not less than 12 months and not more than 24 months from the date of application.

(b) The temporary license fee and temporary license renewal fee shall be \$65.00.

- (c) The license renewal fee shall be \$135.00.
 (d) The late license renewal fee shall be \$50.00.
 (e) The license reinstatement fee shall be \$135.00.
 (f) The wall or wallet card license replacement fee shall be \$10.00.

(g) The sponsorship application fee shall be \$150.00. (Authorized by and implementing K.S.A. 1999 Supp. 65-6512; effective Dec. 28, 1992; amended March 16, 2001.)

28-61-10. Change of name or address. (a) Each licensee shall notify the department of any name or address change within 15 days of the change. Each licensee who fails to comply with this regulation may be subject to disciplinary action by the department pursuant to K.S.A. 65-6508, and amendments thereto.

(1) Notice of each address change shall be submitted to the department and shall include the licensee's name, license number, previous mailing address, and new mailing address.

(2) Complete notification of each name change shall meet the following criteria:

- (A) Be submitted to the department in writing within 90 days of the change;
 (B) include the licensee's previous name, new name, and license number; and
 (C) be accompanied by a copy of a marriage certificate, court decree evidencing the change, or a social security card reflecting the new name.

(continued)

(b) Each licensee seeking a replacement license or license renewal card, or both, shall perform the following:

(1) Submit a department-approved form for each and payment of the applicable replacement fee; and

(2) return, if possible, the most recently issued license or license renewal card, or both. (Authorized by and implementing K.S.A. 65-6503; effective Dec. 28, 1992; amended March 16, 2001.)

28-61-11. Unprofessional conduct. The following acts by a licensee shall be evidence of unprofessional conduct:

(a) Misrepresenting any professional qualifications or credentials, including any of the following:

(1) Impersonating another licensed professional;

(2) knowingly allowing the use of one's license or license number by another person; or

(3) using an academic title that has not been conferred by an accredited educational institution;

(b) improper certification of services rendered when these services were not provided or supervised by the licensee;

(c) falsifying documents of personal data or qualifications in the application for licensure;

(d) aiding in the submission of false information or sanctioning the submission of false information for the purpose of another person obtaining licensure;

(e) misrepresenting services provided under one's professional license;

(f) promoting or endorsing products in a false or misleading manner;

(g) making unsupported or misleading claims about the efficacy of any professional service;

(h) performing or offering to perform services that are unwarranted;

(i) billing or receiving remuneration for services not rendered;

(j) withholding or failing to provide information that might affect a client's decision regarding the establishment or continuation of the professional relationship;

(k) failing to disclose to a client a proprietary interest in any commercial enterprise that might affect the client's decision regarding services;

(l) using undue influence, the threat of harm, or any false claim of future risk in order to promote sales, services, or products for personal gain or profit;

(m) failing to exercise appropriate supervision over clinical practicum students, temporarily licensed post-graduate professionals, or assistants with whom the licensee has a supervisory relationship;

(n) failing to report to the department alleged violations of Kansas statutes or rules and regulations; and

(o) refusing to cooperate in a timely manner with the investigation of complaints under the jurisdiction of the Kansas department of health and environment. (Authorized by and implementing K.S.A. 65-6503; effective March 16, 2001.)

Clyde D. Graeber
Secretary of Health
and Environment

Doc. No. 026216

State of Kansas

Secretary of State

Certification of New State Laws

I, Ron Thornburgh, Secretary of State of the State of Kansas, do hereby certify that the following bill is a correct copy of the original enrolled bill now on file in my office.

Ron Thornburgh
Secretary of State

(Published in the Kansas Register March 1, 2001.)

HOUSE BILL No. 2022

AN ACT concerning retirement; relating to the Kansas public employees retirement system; investment standards; amending K.S.A. 2000 Supp. 74-4921 and repealing the existing section.

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

Section 1. K.S.A. 2000 Supp. 74-4921 is hereby amended to read as follows: 74-4921. (1) There is hereby created in the state treasury the Kansas public employees retirement fund. All employee and employer contributions shall be deposited in the state treasury to be credited to the Kansas public employees retirement fund. The fund is a trust fund and shall be used solely for the exclusive purpose of providing benefits to members and member beneficiaries and defraying reasonable expenses of administering the fund. Investment income of the fund shall be added or credited to the fund as provided by law. All benefits payable under the system, refund of contributions and overpayments, purchases or investments under the law and expenses in connection with the system unless otherwise provided by law shall be paid from the fund. The director of accounts and reports is authorized to draw warrants on the state treasurer and against such fund upon the filing in the director's office of proper vouchers executed by the chairperson or the executive secretary of the board. As an alternative, payments from the fund may be made by credits to the accounts of recipients of payments in banks, savings and loan associations and credit unions. A payment shall be so made only upon the written authorization and direction of the recipient of payment and upon receipt of such authorization such payments shall be made in accordance therewith. Orders for payment of such claims may be contained on (a) a letter, memorandum, telegram, computer printout or similar writing, or (b) any form of communication, other than voice, which is registered upon magnetic tape, disc or any other medium designed to capture and contain in durable form conventional signals used for the electronic communication of messages:

(2) The board shall have the responsibility for the management of the fund and shall discharge the board's duties with respect to the fund solely in the interests of the members and beneficiaries of the system for the exclusive purpose of providing benefits to members and such member's beneficiaries and defraying reasonable expenses of administering the fund and shall invest and reinvest moneys in the fund and acquire, retain, manage, including the exercise of any voting rights and disposal of investments of the fund within the limitations and according to the powers, duties and purposes as prescribed by this section.

(3) Moneys in the fund shall be invested and reinvested to achieve the investment objective which is preservation of the fund to provide benefits to members and member beneficiaries, as provided by law and accordingly providing that the moneys are as productive as possible, subject to the standards set forth in this act. No moneys in the fund shall be invested or reinvested if the sole or primary investment objective is for economic development or social purposes or objectives.

(4) In investing and reinvesting moneys in the fund and in acquiring, retaining, managing and disposing of investments of the fund, the board shall exercise the judgment, care, skill, prudence and diligence under the circumstances then prevailing, which persons of prudence, discretion and intelligence acting in a like capacity and familiar with such matters would use in the conduct of an enterprise of like character and with like aims by diversifying the investments of the fund so as to minimize the risk of large losses, unless under the circumstances it is clearly prudent not to do so, and not in regard to speculation but in regard to the permanent

disposition of similar funds, considering the probable income as well as the probable safety of their capital.

(5) Notwithstanding subsection (4): (a) Total investments in common stock may be made in the amount of up to 60% of the total book value of the fund;

(b) the board may invest or reinvest moneys of the fund in alternative investments if the following conditions are satisfied:

(i) The total of such alternative investments does not exceed more than 5% of the total investment assets of the fund. If the total of such alternative investments exceeds more than 5% of the total investment assets of the fund on the effective date of this act, the board shall not invest or reinvest any moneys of the fund in alternative investments until the total of such alternative investments is less the 5% of the total investment assets of the fund subject to the 5% limitation contained in this subsection. Nothing in this subsection requires the board to liquidate or sell the system's holdings in any alternative investment held by the system on the effective date of this act, unless such liquidation or sale would be in the best interest of the members and beneficiaries of the system and be prudent under the standards contained in this section. The 5% limitation contained in this section shall not have been violated if the total of such alternative investments exceeds 5% of the total investment assets of the fund as a result of market forces acting to increase the value of such alternative investments relative to the rest of the system's investments; however, the board shall not invest or reinvest any moneys of the fund in alternative investments until the total of such alternative investments is less than 5% of the total investment assets of the fund subject to the 5% limitation contained in this subsection;

(ii) if in addition to the system, there are at least two other sophisticated investors, as defined by section 301 of the securities and exchange act of 1933;

(iii) the system's share in any individual alternative investment is limited to an investment representing not more than 20% of any such individual alternative investment;

(iv) the system has received a favorable and appropriate recommendation from a qualified, independent expert in investment management or analysis in that particular type of alternative investment;

(v) the alternative investment is consistent with the system's investment policies and objectives as provided in subsection (6);

(vi) the individual alternative investment does not exceed more than 2.5% of the total alternative investments made under this subsection. If the alternative investment is made pursuant to participation by the system in a multi-investor pool, the 2.5% limitation contained in this subsection is applied to the underlying individual assets of such pool and not to investment in the pool itself. The total of such alternative investments made pursuant to participation by the system in any one individual multi-investor pool shall not exceed more than 20% of the total of alternative investments made by the system pursuant to this subsection. Nothing in this subsection requires the board to liquidate or sell the system's holdings in any alternative investments made pursuant to participation by the system in any one individual multi-investor pool held by the system on the effective date of this act, unless such liquidation or sale would be in the best interest of the members and beneficiaries of the system and be prudent under the standards contained in this section. The 20% limitation contained in this subsection shall not have been violated if the total of such investment in any one individual multi-investor pool exceeds 20% of the total alternative investments of the fund as a result of market forces acting to increase the value of such a multi-investor pool relative to the rest of the system's alternative investments; however, the board shall not invest or reinvest any moneys of the fund in any such individual multi-investor pool until the value of such individual multi-investor pool is less than 20% of the total alternative investments of the fund;

(vii) the board has received and considered the investment manager's due diligence findings submitted to the board as required by subsection (6)(c); and

(viii) prior to the time the alternative investment is made, the system has in place procedures and systems to ensure that the investment is properly monitored and investment performance is accurately measured.

For purposes of this act, "alternative investment" means nontraditional investments outside the established nationally recognized public stock exchanges and government securities market. Alternative investments shall include, but not be limited to, private placements, venture capital, partnerships, limited partnerships and leveraged buyout partnerships; and

(c) except as otherwise provided, the board may invest or reinvest

moneys of the fund in real estate investments if the following conditions are satisfied:

(i) The system has received a favorable and appropriate recommendation from a qualified, independent expert in investment management or analysis in that particular type of real estate investment;

(ii) the real estate investment is consistent with the system's investment policies and objectives as provided in subsection (6); and

(iii) the board has received and considered the investment manager's due diligence findings submitted to the board as required by subsection (6)(c); and

~~(d) the board shall not invest or reinvest moneys of the fund in any banking institution, savings and loan association or credit union which positions the system as a shareholder or owner of such banking institution, savings and loan association or credit union.~~

(6) Subject to the objective set forth in subsection (3) and the standards set forth in subsections (4) and (5) the board shall formulate policies and objectives for the investment and reinvestment of moneys in the fund and the acquisition, retention, management and disposition of investments of the fund. Such policies and objectives shall include:

(a) Specific asset allocation standards and objectives;

(b) establishment of criteria for evaluating the risk versus the potential return on a particular investment;

(c) a requirement that all investment managers submit such manager's due diligence findings on each investment to the board or investment advisory committee for approval or rejection prior to making any alternative investment;

(d) a requirement that all investment managers shall immediately report all instances of default on investments to the board and provide the board with recommendations and options, including, but not limited to, curing the default or withdrawal from the investment; and

(e) establishment of criteria that would be used as a guideline for determining when no additional add-on investments or reinvestments would be made and when the investment would be liquidated.

The board shall review such policies and objectives, make changes considered necessary or desirable and readopt such policies and objectives on an annual basis.

(7) The board may enter into contracts with one or more persons whom the board determines to be qualified, whereby the persons undertake to perform the functions specified in subsection (2) to the extent provided in the contract. Performance of functions under contract so entered into shall be paid pursuant to rates fixed by the board subject to provisions of appropriation acts and shall be based on specific contractual fee arrangements. The system shall not pay or reimburse any expenses of persons contracted with pursuant to this subsection, except that after approval of the board, the system may pay approved investment related expenses subject to provisions of appropriation acts. The board shall require that a person contracted with to obtain commercial insurance which provides for errors and omissions coverage for such person in an amount to be specified by the board, provided that such coverage shall be at least the greater of \$500,000 or 1% of the funds entrusted to such person up to a maximum of \$10,000,000. The board shall require a person contracted with to give a fidelity bond in a penal sum as may be fixed by law or, if not so fixed, as may be fixed by the board, with corporate surety authorized to do business in this state. Such persons contracted with the board pursuant to this subsection and any persons contracted with such persons to perform the functions specified in subsection (2) shall be deemed to be agents of the board and the system in the performance of contractual obligations.

(8) (a) In the acquisition or disposition of securities, the board may rely on the written legal opinion of a reputable bond attorney or attorneys, the written opinion of the attorney of the investment counselor or managers, or the written opinion of the attorney general certifying the legality of the securities.

(b) The board shall employ or retain qualified investment counsel or counselors or may negotiate with a trust company to assist and advise in the judicious investment of funds as herein provided.

(9) (a) Except as provided in subsection (7) and this subsection, the custody of money and securities of the fund shall remain in the custody of the state treasurer, except that the board may arrange for the custody of such money and securities as it considers advisable with one or more member banks or trust companies of the federal reserve system or with one or more banks in the state of Kansas, or both, to be held in safe-

(continued)

keeping by the banks or trust companies for the collection of the principal and interest or other income or of the proceeds of sale. The services provided by the banks or trust companies shall be paid pursuant to rates fixed by the board subject to provisions of appropriation acts.

(b) The state treasurer and the board shall collect the principal and interest or other income of investments or the proceeds of sale of securities in the custody of the state treasurer and pay same when so collected into the fund.

(c) The principal and interest or other income or the proceeds of sale of securities as provided in clause (a) of this subsection (9) shall be reported to the state treasurer and the board and credited to the fund.

(10) The board shall with the advice of the director of accounts and reports establish the requirements and procedure for reporting any and all activity relating to investment functions provided for in this act in order to prepare a record monthly of the investment income and changes made during the preceding month. The record will reflect a detailed summary of investment, reinvestment, purchase, sale and exchange transactions and such other information as the board may consider advisable to reflect a true accounting of the investment activity of the fund.

(11) The board shall provide for an examination of the investment program annually. The examination shall include an evaluation of current investment policies and practices and of specific investments of the fund in relation to the objective set forth in subsection (3), the standard set forth in subsection (4) and other criteria as may be appropriate, and recommendations relating to the fund investment policies and practices and to specific investments of the fund as are considered necessary or desirable. The board shall include in its annual report to the governor as provided in K.S.A. 74-4907, and amendments thereto, a report or a summary thereof covering the investments of the fund.

(12) (a) An annual financial-compliance audit of the system, including any performance audit subjects which are directed to be included in such annual audit by the legislative post audit committee, performance audits of the system as prescribed under the Kansas governmental operations law, and such other audits as are directed by the legislative post audit committee under the Kansas legislative post audit act shall be conducted. The annual financial-compliance audit shall include, but not be limited to, a review of alternative investments of the system with any estimates of permanent impairments to the value of such alternative investments reported by the system pursuant to K.S.A. 74-4907, and amendments thereto.

(b) In accordance with this subsection (12), the annual financial-compliance audit may include one or more performance audit subjects as directed by the legislative post audit committee. In considering performance audit subjects to be included in any financial-compliance audit conducted pursuant to this subsection (12), the legislative post audit committee shall consider recommendations and requests for performance audits, relating to the system or the management thereof, by the joint committee on pensions, investments and benefits or by any other committee or individual member of the legislature. Commencing with the financial-compliance audit for the fiscal year ending June 30, 1998, the

legislative post audit committee shall specify if one or more performance audit subjects shall be included in the financial-compliance audit conducted pursuant to this subsection (12), in addition to such other subjects as may be directed to be included in the financial-compliance audit by the legislative post audit committee. Except as otherwise determined by the legislative post audit committee pursuant to this subsection (12), commencing with the financial-compliance audit for the fiscal year ending June 30, 1998, one or more performance audit subjects specified by the legislative post audit committee shall be included at least once every two fiscal years in a financial-compliance audit conducted pursuant to this subsection (12). The legislative post audit committee may direct that one or more performance audit subjects are to be included in a financial-compliance audit conducted pursuant to this subsection (12) not more than once during a specific period of three fiscal years, in lieu of once every two fiscal years.

(c) The auditor to conduct the financial-compliance audit required pursuant to this subsection (12) shall be specified in accordance with K.S.A. 46-1122, and amendments thereto. If the legislative post audit committee specifies under such statute that a firm, as defined by K.S.A. 46-1112, and amendments thereto, is to perform all or part of the audit work of such audit, such firm shall be selected and shall perform such audit work as provided in K.S.A. 46-1123, and amendments thereto, and K.S.A. 46-1125 through 46-1127, and amendments thereto. The audits required pursuant to this subsection (12) shall be conducted in accordance with generally accepted governmental auditing standards. The financial-compliance audit required pursuant to this subsection (12) shall be conducted as soon after the close of the fiscal year as practicable, but shall be completed no later than six months after the close of the fiscal year. The post auditor shall annually compute the reasonably anticipated cost of providing the financial-compliance audit pursuant to this subsection (12), subject to review and approval by the contract audit committee established by K.S.A. 46-1120, and amendments thereto. Upon such approval, the system shall reimburse the division of post audit for the amount approved by the contract audit committee. The furnishing of the financial-compliance audit pursuant to this subsection (12) shall be a transaction between the legislative post auditor and the system and shall be settled in accordance with the provisions of K.S.A. 75-5516, and amendments thereto.

(d) Any internal assessment or examination of alternative investments of the system performed by any person or entity employed or retained by the board which evaluates or monitors the performance of alternative investments shall be reported to the legislative post auditor so that such report may be reviewed in accordance with the annual financial-compliance audits conducted pursuant to this subsection (12).

Sec. 2. K.S.A. 2000 Supp. 74-4921 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the Kansas register.

INDEX TO ADMINISTRATIVE REGULATIONS

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

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1-5-9	Amended (T)	V. 20, p. 176

1-5-19b	Amended (T)	V. 20, p. 176
1-5-19c	Amended (T)	V. 20, p. 176
1-5-20	Amended (T)	V. 20, p. 176
1-5-24	Amended	V. 19, p. 1337
1-9-23	Amended	V. 19, p. 944
1-18-1a	Amended	V. 19, p. 1719
1-49-1	Amended	V. 19, p. 724

AGENCY 3: KANSAS STATE TREASURER

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3-2-2	New	V. 19, p. 1016
3-2-3	New	V. 19, p. 1016
3-3-1	New	V. 19, p. 1678

AGENCY 4: DEPARTMENT OF AGRICULTURE

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4-3-51	New (T)	V. 20, p. 246
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4-7-214	Amended	V. 19, p. 117
4-7-215	Revoked	V. 19, p. 118
4-7-216	New	V. 19, p. 118
4-8-14a	Amended	V. 19, p. 1679
4-8-27	Amended	V. 19, p. 1679

4-8-28	Amended	V. 19, p. 1680
4-8-29	Amended	V. 19, p. 1680
4-8-32	Amended	V. 19, p. 1680
4-8-34	Amended	V. 19, p. 1680
4-8-41	Amended	V. 19, p. 1680
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AGENCY 5: DEPARTMENT OF AGRICULTURE—DIVISION OF WATER RESOURCES

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5-3-4d	New	V. 19, p. 1485
5-3-4e	New	V. 19, p. 1485
5-3-5d	Amended	V. 19, p. 1485
5-3-5e	Amended	V. 19, p. 1485
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5-3-28	New	V. 19, p. 1490-1493
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5-6-15	New	V. 19, p. 1497-1499
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Reg. No.	Action	Register
7-32-1	Amended	V. 19, p. 1269
7-32-2	Amended	V. 19, p. 1269

AGENCY 9: ANIMAL HEALTH DEPARTMENT

Reg. No.	Action	Register
9-10-33	New	V. 19, p. 1948
9-14-2	Amended	V. 19, p. 1748
9-15-4	Amended	V. 19, p. 1748
9-15-5	New	V. 19, p. 1948

AGENCY 16: ATTORNEY GENERAL

Reg. No.	Action	Register
16-6-1	Amended	V. 19, p. 399

AGENCY 17: STATE BANK COMMISSIONER

Reg. No.	Action	Register
17-22-1	Amended	V. 19, p. 500
17-23-16	Amended	V. 19, p. 500

AGENCY 28: DEPARTMENT OF HEALTH AND ENVIRONMENT

Reg. No.	Action	Register
28-1-2	Amended	V. 19, p. 141
28-1-18	Amended	V. 19, p. 141

28-1-26	New	V. 19, p. 142
28-4-501	Amended	V. 19, p. 422
28-4-503	Amended	V. 19, p. 423
28-4-504	Amended	V. 19, p. 423
28-4-505	Amended	V. 19, p. 423
28-4-513	Amended	V. 19, p. 423
28-4-530	Revoked	V. 19, p. 423
28-4-531	Revoked	V. 19, p. 423
28-16-28b	Amended	V. 19, p. 1720
28-16-28e	Amended	V. 19, p. 1723
28-17-15	Amended	V. 19, p. 1190
28-19-717	New	V. 19, p. 1932
28-19-729	New	V. 19, p. 565
28-19-729a		
through		
28-19-729h	New	V. 19, p. 566-569
28-29-1100		
through		
28-29-1107	New	V. 19, p. 941-943
28-34-1a	Amended	V. 20, p. 105
28-34-6a	Amended	V. 20, p. 106
28-34-9a	Amended	V. 20, p. 107
28-34-32b	Amended	V. 20, p. 107
28-38-18		
through		
28-38-23	Amended	V. 19, p. 1078-1080
28-38-26	Amended	V. 19, p. 1081
28-38-28	Amended	V. 19, p. 1081
28-38-29	Amended	V. 19, p. 1081
28-38-30	New	V. 19, p. 1082
28-68-1	Amended	V. 19, p. 1934
28-68-2	Amended	V. 19, p. 1934
28-68-3	Amended	V. 19, p. 1935
28-68-6	Amended	V. 19, p. 1936
28-72-51		
through		
28-72-54	New	V. 19, p. 989, 990

AGENCY 30: SOCIAL AND REHABILITATION SERVICES

Reg. No.	Action	Register
30-4-50	Amended	V. 19, p. 1548
30-5-59	Amended	V. 19, p. 1548
30-5-64	Amended	V. 19, p. 1549
30-5-81	Amended	V. 19, p. 1587
30-5-309	Amended	V. 19, p. 988
30-10-21	Amended	V. 19, p. 1550

AGENCY 36: DEPARTMENT OF TRANSPORTATION

Reg. No.	Action	Register
36-2-3	Revoked	V. 19, p. 1449
36-2-4	Revoked	V. 19, p. 1449
36-2-6	Revoked	V. 19, p. 1449
36-2-8		
through		
36-2-13	Revoked	V. 19, p. 1449
36-15-23	Revoked	V. 19, p. 1622
36-34-1	Revoked	V. 19, p. 1622

AGENCY 40: KANSAS INSURANCE DEPARTMENT

Reg. No.	Action	Register
40-3-26	Amended	V. 19, p. 303
40-3-27	Revoked	V. 19, p. 680
40-3-32	Amended	V. 19, p. 303
40-3-45	Amended	V. 19, p. 303
40-3-49	Amended	V. 19, p. 303
40-4-35	Amended	V. 19, p. 1853

AGENCY 49: DEPARTMENT OF HUMAN RESOURCES

Reg. No.	Action	Register
49-45-1		
through		
49-45-4	Amended	V. 19, p. 504
49-45-4a	New	V. 19, p. 504
49-45-5		
through		
49-45-9	Amended	V. 19, p. 504
49-45-20		
through		
49-45-28	Amended	V. 19, p. 504, 505
49-45-29		
through		
49-45-34	New	V. 19, p. 505
49-45a-1	Amended	V. 19, p. 505

49-45a-2		
through		
49-45a-27	Revoked	V. 19, p. 506
49-46-1	Amended	V. 19, p. 506
49-47-1	Amended	V. 19, p. 507
49-47-1a	New	V. 19, p. 507
49-47-1b	New	V. 19, p. 507
49-47-2	Amended	V. 19, p. 507
49-48-1	Amended	V. 19, p. 508
49-49-1a	New	V. 19, p. 508
49-50-1		
through		
49-50-4	Amended	V. 19, p. 509, 510
49-50-6		
through		
49-50-15	Amended	V. 19, p. 510-513
49-50-17		
through		
49-50-20	Amended	V. 19, p. 513, 514
49-50-21	New	V. 19, p. 514
49-50-22	New	V. 19, p. 515
49-51-1	Amended	V. 19, p. 515
49-51-2	Amended	V. 19, p. 515
49-51-3	Amended	V. 19, p. 515
49-51-3a	New	V. 19, p. 516
49-51-6		
through		
49-51-12	Amended	V. 19, p. 516-518
49-51-14	Revoked	V. 19, p. 518
49-52-5		
through		
49-52-9	Amended	V. 19, p. 518-520
49-52-11	Amended	V. 19, p. 520
49-52-13	Amended	V. 19, p. 520
49-52-14	Amended	V. 19, p. 521
49-52-15	Revoked	V. 19, p. 521
49-52-16	New	V. 19, p. 521
49-52-17	New	V. 19, p. 521
49-54-1		
through		
49-54-3	Revoked	V. 19, p. 521

AGENCY 50: DEPARTMENT OF HUMAN RESOURCES—DIVISION OF EMPLOYMENT

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

AGENCY 60: BOARD OF NURSING

Reg. No.	Action	Register
60-6-101	Amended	V. 19, p. 344
60-11-101	Amended	V. 19, p. 344
60-11-103	Amended	V. 19, p. 345
60-11-104a	Amended	V. 19, p. 346
60-11-106	Amended	V. 19, p. 346
60-11-108	Revoked	V. 19, p. 346
60-17-101		
through		
60-17-111	New	V. 19, p. 346-350

AGENCY 63: BOARD OF MORTUARY ARTS

Reg. No.	Action	Register
63-1-3	Amended	V. 19, p. 2024
63-1-4	Amended	V. 19, p. 2024
63-1-5	Amended	V. 19, p. 2025
63-1-6	Amended	V. 19, p. 2025
63-1-12	Amended	V. 19, p. 2025
63-2-7	Amended	V. 19, p. 2025
63-2-10	Amended	V. 19, p. 2026
63-2-11	Amended	V. 19, p. 2026
63-2-12	Amended	V. 19, p. 2026
63-3-17	Amended	V. 19, p. 2027
63-3-18	Amended	V. 19, p. 2027
63-3-20	Amended	V. 19, p. 2027

(continued)

63-5-1	Amended	V. 19, p. 2028
63-6-1	Amended	V. 19, 0. 2028
63-6-2	Amended	V. 19, p. 2028
63-6-3	Amended	V. 19, p. 2029
63-6-6	Amended	V. 19, p. 2029

AGENCY 65: BOARD OF EXAMINERS IN OPTOMETRY

Reg. No.	Action	Register
65-5-6	Amended	V. 19, p. 839

AGENCY 66: BOARD OF TECHNICAL PROFESSIONS

Reg. No.	Action	Register
66-6-4	Amended	V. 20, p. 102
66-6-6	Amended	V. 19, p. 70
66-7-2	Amended	V. 19, p. 70
66-8-7	New	V. 19, p. 70
66-9-4	Amended	V. 19, p. 71
66-9-6	New	V. 19, p. 71
66-10-1	Amended	V. 20, p. 103
66-10-4	Amended	V. 20, p. 103
66-10-11	Amended	V. 20, p. 104
66-10-12	Amended	V. 20, p. 104
66-10-13	Amended	V. 20, p. 104
66-11-4	New	V. 19, p. 72
66-12-1	Amended	V. 19, p. 72
66-14-1	Amended	V. 19, p. 72
66-14-6	Amended	V. 19, p. 72
66-14-10	Amended	V. 20, p. 104

AGENCY 67: BOARD OF HEARING AID EXAMINERS

Reg. No.	Action	Register
67-2-4	Amended	V. 19, p. 626
67-3-2	Amended	V. 19, p. 626
67-4-7	Amended	V. 19, p. 626
67-4-10	Amended	V. 19, p. 626
67-4-13	New	V. 19, p. 626
67-5-3	Amended	V. 19, p. 626
67-5-4	Amended	V. 19, p. 626
67-6-4	Amended	V. 19, p. 626
67-7-4	Amended	V. 19, p. 627

AGENCY 68: BOARD OF PHARMACY

Reg. No.	Action	Register
68-5-1	Amended	V. 19, p. 501
68-7-11	Amended	V. 19, p. 501
68-7-14	Amended	V. 19, p. 502
68-7-18	Amended	V. 19, p. 503
68-14-8	Amended	V. 19, p. 1830

AGENCY 71: KANSAS DENTAL BOARD

Reg. No.	Action	Register
71-1-20	New	V. 19, p. 573
71-1-21	New	V. 19, p. 573
71-3-8	New	V. 19, p. 1336

AGENCY 74: BOARD OF ACCOUNTANCY

Reg. No.	Action	Register
74-1-2	Amended	V. 19, p. 1791
74-1-7	New	V. 19, p. 1792
74-2-1	Amended	V. 19, p. 1792
74-2-3	Amended	V. 19, p. 1792
74-2-4	Amended	V. 19, p. 1792
74-3-8	Amended	V. 19, p. 1792
74-4-1	Revoked	V. 19, p. 1792
74-4-1a	New	V. 19, p. 1792
74-4-2a	New	V. 19, p. 1792
74-4-3a	New	V. 19, p. 1793
74-4-4	Amended	V. 19, p. 1793
74-4-7	Amended	V. 19, p. 1793
74-4-10	Amended	V. 19, p. 1793
74-5-2	Amended	V. 19, p. 1793
74-5-202	Amended	V. 19, p. 1794
74-5-203	Amended	V. 19, p. 1794
74-5-205	New	V. 19, p. 1795
74-5-405	Amended	V. 19, p. 1795
74-6-1	Amended	V. 19, p. 1795
74-6-2	Amended	V. 19, p. 1795
74-7-2	Amended	V. 19, p. 1795
74-11-6	Amended	V. 19, p. 1796
74-12-1	Amended	V. 19, p. 1796
74-15-1	New	V. 19, p. 1797
74-15-2	New	V. 19, p. 1797

AGENCY 75: STATE BANKING DEPARTMENT

Reg. No.	Action	Register
75-6-2	Revoked	V. 19, p. 1082
75-6-6	Revoked	V. 19, p. 1082

75-6-24	Revoked	V. 19, p. 1082
75-6-26	Amended	V. 19, p. 1082
75-6-30	New	V. 19, p. 1082
75-6-31	New	V. 19, p. 1083
75-6-32	New	V. 20, p. 175

AGENCY 82: STATE CORPORATION COMMISSION

Reg. No.	Action	Register
82-4-1	Amended	V. 19, p. 1158
82-4-3	Amended	V. 19, p. 1159
82-4-6d	Amended	V. 19, p. 1083
82-4-8a	Amended	V. 19, p. 1084
82-4-8h	New	V. 19, p. 1085
82-4-20	Amended	V. 19, p. 1085
82-4-23	Amended	V. 19, p. 1085
82-4-24a	Amended	V. 19, p. 1085
82-4-27c	Amended	V. 19, p. 1085
82-4-27e	Amended	V. 19, p. 1086
82-4-27f	Revoked	V. 19, p. 1087
82-4-27g	Amended	V. 19, p. 1087
82-4-30a	Amended	V. 19, p. 1087
82-4-31	Amended	V. 19, p. 1087
82-4-32	Amended	V. 19, p. 1087
82-4-33	Amended	V. 19, p. 1087
82-4-35a	Amended	V. 19, p. 1088
82-4-37	Amended	V. 19, p. 1088
82-4-42	Amended	V. 19, p. 1088
82-4-57	Amended	V. 19, p. 1088

AGENCY 88: BOARD OF REGENTS

Reg. No.	Action	Register
88-23-1 through		
88-23-6	New	V. 19, p. 41-43

AGENCY 91: DEPARTMENT OF EDUCATION

Reg. No.	Action	Register
91-1-26	Revoked	V. 19, p. 1435
91-1-27	Revoked	V. 19, p. 1435
91-1-27a through		
91-1-27d	Revoked	V. 19, p. 1435
91-1-28	Revoked	V. 19, p. 1435
91-1-30	Revoked	V. 19, p. 1435
91-1-30a	Revoked	V. 19, p. 1435
91-1-31 through		
91-1-35	Revoked	V. 19, p. 1435
91-1-37	Revoked	V. 19, p. 1435
91-1-39 through		
91-1-58	Revoked	V. 19, p. 1435, 1436
91-1-60	Revoked	V. 19, p. 1436
91-1-61	Revoked	V. 19, p. 680
91-1-63	Revoked	V. 19, p. 1436
91-1-65	Revoked	V. 19, p. 1436
91-1-67	Revoked	V. 19, p. 1436
91-1-68a through		
91-1-68e	Amended	V. 19, p. 1588-1592
91-1-70	Revoked	V. 19, p. 1436
91-1-70b	Revoked	V. 19, p. 1593
91-1-71 through		
91-1-83	Revoked	V. 19, p. 1436, 1437
91-1-84a	Revoked	V. 19, p. 1437
91-1-85 through		
91-1-91	Revoked	V. 19, p. 1437
91-1-91a	Revoked	V. 19, p. 1437
91-1-92	Revoked	V. 19, p. 1437
91-1-93a	Revoked	V. 19, p. 1437
91-1-101a	Revoked	V. 19, p. 1437
91-1-101b	Revoked	V. 19, p. 1437
91-1-102a	Revoked	V. 19, p. 1437
91-1-104b	Revoked	V. 19, p. 1437
91-1-104c	Revoked	V. 19, p. 1437
91-1-105	Revoked	V. 19, p. 1437
91-1-106	Revoked	V. 19, p. 1437
91-1-106a through		
91-1-106m	Revoked	V. 19, p. 1437, 1438
91-1-107a	Revoked	V. 19, p. 1438
91-1-108a	Revoked	V. 19, p. 1438
91-1-108b	Revoked	V. 19, p. 1438
91-1-108c	Revoked	V. 19, p. 1438
91-1-109a	Revoked	V. 19, p. 1438
91-1-110a	Revoked	V. 19, p. 1438

91-1-110c	Revoked	V. 19, p. 1438
91-1-111a	Revoked	V. 19, p. 1438
91-1-112c	Revoked	V. 19, p. 1438
91-1-112d	Revoked	V. 19, p. 1438
91-1-113b	Revoked	V. 19, p. 1438
91-1-114a	Revoked	V. 19, p. 1438
91-1-115a	Revoked	V. 19, p. 1438
91-1-117a	Revoked	V. 19, p. 1438
91-1-118a	Revoked	V. 19, p. 1438
91-1-119a through-		
91-1-119g	Revoked	V. 19, p. 1438, 1439
91-1-120	Revoked	V. 19, p. 1439
91-1-121	Revoked	V. 19, p. 1439
91-1-122	Revoked	V. 19, p. 1439
91-1-123a	Revoked	V. 19, p. 1439
91-1-125	Revoked	V. 19, p. 1439
91-1-127a	Revoked	V. 19, p. 1439
91-1-128b	Revoked	V. 19, p. 1439
91-1-129a	Revoked	V. 19, p. 1439
91-1-130	Revoked	V. 19, p. 1439
91-1-131	Revoked	V. 19, p. 1439
91-1-132a	Revoked	V. 19, p. 1439
91-1-135a	Revoked	V. 19, p. 1439
91-1-137a	Revoked	V. 19, p. 1439
91-1-138a	Revoked	V. 19, p. 1439
91-1-140a	Revoked	V. 19, p. 1439
91-1-141	Revoked	V. 19, p. 1439
91-1-143	Revoked	V. 19, p. 1439
91-1-144	Revoked	V. 19, p. 1439
91-1-145	Revoked	V. 19, p. 1439
91-1-146a	Amended	V. 19, p. 1593
91-1-146e	Amended	V. 19, p. 1593
91-1-148a	Revoked	V. 19, p. 1439
91-1-149	Revoked	V. 19, p. 1439
91-1-150	Revoked	V. 19, p. 1439
91-1-153	Revoked	V. 19, p. 1439
91-1-200 through		
91-1-211	New	V. 19, p. 1439-1449
91-5-14	Amended	V. 20, p. 108
91-12-22	Revoked	V. 19, p. 680
91-12-23	Revoked	V. 19, p. 680
91-12-24a	Revoked	V. 19, p. 680
91-12-25	Revoked	V. 19, p. 680
91-12-27	Revoked	V. 19, p. 680
91-12-28	Revoked	V. 19, p. 680
91-12-30 through		
91-12-33	Revoked	V. 19, p. 680
91-12-35 through		
91-12-42	Revoked	V. 19, p. 680, 681
91-12-44 through		
91-12-69	Revoked	V. 19, p. 681
91-12-71 through		
91-12-74	Revoked	V. 19, p. 682
91-22-1a	New	V. 19, p. 682
91-22-2	Amended	V. 19, p. 683
91-22-3	Revoked	V. 19, p. 683
91-22-4	Amended	V. 19, p. 683
91-22-5a	Amended	V. 19, p. 683
91-22-7	Amended	V. 19, p. 683
91-22-8	Revoked	V. 19, p. 683
91-22-9	Amended	V. 19, p. 683
91-22-10 through		
91-22-18	Revoked	V. 19, p. 684
91-22-19	Amended	V. 19, p. 684
91-22-21	Revoked	V. 19, p. 684
91-22-22	Amended	V. 19, p. 684
91-22-23	Revoked	V. 19, p. 684
91-22-24	Revoked	V. 19, p. 684
91-22-25	Amended	V. 19, p. 684
91-22-26	Revoked	V. 19, p. 685
91-40-1 through		
91-40-5	New	V. 19, p. 685-691
91-40-7 through		
91-40-12	New	V. 19, p. 692-695
91-40-16 through		
91-40-19	New	V. 19, p. 695-697
91-40-21	New	V. 19, p. 697
91-40-22	New	V. 19, p. 697

91-40-24		
through		
91-40-31	New	V. 19, p. 698-700
91-40-33		
through		
91-40-39	New	V. 19, p. 700-702
91-40-41		
through		
91-40-48	New	V. 19, p. 702-704
91-40-50		
through		
91-40-53	New	V. 19, p. 705, 706
91-41-1		
through		
91-41-4	New (T)	V. 20, p. 137

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

Reg. No.	Action	Register
99-26-1	Amended	V. 19, p. 840
99-27-1	Amended	V. 19, p. 840

AGENCY 100: BOARD OF HEALING ARTS

Reg. No.	Action	Register
100-6-2	Amended	V. 19, p. 241
100-7-1	Amended	V. 19, p. 1044
100-10a-1	Amended	V. 19, p. 241
100-10a-3	Amended	V. 19, p. 241
100-11-1	Amended	V. 19, p. 1190
100-22-3	New	V. 19, p. 571
100-28a-1		
through		
100-28a-16	New (T)	V. 20, p. 247-251
100-29-7	Amended	V. 19, p. 1547
100-49-4	Amended	V. 19, p. 1190
100-54-4	Amended	V. 19, p. 1547
100-55-1		
through		
100-55-9	Amended	V. 19, p. 1017-1020
100-55-4	Amended	V. 19, p. 1547
100-55-11	New	V. 19, p. 1020
100-60-1	Revoked (T)	V. 20, p. 251
100-60-2	Revoked (T)	V. 20, p. 251
100-60-4	Revoked (T)	V. 20, p. 251
100-60-5	Revoked (T)	V. 20, p. 251
100-60-6	Revoked (T)	V. 20, p. 251
100-60-8		
through		
100-60-15	Revoked (T)	V. 20, p. 251
100-60-10	Amended	V. 19, p. 571
100-60-13	Amended	V. 19, p. 572
100-69-5	Amended	V. 19, p. 1547

AGENCY 102: BEHAVIORAL SCIENCES REGULATORY BOARD

Reg. No.	Action	Register
102-1-3	Revoked	V. 19, p. 1681
102-1-3a	New	V. 19, p. 1681

102-1-5	Revoked	V. 19, p. 1683
102-1-5a	New	V. 19, p. 1683
102-1-12	Amended	V. 19, p. 1684
102-1-15	Amended	V. 19, p. 1686
102-1-17	New	V. 19, p. 1687
102-1-18	New	V. 19, p. 1687
102-2-1a	Amended	V. 19, p. 1192
102-2-2a	Amended	V. 19, p. 1194
102-2-3	Amended	V. 19, p. 1194
102-2-4a	Amended	V. 19, p. 1195
102-2-5	Amended	V. 19, p. 1196
102-2-7	Amended	V. 19, p. 1196
102-2-8	Amended	V. 19, p. 1198
102-2-11	Amended	V. 19, p. 1200
102-2-12	Amended	V. 19, p. 1201
102-2-13	New	V. 19, p. 1202
102-2-14	New	V. 19, p. 1202
102-3-1a	Amended	V. 19, p. 1202
102-3-2	Amended	V. 19, p. 1204
102-3-5a	Amended	V. 19, p. 1205
102-3-7a	Amended	V. 19, p. 1206
102-3-14	New	V. 19, p. 1207
102-3-15	New	V. 19, p. 1207
102-4-1a	Amended	V. 19, p. 1208
102-4-2	Amended	V. 19, p. 1209
102-4-4a	Amended	V. 19, p. 1209
102-4-5a	Amended	V. 19, p. 1211
102-4-7a	Amended	V. 19, p. 1211
102-4-14	New	V. 19, p. 1212
102-4-15	New	V. 19, p. 1213
102-5-1	Amended	V. 19, p. 1213
102-5-2	Amended	V. 19, p. 1214
102-5-4a	Amended	V. 19, p. 1215
102-5-5	Amended	V. 19, p. 1216
102-5-7a	Amended	V. 19, p. 1216
102-5-13	New	V. 19, p. 1218
102-5-14	New	V. 19, p. 1218

AGENCY 108: STATE EMPLOYEES HEALTH CARE COMMISSION

Reg. No.	Action	Register
108-1-1	Amended	V. 19, p. 2022
108-1-3	New	V. 19, p. 68

AGENCY 109: BOARD OF EMERGENCY MEDICAL SERVICES

Reg. No.	Action	Register
109-2-2	Amended	V. 19, p. 1949
109-5-1	Amended	V. 19, p. 1749
109-5-4	Amended	V. 19, p. 1750
109-6-2	Amended	V. 19, p. 1750
109-6-3	New	V. 19, p. 1751
109-7-1	Amended	V. 19, p. 1751
109-10-1	Amended	V. 19, p. 1751
109-11-6	Amended	V. 19, p. 1753
109-13-1	Amended	V. 19, p. 1754

AGENCY 110: DEPARTMENT OF COMMERCE AND HOUSING

Reg. No.	Action	Register
110-6-1	Amended	V. 20, p. 177
110-6-1a	Amended	V. 20, p. 178
110-6-2	Amended	V. 20, p. 178
110-6-3	Amended	V. 20, p. 178
110-6-4	Amended	V. 20, p. 179
110-6-5	Amended	V. 20, p. 180

AGENCY 111: KANSAS LOTTERY

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

Reg. No.	Action	Register
111-3-12	Amended	V. 20, p. 40
111-4-1795		
through		
111-4-1813	New	V. 20, p. 40-47
111-7-123	Amended	V. 20, p. 48
111-7-152	Amended	V. 20, p. 49

AGENCY 112: KANSAS RACING AND GAMING COMMISSION

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

AGENCY 115: DEPARTMENT OF WILDLIFE AND PARKS

Reg. No.	Action	Register
115-2-2	Amended	V. 19, p. 1875
115-2-3	Amended	V. 19, p. 1875
115-4-1	Amended	V. 20, p. 180
115-4-3	Amended	V. 19, p. 1138
115-4-5	Amended	V. 19, p. 1139
115-4-6	Amended	V. 19, p. 1140
115-4-7	Amended	V. 19, p. 1142
115-7-1	Amended	V. 19, p. 1876
115-18-10	Amended	V. 19, p. 1474
115-18-13	Amended	V. 19, p. 1475
115-18-16	New	V. 19, p. 1475

AGENCY 117: REAL ESTATE APPRAISAL BOARD

Reg. No.	Action	Register
117-6-3	Amended	V. 19, p. 472
117-7-1	Amended	V. 19, p. 41
117-8-1	Amended	V. 19, p. 473
117-9-1	Amended	V. 19, p. 41

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