

# Kansas Register

Ron Thornburgh, Secretary of State

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## State of Kansas

**Social and Rehabilitation Services****Request for Comments**

The Department of Social and Rehabilitation Services is accepting comments on the federal fiscal year 2002 Social Service Block Grant (SSBG) State Plan and the Low Income Energy Assistance Program (LIEAP) Block Grant Plan. Any organization or individual wishing to obtain a copy of the block grant summaries should call (785) 296-6216. Comments can be mailed to the office of the Secretary of SRS, 6th Floor, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612. Comments are due by May 8.

Janet Schalansky  
Secretary of Social and  
Rehabilitation Services

Doc. No. 026440

## State of Kansas

**Kansas Insurance Department****Notice of Hearing on Proposed  
Administrative Regulations**

A public hearing will be conducted at 10 a.m. Tuesday, June 19, in the third floor conference room, Kansas Insurance Department, 420 S.W. 9th, Topeka, to consider the proposed revocation of an existing rule and regulation.

This 60-day notice of the public hearing shall constitute a public comment period for 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 proposed revocation of the 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.

**K.A.R. 40-5-111.** This regulation defines certain practices as violations of the Unfair Trade Practices Act, K.S.A. 40-2404. The Kansas Insurance Department is recommending that this regulation be revoked because it is unnecessary. The practices defined in this regulation are prohibited by the statute, specifically K.S.A. 40-2404(8). The statute provides the Kansas Insurance Department with sufficient authority to protect Kansas consumers.

The economic impact, if any, is positive because an unnecessary regulation is being revoked.

Kathleen Sebelius  
Kansas Insurance Commissioner

Doc. No. 026420

## State of Kansas

**University of Kansas Medical Center  
Police Department****Notice of Hearing on Grant Application**

In accordance with the requirements of a U.S. Department of Justice grant application, the University of Kansas Police Department at the University Medical Center, 3901 Rainbow Blvd., Kansas City, Kansas, will conduct a public hearing at 2 p.m. Thursday, May 3, in the Support Services Building, Suite 115, 2100 W. 36th Ave., Kansas City, Kansas. The grant request is for 75 percent of the cost of an in-car video and audio recording system to be added to a 25 percent local match. The equipment has been well-tested and has proven effective at producing reliable evidence for court in all types of law enforcement situations. The system also is a great enhancement to officer safety and protects the university and the Police Department from frivolous lawsuits.

Further details concerning the grant application will be provided at the hearing. For additional information, contact James Michaels at (913) 588-5154.

James E. Michaels  
Assistant Director

Doc. No. 026433

## State of Kansas

**Social and Rehabilitation Services****Notice of Meeting**

The Child Care and Development Fund (CCDF) Act requires each state, territorial and tribal child care lead agency to hold at least one public hearing every two years to provide the public an opportunity to comment on the child care services provided under the CCDF. The public hearing is a requirement of receiving federal funds for child care.

SRS will conduct one public meeting prior to the development of the Kansas State Child Care Plan. The meeting will be 10:30 a.m. Thursday, April 26 (during the Statewide Child Care and Early Education Advisory Committee meeting) in Room B of the SRS Learning Center, Topeka State Hospital grounds, 300 S.W. Oakley, Topeka.

Copies of the current Kansas State Child Care State Plan may be viewed at [www.srskansas.org/kidsnet/careassistance](http://www.srskansas.org/kidsnet/careassistance). Written comments also may be sent to Jean Morgan, Children and Family Policy, Child Care and Early Childhood Development, 5th Floor, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612.

Janet Schalansky  
Secretary of Social and  
Rehabilitation Services

Doc. No. 026391

State of Kansas

**Information Network of Kansas****Notice of Meeting**

The Information Network of Kansas Board of Directors will meet at 1:30 p.m. Thursday, April 19, in the basement conference room of the League of Kansas Municipalities, 300 S.W. 8th Ave., Topeka. The meeting is open to the public. For additional information, call (785) 296-1460.

Leroy Gattin  
Chairman

Doc. No. 026453

State of Kansas

**Kansas Insurance Department****Notice of Hearing on Proposed  
Administrative Regulations**

A public hearing will be conducted at 9 a.m. Tuesday, June 19, in the third floor conference room, Kansas Insurance Department, 420 S.W. 9th, Topeka, to consider the proposed revocation of an existing rule and regulation.

This 60-day notice of the public hearing shall constitute a public comment period for 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 proposed revocation of the 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.

**K.A.R. 40-5-106.** This regulation sets out what consumer credit life and credit accident and health insurance forms may be issued. The Commissioner of Insurance is proposing that this regulation be revoked because it is no longer necessary. K.S.A. 16a-4-203 requires that all credit life and accident and health forms be on file for 30 days with the Commissioner of Insurance before use. Such forms may not be used if the commissioner disapproves the forms filed. K.S.A. 16a-4-203 provides sufficient oversight of consumer credit forms that are used.

The economic impact, if any, is positive because an unnecessary regulation is being revoked.

Kathleen Sebelius  
Kansas Insurance Commissioner

Doc. No. 026419

State of Kansas

**State Fair Board****Notice of Meeting**

The Kansas State Fair Board will hold a retreat beginning at 1 p.m. April 18 and concluding at 4 p.m. April 19 at the Kansas Army National Guard Training Center in Salina. The retreat will be for discussion only, and no board action will be taken.

A regular board meeting will be conducted at 8 a.m. April 20 in the White House on the fairgrounds in Hutchinson. For further information, contact Deana Novak at (620) 669-3612.

Bob Barker  
President

Doc. No. 026441

State of Kansas

**Kansas Insurance Department****Notice of Hearing on Proposed  
Administrative Regulations**

A public hearing will be conducted at 9 a.m. Tuesday, June 26, in the third floor conference room, Kansas Insurance Department, 420 S.W. 9th, Topeka, to consider the proposed revocation of an existing rule and regulation.

This 60-day notice of the public hearing shall constitute a public comment period for 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 proposed revocation of the 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.

**K.A.R. 40-70-6.** This regulation requires countersignatures for each insurance policy and for each rider or endorsement attached after the issue date of the policy. The Kansas Insurance Department is recommending that this regulation be revoked. The section of the law that requires countersignatures has been repealed and, therefore, this regulation is no longer necessary.

The economic impact on the companies, if any, is positive since one less procedure is required to be followed in issuing endorsements and riders.

Kathleen Sebelius  
Kansas Insurance Commissioner

Doc. No. 026421

## State of Kansas

## Continuing Legal Education Commission

## Notice of Meeting

The Kansas Continuing Legal Education Commission will meet at noon Friday, April 20, at 400 S. Kansas Ave., Suite 202, Topeka. For additional information, call (785) 357-6510.

Shelley Sutton  
Executive Director

Doc. No. 026452

## State of Kansas

## Wildlife and Parks Commission

Notice of Hearing on Proposed  
Administrative Regulations

A public hearing will be conducted by the Wildlife and Parks Commission at 7 p.m. Thursday, June 14, at the K-State Research Center Auditorium, 1232 240th Ave., Hays, to consider the approval and adoption of proposed regulations of the Kansas Department of Wildlife and Parks.

A workshop meeting on business of the Wildlife and Parks Commission will begin at 1:30 p.m. June 14 at the location listed above. The meeting will recess at 5 p.m., then resume at 7 p.m. at the same location for the regulatory hearing. There will be public comment periods at the beginning of the afternoon and evening meetings for any issues not on the agenda, and additional comment periods will be available during the meeting on agenda items. Old and new business also may be discussed at this time. If necessary to complete the hearing or other business matters, the commission will reconvene at 9 a.m. June 15 at the same location.

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

This 60-day notice period prior to the hearing constitutes a public comment period for the purpose of receiving written public comments on the proposed administrative regulations. All interested parties may submit written comments prior to the hearing to the chairman of the commission, Kansas Department of Wildlife and Parks, Suite 502, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612. All interested parties will be given a reasonable opportunity at the hearing to express their views orally in regard to the adoption of the proposed regulations. During the hearing, all written and oral comments submitted by interested parties will be considered by the commission as a basis for approving, amending and approving, or rejecting the proposed regulations.

The administrative regulations that will be heard during the regulatory hearing portion of the meeting are as follows:

**K.A.R. 23-1-11 and 23-8-27.** These regulations were established by the Fish and Game Commission, and the provisions either have been or are proposed for inclusion in current Chapter 115 regulations of the Department of Wildlife and Parks. Consequently, these regulations are proposed for revocation.

**Economic Impact Summary:** The proposed revocations are not anticipated to have any economic impact.

**K.A.R. 115-8-1, 115-8-8, 115-8-12, 115-8-20 and 115-8-21.** These regulations establish requirements and restrictions on various activities on department lands and waters, including hunting, furharvesting, swimming, release of wildlife and special events. In response to Executive Order 00-03, several provisions in each of these regulations are proposed for consolidation and clarification, including updating language or making language consistent with other regulations. Only one substantive regulatory change is proposed, and it would require special events involving groups of 25 or fewer people to pay a fee if the event would require a special event permit. Currently, groups of this size are exempt from the fee.

**Economic Impact Summary:** Because the fee for a special event permit depends on services required and event type, it is uncertain what impact the one substantive amendment would have, although it is likely to increase department revenue. No other amendments are anticipated to have any economic impact.

**K.A.R. 115-8-5, 115-8-16 and 115-8-18.** These regulations establish requirements and restrictions on various activities on department lands and waters, including discharge of firearms, construction and littering. In response to Executive Order 00-03, the provisions from these regulations are proposed for consolidation into other regulations, and these regulations are proposed for revocation.

**Economic Impact Summary:** The proposed revocations are not anticipated to have any economic impact.

**K.A.R. 115-18-17.** This proposed new regulation would establish an educational bird hunt permit. The permit would authorize the release and shooting of pen-raised birds outside of established hunting seasons for the purpose of an educational program for upland bird hunting.

**Economic Impact Summary:** The proposed new regulation is not anticipated to have any economic impact.

**K.A.R. 115-20-1 and 115-20-2.** These regulations establish legal equipment and hunting requirements for crows (115-20-1) and for certain other wildlife not otherwise covered in regulations (115-20-2). In response to Executive Order 00-03, the proposed amendments would consolidate language and descriptions and more clearly exempt certain wildlife that are listed in other regulations.

**Economic Impact Summary:** The proposed amendments are not anticipated to have any economic impact.

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

John R. Dykes  
Chairman

Doc. No. 026448

## State of Kansas

## Kansas Arts Commission

## Notice of Deadlines for Individual Artist Program

The Kansas Arts Commission has announced opportunities for Kansas artists available through the Individual Artist Program for 2001-2002, including the Kansas Touring Program and the Kansas Artist Fellowships and Mini-Fellowships.

The commission is accepting applications from individual performing artists who live in Kansas and from Kansas-based performing groups, companies and ensembles for three-year appointments to the roster of the Kansas Touring Program. This roster of solo and ensemble artists generally includes—but is not limited to—storytelling, mime, dance, theater for adults and children, and classical, folk, ethnic, blues, jazz and gospel music. Each eligible application and its support materials will be reviewed by advisory panels of professionals and experts, and artists will be notified in September if they have been accepted for the roster.

The application deadline for the Kansas Touring Program is July 11. The application deadline for both the Kansas Artist Fellowships and the Mini-Fellowships is October 17.

Completed applications with required support materials must bear an official U.S. Postal Service postmark not later than the deadline date. Applications hand-carried or sent by express mail or overnight delivery must be received in the commission office not later than 5 p.m. on the deadline date or they will not be accepted.

The commission may award a Kansas Artist Fellowship of \$5,000 to a qualified artist in each of the following disciplines: fiction, poetry, two-dimensional visual art, three-dimensional visual art and crafts.

Up to 12 Mini-Fellowships of \$500 each also are offered. An eligible artist may apply for a Mini-Fellowship in any one of the following disciplines: fiction, poetry, two-dimensional visual art, three-dimensional visual art, crafts, music composition, choreography, film/video, interdisciplinary/performance art and playwriting. Fellowship applications will be evaluated by advisory panels of professionals and experts, and the applicants will be notified of the outcome by February 2002.

To request a copy of the Individual Artist guidelines and application booklet, contact the Kansas Arts Commission, 700 S.W. Jackson, Suite 1004, Topeka, 66603-3761, (785) 296-3335, fax (785) 296-4989, e-mail KAC@arts.state.ks.us. The guidelines and application form also may be downloaded from the commission's Web site at <http://arts.state.ks.us>. Persons with special communication needs may use the Kansas Relay Service, 1-800-766-3777.

David M. Wilson  
Executive Director

Doc. No. 026429

## State of Kansas

## Statewide Independent Living Council

## Notice of Hearing

The Statewide Independent Living Council of Kansas (SILCK), in association with the Kansas Department of Social and Rehabilitation Services, is seeking public input on the development of its next three-year State Plan for Independent Living (SPIL). A public hearing has been scheduled from 1 to 4 p.m. Wednesday, May 2, at the LINK (Living Independently in Northwest Kansas) satellite office, 1204 Canterbury Road, Hays.

Suggested topics for discussion can include objectives to be achieved under the SPIL, outreach to unserved and underserved populations and minority groups, extent and scope of independent living services, and the maintenance and growth of a statewide network of centers for independent living. The hearing is open to the public and will be held in an accessible location. Materials will be available in alternate formats.

For further information, contact SILCK at (785) 234-6990 (Voice and TTY) or 1-800-217-4525 (toll free). Persons unable to attend the public hearing may submit written comments by May 15 to SILCK, 700 S.W. Jackson, Suite 212, Topeka, 66603, fax (785) 234-6651 or email shanoz@aol.com.

SILCK is a consumer-controlled, nonprofit council that supports Centers for Independent Living in Kansas; examines programs and policies to determine what changes, modifications and innovations may be necessary to remove barriers faced by people with disabilities; and makes recommendations for such changes so that independent living and economic self sufficiency is possible for all Kansans.

Shannon Jones  
Executive Director

Doc. No. 026422

## State of Kansas

## Kansas Arts Commission

## Notice of Nomination Deadline for Governor's Arts Awards

The Kansas Arts Commission is accepting nominations for the 2001 Governor's Arts Awards until 5 p.m. Tuesday, May 1. Mailed nominations should bear a U.S. Postal Service postmark that is not later than the deadline date. Metered mail is not acceptable as a postmark. Hand-delivered nominations, or nominations that are delivered by express mail or overnight delivery, will not be accepted after 5 p.m. May 1.

Any Kansas citizen or organization may submit a documented nomination in one of six categories: Individual Artist, Arts Organization, Art Educator, Arts Advocate, Individual Patron or Patron Organization. Individual artists may be in the visual, performing, literary, folk or media arts. Nominees must be Kansas citizens or Kansas-based organizations with records of outstanding contributions to the excellence, growth and support or availability of the arts in Kansas. Not eligible are prior honorees, current members of the commission or its staff and art projects or programs.



Award recipients will be selected from the eligible nominees by a panel including members of the Kansas Arts Commission, a representative of the Governor and representatives from various arts disciplines and organizations.

All original nominations must be submitted on the official form. Handwritten nominations will not be considered. If more than one nomination is received for the same person or organization, only the first one received will be accepted. All support materials—including but not limited to photographs, slides, video tapes, audio tapes, letters, clippings, manuscripts or publications—become the property of the commission and will not be returned.

For more information or to request nomination materials, contact the Kansas Arts Commission, 700 S.W. Jackson, Suite 1004, Topeka, 66603-3761, (785) 296-3335, fax (785) 296-4989, e-mail KAC@arts.state.ks.us. Persons with special communication needs may utilize the Kansas Relay Service, 1-800-766-3777.

The 2001 Governor's Arts Awards guidelines and nomination form were published in the commission's FY 2002 grant guidelines booklet and also may be downloaded from the commission's Web site at <http://arts.state.ks.us>.

David M. Wilson  
Executive Director

Doc. No. 026431

## 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:

**Jo Ann G. Bain, dba Bain Trucking**, 303 N. Glenn, Ulysses, KS 67880; MC ID No. 156934; General commodities (except household goods and hazardous materials)

**Darrell Branning**, Route 2, Box 200, Enid, OK 73703; MC ID No. 159633; General commodities (except household goods and hazardous materials)

**Damon Ray Breit, dba American Tank Service**, 228 Northridge Drive, Hays, KS 67601; MC ID No. 159631; Salt water

**Mark Dix**, 445 28 Road, Woodston, KS 67675; MC ID No. 160592; General commodities (except household goods and hazardous materials)

**Dream Homes, Inc., dba Dream Homes Moving**, 2750 Fauna Road N.W., Lebo, KS 66856; MC ID No. 143938; General commodities (except household goods and hazardous materials)

**Dynamic Delivery, Inc.**, 13011 Taussig Ave., Bridgeton, MO 63044; MC ID No. 147467; General commodities (except household goods and hazardous materials)

**Green Ready Mix of Missouri, Inc.**, 23400 W. 82nd St., Shawnee Mission, KS 66227-2706; MC ID No. 159634; William Barker, Attorney; General commodities (except household goods and hazardous materials)

**J & D Taylor Trucking, Inc.**, 1034 Orchard Ave., Liberty, MO 64068; MC ID No. 159626; General commodities (except household goods and hazardous materials)

**Krone's Service Center, Inc.**, 207 N. Hwy. 24, Beloit, KS 67420; MC ID No. 159629; William Barker, Attorney; General commodities (except household goods and hazardous materials)

**Jesus M. Mendoza**, 104 Leavenworth, Ensign, KS 67841; MC ID No. 159577; General commodities (except household goods and hazardous materials)

**Milk Transport Services, L.P.**, 91 Shelton Drive, Cabool, MO 65689; MC ID No. 232548; W. Robert Alderson, Attorney; General commodities (except household goods and hazardous materials)

**James Newman**, 5830 State Route 92 N.W., Smithville, MO 64089; MC ID No. 157109; General commodities (except household goods and hazardous materials)

**Richard E. Parks, dba R. E. Parks and Sons**, 401 S. Adams, Hugoton, KS 67951; MC ID No. 159628; General commodities

**REFCO, LLC**, 1302 E. Pacific, Salina, KS 67401; MC ID No. 159632; Dan Diedrich, Attorney; General commodities (except household goods and hazardous materials)

**Derek Sumner, dba Derek Sumner Trucking**, 712 N. Grant, Norton, KS 67654; MC ID No. 159630; General commodities (except household goods and hazardous materials)

**The Pawnee County Cooperative Association**, 612 Broadway, Larned, KS 67550-0050; MC ID No. 159635; General commodities (except household goods)

**West Plains Transport, Inc.**, 1402 Superior, Plains, KS 67869; MC ID No. 159627; General commodities (except household goods and hazardous materials)

#### Application for Transfer and Extension of Certificate of Public Service:

**Dave Gaggero, dba Freight Logistics Co.**, 3404 N. Emporia, Wichita, KS 67219; MC ID No. 157286, to: Freight Logistics, Inc., 3404 N. Emporia, Wichita, KS 67219, MC ID No. 158115; General commodities (except household goods)

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

**Specialty Excavating, Inc.**, 5720 N. Broadway, Wichita, KS 67219, MC ID No. 142126, to: Fremar, L.L.C., 5720 N. Broadway, Wichita, KS 67219; Brad Murphree, Attorney; General commodities (except household goods and Classes A and B explosives)

**Brent A. Stuckey**, 2701 N. Sterling Road, Abbyville, KS 67510; MC ID No. 159231, to: Stuck's Trucks, Inc., 2701 N. Sterling Road, Abbyville, KS 67510; General commodities (except household goods and hazardous materials)

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

**Standard Transportation Services, Inc.**, 1801 Roosevelt Ave., Joplin, MO 64804, MC ID No. 142826, to: STD, Inc., dba Standard Transportation Services, 1801 Roosevelt Ave., Joplin, MO 64804; General commodities (except household goods, Classes A and B explosives and hazardous materials)

Jacquelyn S. Miller  
Administrator  
Transportation Division

Doc. No. 026443

## 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. May 1 before the commission at its offices, 1500 S.W. Arrowhead Road, Topeka, as indicated below. All applications listed herein are for statewide authority, unless otherwise stated. This list does not include cases that have been continued from earlier assigned hearing dates for which parties of record have received notice.

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

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

## Application for Certificate of Convenience and Necessity:

**Hobson's Limousine and Transportation, Inc.**, 11735 Lucille, Overland Park, KS 66210; MC ID No. 258434; Mischa Buford, Attorney; Passengers

## Applications for Abandonment of Certificate of Public Service:

**Adrian Xpress, LLC**, Route 1, Box 213, Adrian, MO 64720; MC ID No. 158505

**Buckeye Express Services, Inc.**, 14915 W. 106th St., Lenexa, KS 66215; MC ID No. 156295

**Lyman L. Davis**, 816 N. Grant Ave., Norton, KS 67654-1208; MC ID No. 100032

**Kevin D. Evans**, 323 S. Cherry St., Ottawa, KS 66067; MC ID No. 159566

**James Transportation Services, Inc.**, North Hwy. 183, Phillipsburg, KS 67661; MC ID No. 157384

**Scott Lewis, dba SVL Trucking**, 219 N. Johnson, Elbing, KS 67041; MC ID No. 155395

**Starbuck Trucking & Rock Co., Inc.**, Route 3, Box 25 B, Fredonia, KS 66736; MC ID No. 150364

**Tate Trucking Incorporated**, 802 W. 9th, Anton, TX 79313; MC ID No. 157320

**The Radium Cooperative Co.**, Route 2, Box 149, Radium, KS 67550-9106; MC ID No. 115700

**John Thompson, dba Circle T Transportation**, 2306 12th Ave., Union, NE 68455; MC ID No. 211273

**Bob Trimpe, dba Bob Trimpe Trucking**, 756 8th Ave., Conroy, IA 52220; MC ID No. 144108

**Nolan Wilhaus**, 1900 21st Road, Sterling, KS 67579; MC ID No. 152950

**Eldon Williams, dba Williams Trucking**, 518 Delaware, Jewell, KS 66949; MC ID No. 147483

Jacquelyn S. Miller  
Administrator  
Transportation Division

Doc. No. 026444

## State of Kansas

## Legislature

## Legislative Bills and Resolutions Introduced

The following numbers and titles of bills and resolutions were introduced March 29-April 4 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](http://ink.org/public/legislative).

## House Bills

**HB 2580**, An act concerning alcoholic beverages; relating to the purchase or consumption thereof by minors; amending K.S.A. 41-727 and repealing the existing section, by Committee on Appropriations.

**HB 2581**, An act concerning the decennial census information; relating to legislative redistricting; amending K.S.A. 2000 Supp. 11-304 and repealing the existing section; also repealing K.S.A. 2000 Supp. 11-210 and 11-321, by Committee on Appropriations.

**HB 2582**, An act enacting the Kansas senior caregiving initiative; establishing a program to improve the quality of long-term care services; authorizing grants for and evaluations of models of long-term care; concerning nursing facility reimbursement and enhanced employee training; establishing a prevention program for the improvement of the quality of long-term care services; providing for a senior advisory council; amending K.S.A. 2000 Supp. 75-4265 and repealing the existing section, by Committee on Appropriations.

**HB 2583**, An act providing for commemoration of the Kansas territorial sesquicentennial; creating the Kansas territorial sesquicentennial commission and an advisory commission to assist the commission, by Committee on Appropriations.

**HB 2584**, An act relating to income taxation; providing deductions for home schooling of dependents; amending K.S.A. 2000 Supp. 79-32,117 and repealing the existing section, by Committee on Taxation.

**HB 2585**, An act relating to income taxation; allowing a credit therefrom for operation of a home school, by Committee on Taxation.

## House Resolutions

**HR 6017**, A resolution congratulating and commending Bob Chipman.

**HR 6018**, A resolution expressing the Kansas House of Representatives' support of a women's health platform which recognizes serious inequities in health prevention and treatment of women.

## Senate Bills

**SB 359**, An act concerning the Kansas life and health insurance guaranty association; amending K.S.A. 40-3006, 40-3008, as amended by section 3 of 2001 House Bill No. 2115, 40-3011, 40-3016 and 40-3017 and repealing the existing sections, by Committee on Ways and Means.

**SB 360**, An act concerning credentialing of health care providers; allowing health care providers to apply for credentialing with the appropriate state agency; amending K.S.A. 65-5001, 65-5002, 65-5003, 65-5005, 65-5006, 65-5007, 65-5008, 65-5009 and 65-5011 and repealing the existing sections, by Committee on Ways and Means.

## Senate Resolutions

**SR 1836**, A resolution celebrating Lindsborg's Swedish culture and art in its project "Search for the Wild Dala Horse."

**SR 1837**, A resolution congratulating and commending the 2000 St. Paul High School football team.

**SR 1838**, A resolution congratulating and commending the 2001 Kansas Master Teachers.

**SR 1839**, A resolution in memory of Walter H. Wulf.

**SR 1840**, A resolution congratulating and commending Jackie Stiles.

Doc. No. 026412



## State of Kansas

## Secretary of State

## Notice of Corporations Forfeited

In accordance with K.S.A. 17-7510, the articles of incorporation of the following corporations organized under the laws of Kansas and the authority of the following foreign corporations authorized to do business in Kansas were forfeited during the month of March 2001 for failure to timely file an annual report and pay the annual franchise tax as required by the Kansas general corporation code:

## Domestic Corporations

Abiding Life Bible Church, DeSoto, KS.  
 Agenda Farmers Elevator Co., Inc., Clifton, KS.  
 Alpha Phi Alumnae Association, Topeka, KS.  
 Alumni Association of Epsilon Epsilon Chapter of Sigma Pi, Wichita, KS.  
 Armored Services, Inc., Newton, KS.  
 Association of Collegiate Business Schools and Programs, Overland Park, KS.  
 Blue Valley High School Booster Club, Inc., Stilwell, KS.  
 Branson & Associates, Inc., Wichita, KS.  
 Breast Cancer Action, Inc., Lawrence, KS.  
 Carpet Care-1, Inc., Lawrence, KS.  
 Chinese American Microbiology Society, Manhattan, KS.  
 Coffey County Broadcasting Company, Burlington, KS.  
 Community Health and Education Services, Inc., Kansas City, KS.  
 Crews Auction Company, Inc., Topeka, KS.  
 "CTS"—Complete Technology Solutions, Inc., Olathe, KS.  
 Domann Drug, Inc., Atchison, KS.  
 Don's Body Shop, Inc., Olathe, KS.  
 Energy Associates, Inc., Wichita, KS.  
 F.S.F., Inc., Wichita, KS.  
 First Church of the Nazarene, Mulvane, KS.  
 Food Equipment Service Corporation, Kansas City, KS.  
 GAF International, Inc., El Dorado, KS.  
 Goss Service Company, Inc., Overland Park, KS.  
 Herkimer Cooperative Business Association, Marysville, KS.  
 Highland High School Alumni Association, Highland, KS.  
 HWS Therapy, Inc., Wichita, KS.  
 Innovative Enterprises Corporation, Simi Valley, CA.  
 J. B. T., Inc., Wichita, KS.  
 Joan Cawley Licensing, Ltd., Tempe, AZ.  
 Joey's Alvarez Upholstery Inc., Liberal, KS.  
 Kanco Super 8 Inc., Colby, KS.  
 Kansas Aluminum, Inc., El Dorado, KS.  
 Kansas Head Start Association, Meriden, KS.  
 L.A. Shepard Company, Inc., Leawood, KS.  
 Lazy B Riding Stables, Inc., Grantville, KS.  
 Little Cats, Inc., Lenora, KS.  
 Locke Equipment Sales Co., Inc., Shawnee Mission, KS.  
 Luray Senior Center, Inc., Luray, KS.  
 Medicine Lodge Area Chamber of Commerce, Inc., Medicine Lodge, KS.  
 Memories Restored, Inc., Larned, KS.  
 Mercy Health System of Kansas, Inc., Fort Scott, KS.  
 Mid Plains Region Youth for Christ, Inc., Shawnee Mission, KS.  
 Morgan Trucking, Inc., Glade, KS.  
 N.G., Inc., McPherson, KS.  
 National Silver Haired Congress Education and Research, Inc., Olathe, KS.  
 Nelson Hog Farms, LLC, Long Island, KS.  
 Oak Hill Elementary School PTO, Inc., Overland Park, KS.  
 OCM Corporation, Overland Park, KS.

Outside Connections, Inc., Lansing, KS.  
 Parents in Control, Inc., Olathe, KS.  
 Phillipsburg-Athol, L.L.C., Athol, KS.  
 Pilot Club of Topeka, Topeka, KS.  
 Pittsburg Sunrise Rotary Foundation, Inc., Pittsburg, KS.  
 Prime Light, Inc., Kansas City, MO.  
 Ranch Hand Auto & Truck Repair, Inc., Grantville, KS.  
 Red Thunder, Inc., Topeka, KS.  
 Runyan Heating & Cooling Services, Inc., Kansas City, MO.  
 Sandyland Therapeutic Horsemanship Program, Inc., Webber, KS.  
 Schreiner's, Inc., Ogallah, KS.  
 Shawnee Boat & Ski Club, Inc., Topeka, KS.  
 Shawnee Mission Education Foundation, Overland Park, KS.  
 Society of Financial Service Professionals, Wichita Chapter, Wichita, KS.  
 Stages of History, Inc., Lawrence, KS.  
 Superior Housing, Inc., Wichita, KS.  
 The Herrmann Family Foundation, Leawood, KS.  
 The Mount Hope Cemetery Company, Topeka, KS.  
 The Rotary Club of Lawrence, Kansas, Inc., Lawrence, KS.  
 The Sedgwick County Area Nonprofit Community Housing Organization, Wichita, KS.  
 The Smith Truss Company, Topeka, KS.  
 The Topeka Active 20-30 Club, Inc., Topeka, KS.  
 Viking International Petroleum Corp., Luray, KS.  
 Wadley Homes, Inc., Wichita, KS.  
 Wagoner and Sons, Inc., Colby, KS.  
 Women of the World, Inc., Weatherby Lake, MO.  
 Worldwide Aircraft Services, Inc., Springfield, MO.  
 Yogi Bear Preschool, Inc., Belle Plaine, KS.

## Foreign Corporations

Avance, Inc., Kansas City, KS.  
 Baptist Women in Ministry, Inc., Kansas City, KS.  
 Boston Concessions Group, Inc., Cambridge, MA.  
 FreedomNation Financial LLC, Eden Prairie, MN.  
 Globe Business Resources, Inc., Cincinnati, OH.  
 Hackney & Sons, Inc., Washington, NC.  
 High Technology Solutions, Inc., San Diego, CA.  
 ILM Holding, Inc., Boston, MA.  
 Juvenile Diabetes Foundation International, New York, NY.  
 Kansas City Aids Research Consortium, Kansas City, MO.  
 KBA, Inc., St. Louis, MO.  
 Ledcor Industries Inc., Mercer Island, WA.  
 Maharishi Global Administration Through Natural Law, Boone, NC.  
 Mo-Con Hunt, Inc., Warrenton, MO.  
 Molded Fiber Glass Construction Products Company, Independence, KS.  
 Mothers Against Drunk Driving, Irving, TX.  
 Object Designers, Inc., Piscataway, NJ.  
 Philip Automotive, Ltd., Houston, TX.  
 Philip Services/South Central, Inc., Houston, TX.  
 Rawlings Sporting Goods Company, Inc., Fenton, MO.  
 Rhodes, Inc., Richmond, VA.  
 Safety-Kleen (GS), Inc., Columbia, SC.  
 Solution Technologies, Inc., Camp Hill, PA.  
 Supervalu Inc., Eden Prairie, MN.  
 The Hope School, Springfield, IL.  
 Time Deposits International, Inc., Van Nuys, CA.  
 US Discount Securities, Inc., Chesterfield, MO.  
 UTWO Corporation, Wilmington, MA.  
 Visions, Inc., Omaha, NE.

Ron Thornburgh  
 Secretary of State

Doc. No. 026416

## State of Kansas

## Department of Wildlife and Parks

## Public Notice

The Kansas Department of Wildlife and Parks has reached an agreement for the purchase of two tracts of land. The first tract is in Linn County and consists of 21 acres (part of S/2SW/4NW/4 of S2-T21S-R24E). This tract was appraised at \$16,800 and will be purchased for \$16,800. This tract will be part of the Marais des Cygnes Wildlife Area and will remain on the county tax rolls. The second tract is in Pratt County and consists of 80 acres (S/2NW/4 of S33-T26S-R15W). This tract was appraised at \$14,500 and will be purchased for \$14,500. This tract will be part of the Pratt Sandhills Wildlife Area and will remain on the county tax rolls.

Steve Williams  
Secretary of Wildlife  
and Parks

Doc. No. 026449

## State of Kansas

## Department of Transportation

## Notice of Public Auction

The Kansas Secretary of Transportation will offer for sale at public auction at 10 a.m. May 22 at site the following tract of land located in the northwest quadrant of I-70 and Valencia Road, west of Topeka, Shawnee County, Kansas, described as follows:

4.91 acres more or less in the Southeast Quarter of Section 29, Township 11 South, Range 14 East. Prospective bidders should note access control restrictions and easement reservations for existing utilities.

In the event of inclement weather, the auction will be held at 10:30 a.m. at the Gage KDOT area office, Eagle Nest Conference Room, 101 Gage Blvd., Topeka.

**Inspection of Property:**

From 10 to 11 a.m. May 15 and 30 minutes prior to the sale.

**Terms of Sale:**

Cashier's check for the purchase price must be paid on the day of the sale, payable to the Kansas Department of Transportation. The successful bidder will receive a bill of sale on the day of the sale and a quitclaim deed.

The appraised value is \$17,000, and the minimum acceptable bid is \$11,400.

The Kansas Department of Transportation ensures the acceptance of any bid pursuant to this notice will be without discrimination on the grounds of sex, race, color, religion, physical handicap or national origin.

The seller reserves the right to reject any and all bids and is not responsible for accidents. For additional information, contact the Bureau of Right of Way at 1-877-461-6817.

E. Dean Carlson  
Secretary of Transportation

Doc. No. 026451

## State of Kansas

## Kansas State University

## Notice to Bidders

Sealed bids for the item 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:

Wednesday, April 25, 2001

#40042

Auditing services

William H. Sesler  
Director of Purchasing

Doc. No. 026442

## State of Kansas

## Department of Transportation

## Notice of Public Auction

The Kansas Secretary of Transportation will offer for sale at public auction at 11 a.m. May 25 at site the following building and land located in Wyandotte County, Kansas, described as follows:

Kansas Department of Transportation Shop Site located at 9740 State Ave., Kansas City, Kansas. The site includes 6.3 acres, improved with office/service building, garage and four outbuildings. Buildings have the presence of nonfriable asbestos and lead-based paint. Site is currently zoned agricultural. Prospective bidders should note access control restrictions and easement reservations for access and existing utilities. The seller will provide title insurance. A complete legal description, environmental assessment and title insurance commitment are available upon request.

**Inspection of Property:**

From 10 a.m. to noon May 17 and one hour prior to the sale.

**Terms of Sale:**

Cashier's check for 10 percent of the purchase price the day of the sale. The balance of the purchase price will be paid by cashier check on or before July 25, 2001. Make check payable to the Kansas Department of Transportation. The successful bidder will receive a bill of sale on the day of the sale and a quitclaim deed when the balance is paid. If the balance of the purchase price is not paid on or before July 25, 2001, the 10 percent down payment will be forfeited to the seller.

The appraised value is \$450,000, and the minimum acceptable bid is \$300,000.

The Kansas Department of Transportation ensures the acceptance of any bid pursuant to this notice will be without discrimination on the grounds of sex, race, color, religion, physical handicap or national origin.

The seller reserves the right to reject any and all bids and is not responsible for accidents. For additional information, contact the Bureau of Right of Way at 1-877-461-6817.

E. Dean Carlson  
Secretary of Transportation

Doc. No. 026450

## State of Kansas

**Supreme Court Child Support Guidelines  
Advisory Committee****Notice of Meeting**

The Kansas Supreme Court Child Support Guidelines Advisory Committee will meet at 10 a.m. Friday, May 4, in the Court of Appeals Courtroom, Kansas Judicial Center, 301 S.W. 10th Ave., Topeka. The committee is meeting in compliance with 45 CFR 302.56 to review and revise, if appropriate, Kansas Child Support Guidelines.

Announcements of subsequent meetings will be published in the Kansas Register. Questions regarding this meeting should be directed to Mark Gleeson, Family and Children Program Coordinator, at (785) 291-3224 or e-mail at gleeson@kscourts.org. Written comments to the committee can be submitted to the Kansas Supreme Court's Child Support Guidelines Advisory Committee, Room 2N, Kansas Judicial Center, 301 S.W. 10th Ave., Topeka, 66612.

Judge Nancy Parrish  
Chair

Doc. No. 026413

## State of Kansas

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

A public hearing will be conducted at 9 a.m. Thursday, April 26, in the offices of the Kansas Development Finance Authority, Suite 1000, Jayhawk Tower, 700 S.W. Jackson, Topeka, on the proposal for the Kansas Development Finance Authority to issue its Agricultural Development Revenue Bond for the project numbered below in the respective maximum principal amount. The bond will be issued to assist the respective borrower named below (who will be the owner and operator of the project) to finance the cost in the amount of the bond of acquiring the project or for the purpose of refunding a bond previously issued to finance the project. The project shall be located as shown:

**Project No. 000488—Maximum Principal Amount: \$60,000.** Owner/Operator: David and Stacey Forshee. Description: Acquisition of 80 acres of agricultural land and related improvements and equipment to be used by the owner/operator for farming purposes. The project is located at the South ½ of the Southwest ¼ of Section 27, Arion Township, Cloud County, Kansas, approximately 3 miles west, 5 miles south and 2 miles west of Concordia on Kansas Highway 9.

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

All individuals who appear at the hearing will be given an opportunity to express their views, and all written comments previously filed with the Authority at its offices at Suite 1000, Jayhawk Tower, 700 S.W. Jackson, Topeka, 66603, will be considered. Additional information regarding the project may be obtained by contacting the Authority.

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

Jack H. Brier  
President

Doc. No. 026414

## State of Kansas

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

A public hearing will be conducted at 9 a.m. Friday, April 27, in the offices of the Kansas Development Finance Authority, Suite 1000, Jayhawk Tower, 700 S.W. Jackson, Topeka, on the proposal for the Kansas Development Finance Authority to issue approximately \$5,600,000 principal amount of revenue bonds for the University of Kansas and the University of Kansas Memorial Corporation. The bonds will be issued, pursuant to K.S.A. 74-8901 *et seq.*, to finance the costs of rehabilitation, renovation and expansion of the University of Kansas Student Union (the project). The corporation operates the Student Union, which is located on Jayhawk Boulevard on the northeast corner of the Lawrence campus of the University of Kansas, Douglas County, Kansas.

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

All individuals who appear at the hearing will be given an opportunity to express their views, and all written comments previously filed with the Authority at its offices at Suite 1000, Jayhawk Tower, 700 S.W. Jackson, Topeka, 66603, will be considered. Additional information regarding the project may be obtained by contacting the Authority or the State Board of Regents.

Jack H. Brier  
President

Doc. No. 026426

(Published in the Kansas Register April 12, 2001.)

**Summary Notice of Sale  
City of Lawrence, Kansas**

\$10,095,000\*

**General Obligation Temporary Notes  
Series 2001-I**

\$2,840,000\*

**General Obligation Bonds  
Series 2001-A**

**(General obligations payable from  
unlimited ad valorem taxes)**

**Bids**

Subject to the notice of sale and preliminary official statement, bids will be received by the city clerk of the city of Lawrence, Kansas, on behalf of the governing body at City Hall, 6 E. 6th St., Lawrence, KS 66044, on Tuesday, April 24, 2001, for the purchase of General Obligation Temporary Notes, Series 2001-I, and General Obligation Bonds, Series 2001-A. Bids for the bonds will be received until 11 a.m. local time, and bids for the notes will be received until 11:30 a.m. local time on that day. No bid of less than the entire principal amount of the bonds or less than 99.50 percent of the entire principal amount of the notes, as applicable, and accrued interest to the date of delivery will be considered.

**Note Details**

The notes will consist of fully registered notes in the denomination of \$5,000 or any integral multiple thereof. Notes shall initially be registered in the name of Cede & Co., as nominee of the Depository Trust Company, New York, New York, to which payment of principal of and interest on the notes will be made. Individual purchases of notes will be made in book-entry form only. Purchasers will not receive certificates representing their interest in notes purchased. The notes will be dated May 15, 2001, and will become due on June 1, 2002. The notes will bear interest from the dated date at rates to be determined when the notes are sold, and interest will be payable on December 1, 2001, and June 1, 2002. The Lawrence City Treasurer will be the paying agent and note registrar for the notes.

**Bond Details**

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds shall initially be registered in the name of Cede & Co., as nominee of the Depository Trust Company, New York, New York, to which payment 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 May 15, 2001, and will become due on the stated maturities as follows, subject to redemption as set forth in the preliminary official statement:

Maturity	Principal Amount*
09/01/01	\$265,000
09/01/02	190,000
09/01/03	145,000
09/01/04	250,000

09/01/05	150,000
09/01/06	250,000
09/01/07	250,000
09/01/08	250,000
09/01/09	250,000
09/01/10	265,000
09/01/11	280,000
09/01/12	295,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold, and interest will be payable semiannually on March 1 and September 1 in each year, beginning September 1, 2001. The Kansas State Treasurer, Topeka, Kansas, will be the paying agent and bond registrar for the bonds.

**Redemption Prior to Maturity**

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

**Good Faith Deposit**

A good faith deposit is not required for bids on the notes. Each bid for the bonds shall be accompanied by a good faith cashier's or certified check or financial surety bond in the amount of 2 percent of the principal amount of the bonds.

**Delivery**

The city will pay for the preparation of the notes and the bonds. The city will deliver the notes and the bonds in book-entry form only through the facilities of the Depository Trust Company, New York, New York, on or about May 24, 2001.

**Assessed Valuation and Indebtedness**

The equalized assessed tangible valuation for computation of bonded debt limitations is \$608,166,259. The total general obligation bonded indebtedness of the city as of the date of the bonds, including the bonds and notes being sold but excluding the temporary notes to be retired with the proceeds of the bonds and notes being sold, is \$87,835,522.

**Approval of Bonds**

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

**Additional Information**

Additional information regarding the bonds and notes may be obtained from the city clerk; the city's director of finance, (785) 832-3214; or from bond counsel, Gilmore & Bell, P.C., 2405 Grand Blvd., Suite 1100, Kansas City, MO 64108, (816) 221-1000.

Dated April 12, 2001.

City of Lawrence, Kansas  
By Raymond J. Hummert  
Lawrence City Clerk  
Lawrence City Hall  
6 E. 6th St.  
Lawrence, KS 66044

(785) 832-3000  
 Fax (785) 832-3231 or  
 (785) 832-3405

\* Preliminary; subject to change.

Doc. No. 026447

(Published in the Kansas Register April 12, 2001.)

**Summary Notice of Bond Sale**  
**City of Leavenworth, Kansas**  
**\$4,600,000**  
**General Obligation Bonds**  
**Series 2001-A**

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

**Bids**

Subject to the official notice of bond sale and preliminary official statement dated April 16, 2001, sealed, facsimile and electronic bids will be received by the city clerk of the City of Leavenworth, Kansas (the issuer), in the case of sealed and facsimile bids, on behalf of the governing body of the city at City Hall, 100 N. Fifth St., Leavenworth, KS 66048, and in the case of electronic bids, through Thomson Financial Municipals Group BiD-COMP/PARITY electronic bid submission system, until 11 a.m. Tuesday, April 24, 2001, for the purchase of \$4,600,000 principal amount of General Obligation Bonds, Series 2001-A. No bid of less than the entire par value of the bonds and accrued interest thereon to the date of delivery will be considered.

**Bond Details**

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will initially be registered in the name of Cede & Co., as nominee of the Depository Trust Company, New York, New York, to which payments of principal of and interest on the bonds will be made. Individual purchases of bonds will be made in book-entry form only. Purchasers will not receive certificates representing their interest in bonds purchased. The bonds will be dated May 1, 2001, and will become due on September 1 in the years as follows:

Year	Principal Amount
2002	\$675,000
2003	780,000
2004	820,000
2005	855,000
2006	890,000
2007	110,000
2008	110,000
2009	115,000
2010	120,000
2011	125,000

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 semian-

nually on March 1 and September 1 in each year, beginning March 1, 2002.

**Paying Agent and Bond Registrar**

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

**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 \$92,000 (2 percent of the principal amount of the bonds).

**Optional Municipal Bond Insurance**

The city will apply for municipal bond insurance relating to the bonds. If approved for municipal bond insurance, the bonds may be purchased with or without such insurance at the option of the successful bidder. The premium for such insurance and any related rating fee will be paid for by the successful bidder.

**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 \$157,048,644. The total general obligation indebtedness of the issuer, following the concurrent issuance of the bonds and the issuer's Temporary Notes, Series A2001, in the aggregate principal amount of \$3,280,000, is \$38,024,000, which includes temporary notes outstanding in the principal amount of \$20,289,000, of which \$7,624,000 will be retired out of the proceeds of the bonds and notes.

**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 city clerk, (913) 682- 9201, or from the financial advisor, U.S. Bancorp Piper Jaffray, 4600 Madison Ave., Suite 1200, Kansas City, MO 64112-3025, (816) 360-3000, Attn: Greg Vahrenberg or Dennis Mitchell.

Dated April 16, 2001.

City of Leavenworth, Kansas  
 Carol Sadler, City Clerk  
 City Hall  
 100 N. Fifth St.  
 Leavenworth, KS 66048

Doc. No. 026425

## State of Kansas

## Social and Rehabilitation Services

Permanent Administrative  
Regulations

## Article 4.—PUBLIC ASSISTANCE PROGRAM

**30-4-64. Work program requirements.** Each applicant or recipient of TAF, unless exempted, shall be required to seek and retain employment and, if assigned, participate in one or more components of the work program. Any exempt applicant or recipient may volunteer for participation in the program. The geographic areas in the state and the public assistance programs in which work program requirements are to be enforced shall be designated by the secretary. The administration of the work program shall be within the limits of appropriations. (a) Exemptions. The persons listed below shall be exempt from the work requirements:

(1) Any person who is age 17 or younger or who is age 18 and working toward attainment of a high school diploma or its equivalent. This exemption shall not be claimed by a person who is pregnant or a parent of a child in the home and who has not yet attained a high school diploma or its equivalent;

(2) any person who is 60 years of age or older.

(3) any person who is needed in the household because another member of the household requires the person's presence due to illness or incapacity and no other appropriate member of the household is available to provide the needed care;

(4) any parent or other caretaker who is personally providing care for a child under age one. Only one person in a case may be exempt on the basis of providing care for a child under age one. This exemption shall not be claimed under any of the following circumstances:

(A) A custodial parent or pregnant woman under age 20 does not possess a high school diploma or its equivalent.

(B) The other parent, stepparent, or caretaker in the home is exempt from the work program requirements for another reason and is available and capable of providing child care.

(C) Both parents of the child are present, except as noted in paragraph (a)(4)(B) of this regulation.

(D) Either a parent or caretaker has completed the 48th calendar month of TAF cash assistance.

(b) Participation requirements. Each applicant or recipient shall seek and retain employment and, if assigned, shall participate in one or more components of an agency-approved, work-related program directed toward a plan of self-sufficiency. The work program may include the following components:

(1) Job search. Each assigned person shall participate in job search activities, which may include agency-approved job clubs and supervised and unsupervised job search activities.

(2) Work experience. Each assigned person shall participate in work experience activities, which may include the opportunity to regain work skills, learn new skills, test interests and skills on the job, gain a work history, and obtain a work reference.

(3) Education and training. Each assigned person shall participate in education and training activities that are aimed at facilitating a person's movement toward self-sufficiency and employment retention. Education and training activities may include vocational training, adult basic education, literacy training, general educational development, and postsecondary education and training.

(4) Work supplementation. Each assigned person shall participate in a work supplementation program in which an employer receives a wage subsidy from money diverted from public assistance grants for employing participants.

(5) Job readiness. Each assigned person shall participate in job readiness activities, which may include employment counseling and life skills.

(6) Community service. Each assigned person shall participate in community service activities.

(c) Support costs. Payment of support costs shall be provided to participants. Support costs may include the following:

(1) Transportation expenses for each person participating in a work program activity in accordance with an agency-approved plan;

(2) day care expenses, as necessary for the person to participate in a work program activity in accordance with an agency-approved plan; and

(3) education and training costs for each participant based on an agency-approved plan, which may include tuition, books, and fees.

(d) Transitional expenses. Payment for transitional expenses may be provided to each participant who loses eligibility for TAF due to the participant's employment. Transitional expenses may include the following:

(1) Transportation expenses necessary for the participant to continue employment in accordance with an agency-approved plan; and

(2) child care expenses necessary for the participant to continue employment in accordance with an agency-approved plan.

(e) Penalty.

(1) A person who is required to participate in the work program shall be ineligible for assistance if one of the following circumstances occurs in any assistance program administered by the secretary in which work program participation is required:

(A) If the person fails without good cause to participate in the program;

(B) if the person refuses without good cause a bona fide referral for or offer of employment;

(C) if the person terminates employment without good cause;

(D) if the person is terminated from employment by voluntarily making oneself unacceptable without good cause; or

(E) if the person reduces earnings without good cause.

(2) The period of ineligibility shall be as follows:

(A) For the first instance, until the person cooperates; and

(B) for any subsequent instance, two months or until the person cooperates, whichever is longer.

If the person is an adult, the mandatory filing unit of which the person is a member shall also be ineligible.



(f) Good cause. Each individual who presents verification that the individual meets one or more of the following criteria shall be determined to have good cause for failing to participate in the work program:

(1) The individual is exempt from participation in the program.

(2) The individual was incapable of performing the activity.

(3) Performance of the activity was so dangerous or hazardous according to occupational safety and health administration (OSHA) standards as to make a refusal to perform the activity or termination of the activity a reasonable one.

(4) Child care or day care for an incapacitated individual living in the same home is necessary for an individual to participate or continue to participate in the program, and the care is not available.

(5) The total daily commuting time to and from home to the activity to which the individual is assigned exceeds two hours, not including the transporting of a child to and from a child care facility. If a longer commuting distance is generally accepted in the community, the round trip commuting time shall not exceed the generally accepted community standards.

(6) The failure occurred in the month the individual's pregnancy was terminated or the two following months.

(7) A single custodial parent has demonstrated the inability to obtain needed child care for a child under six, because of one or more of the following reasons:

(A) Unavailability of appropriate child care within a reasonable distance from the individual's home or work site;

(B) unavailability or unsuitability of informal child care. "Informal child care" means care that is legally exempt from regulation; or

(C) unavailability of appropriate and affordable formal child care arrangements.

(8) The individual was a victim of domestic violence, and compliance with program requirements would increase the risk of harm for the individual or any children in the individual's care.

(g) This regulation shall take effect on and after May 1, 2001. (Authorized by and implementing K.S.A. 39-708c, and K.S.A. 39-7,103; effective Oct. 1, 1989; amended Jan. 2, 1990; amended, T-30-3-29-90, April 1, 1990; revoked, T-30-7-2-90, July 2, 1990; amended, T-30-7-2-90, July 2, 1990; revoked, T-30-8-14-90, Oct. 1, 1990; amended Oct. 1, 1990; amended Jan. 7, 1991; amended, T-30-6-10-91, July 1, 1991; amended, T-30-8-9-91, Aug. 30, 1991; amended Oct. 28, 1991; amended Oct. 1, 1993; amended Aug. 1, 1995; amended July 1, 1996; amended March 1, 1997; amended July 1, 1998; amended April 1, 1999; amended Dec. 1, 1999; amended May 1, 2001.)

**Article 5.—PROVIDER PARTICIPATION, SCOPE OF SERVICES, AND REQUIREMENTS FOR THE MEDICAID (MEDICAL ASSISTANCE) PROGRAM**

**30-5-108. Scope of services for durable medical equipment, medical supplies, orthotics, and prosthetics.**

(a) Selected durable medical equipment (DME) shall be

available to program consumers with the following limitations:

(1) The DME shall be the most economical to meet the consumer's need.

(2) The least expensive and most appropriate method of delivery shall be used. If delivery is over 100 miles round trip, prior authorization shall be required.

(3) Used equipment with a warranty guarantee specified by the division of health care policy shall be used when available.

(4) Certain DME designated by the secretary shall be the property of the agency.

(5) Educational, environmental control, and convenience items shall not be covered.

(6) DME shall be covered for only the following consumers:

(A) Participants in the Kan Be Healthy program;

(B) consumers who require the DME for life support;

(C) consumers who require the DME for employment;

(D) consumers who would require higher-cost care if the DME was not provided; or

(E) consumers who are residing in adult care homes.

(7) DME services provided for parenteral administration of total nutritional replacements and intravenous medication in the consumer's home shall require participation of nursing services from a local home health agency. In areas not served by a home health agency, the services of a local health department or advanced registered nurse practitioner shall be required.

(b) Selected medical supplies shall be available to program consumers for use in the consumer's home.

(c) Selected DME and medical supplies shall be considered for coverage only in cases where exceptional hardship or medical need has been justified by medical necessity documentation or granting of prior authorization.

(d) Orthotics and prosthetics shall be available to program consumers from orthotic and prosthetic dealers enrolled to participate as required by K.A.R. 30-5-59. The effective date of this regulation shall be May 1, 2001. (Authorized by and implementing K.S.A. 39-708c; effective May 1, 1981; amended May 1, 1983; amended, T-84-26, Oct. 19, 1983; amended May 1, 1984; amended May 1, 1985; amended May 1, 1986; amended Jan. 2, 1989; amended July 1, 1989; amended May 1, 2001.)

Janet Schalansky  
Secretary of Social and  
Rehabilitation Services

Doc. No. 026423

State of Kansas

**Department of Health  
and Environment**

**Permanent Administrative  
Regulations**

**Article 19.—AMBIENT AIR QUALITY STANDARDS  
AND AIR POLLUTION CONTROL**

**28-19-79.** (Authorized by K.S.A. 1995 Supp. 65-3005; implementing K.S.A. 65-3010; effective May 2, 1997; revoked April 27, 2001.)

**28-19-719. Fuel volatility.** (a) Area of applicability. The provisions of this regulation shall be applicable within either Johnson or Wyandotte county, or both.

(b) This regulation shall apply to each person that dispenses, supplies, exchanges in trade, offers for sale or supply, sells or stores gasoline within the area of applicability, or that sells, supplies, distributes, or provides gasoline to be sold within the area of applicability.

(c) For the period beginning June 1 through September 15 of each year, no person shall dispense, supply, exchange in trade, offer for sale or supply, sell, or store gasoline that is to be used as a fuel for motor vehicles in either Johnson or Wyandotte county, or both, and that has a Reid vapor pressure (RVP) greater than these levels:

- (1) 7.0 pounds per square inch (psi); or
- (2) 8.0 psi for gasoline containing ethanol in an amount equal to at least 9.0 percent by volume but not more than 10.0 percent by volume.

(d)(1) The volatility testing procedures used to determine the RVP shall comply with K.A.R. 28-19-212(a)(19) and K.A.R. 28-19-212(a)(20). Alternate methods may be authorized under K.A.R. 28-19-212(a)(8) or K.A.R. 28-19-212(a)(21).

(2) The fuel alcohol-content testing procedures conducted under paragraph (c)(2) of this regulation shall comply with 40 C.F.R. Part 80, Appendix F, "test for determining the quantity of alcohol in gasoline," as in effect on July 1, 1995, which is adopted by reference.

(e)(1) The owner or operator of each affected facility other than a gasoline-dispensing facility shall keep and maintain at the facility records of the information regarding the RVP of gasoline that is to be used as a fuel for motor vehicles, as determined in accordance with subsection (d).

(2) The records required by paragraph (e)(1) shall contain the following information for each load or shipment:

- (A) The RVP values;
- (B) the type of sampling procedure used;
- (C) the type of testing procedure used;
- (D) the dates of sampling and testing; and
- (E) the quantity of gasoline in stock at the time of testing.

(3) The owner or operator of each gasoline-dispensing facility shall maintain records of the bills of lading, invoices, loading tickets, delivery tickets, or other documentation accompanying a shipment of gasoline that demonstrates that the motor vehicle fuel delivered to the gasoline-dispensing facility during the defined RVP-limit

compliance period complies with the limits under this regulation.

(4) The records shall be maintained at the facility for two years following the date of the RVP test and shall be made available for inspection by the department.

(f) Exemptions. Gasoline that meets any of the following conditions shall be exempt from this regulation:

(1) Gasoline used exclusively for fueling implements of agriculture;

(2) gasoline in any tank, reservoir, storage vessel, or other stationary container with a nominal capacity of 500 gallons or less;

(3) gasoline in Johnson or Wyandotte county that is separately stored, sealed, and clearly labeled as a motor vehicle fuel that is not to be dispensed, sold, supplied, offered for supply or transport, or exchanged in trade within the area of applicability until a designated date when those activities will be in compliance with this regulation; or

(4) gasoline in Johnson or Wyandotte county that is separately stored, sealed, and clearly labeled as a motor vehicle fuel that is to be dispensed, sold, supplied, offered for supply or transport, or exchanged in trade outside of the area of applicability. (Authorized by K.S.A. 1999 Supp. 65-3005; implementing K.S.A. 65-3010; effective April 27, 2001.)

Clyde D. Graeber  
Secretary of Health  
and Environment

Doc. No. 026427

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, April 24, 2001**

**03137**

Board of Regents Facilities—Police Uniforms, Various Locations

**Thursday, April 26, 2001**

**03145**

Department of Transportation—Vacuum Street Sweeper, Various Locations

**03153**

Department of Wildlife and Parks—Campsite Construction, Kanopolis State Park, Marquette

**03154**

Department of Wildlife and Parks—Dredging, Marian Cove, Lovewell State Park, Webber

**03156**

Department of Transportation—Wood Posts, Norton

Friday, April 27, 2001

03160

Kansas Correctional Industries—Institutional Mattress Fabric

Wednesday, May 2, 2001

A-9014

Larned State Hospital—Window Replacement, Staff Houses

Thursday, May 3, 2001

A-8754(D)

El Dorado Correctional Facility—Security Management System Upgrade

A-9099(A)

Lansing Correctional Facility—Select Building Demolition, AVTs Building

A-9145(A)

Pittsburg State University—North Dormitory Window Replacement, Phase 2, Tanner Hall

Tuesday, May 8, 2001

A-9210

Pittsburg State University—Waterproofing Existing Concrete Deck, Carnie Smith Stadium

A-9217

Kansas State University—Asbestos Abatement, Ford Hall

Wednesday, May 9, 2001

A-8779

Wichita State University—Renovation, Hubbard Hall

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Request for Proposals

Thursday, April 26, 2001

03089

Stage Lift Elevator Repair for Kansas State University

Tuesday, May 1, 2001

03103

On-Line Gaming System and Related Services for the Kansas Lottery

Friday, May 4, 2001

03149

Kansas Project Management Methodology Certification Training for the Department of Administration, Division of Personnel Services

John T. Houlihan  
Director of Purchases

Doc. No. 026446

State of Kansas

Department of Administration

Public Notice

Under requirements of K.S.A. 2000 Supp. 65-34,117(c), records of the Division of Accounts and Reports show the unobligated balances are \$4,240,485.38 in the underground petroleum storage tank release trust fund and \$1,011,082.80 in the aboveground petroleum storage tank release trust fund at March 30, 2001.

Dan Stanley  
Secretary of Administration

Doc. No. 026415

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. Heinz Pet Products has applied for a Class II operating permit modification in accordance with the provisions of K.A.R. 28-19-544. Emissions of oxides of nitrogen and oxides of sulfur 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.

Heinz Pet Products owns and operates a dog and cat food manufacturing facility located at 2200 N.W. Brickyard Road, Topeka.

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 Shawnee County Health Agency, 1615 W. 8th, Topeka. To obtain or review the proposed permit and supporting documentation, contact David A. Peter, (785) 296-1615, at the KDHE central office, or Ed Kalas, (785) 368-2059, at the Topeka-Shawnee County Health Agency. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to David A. Peter, 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 May 14.

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 May 14 in order for the Secretary of Health and Environment to consider the request.

Clyde D. Graeber  
Secretary of Health and Environment

Doc. No. 026418

## 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 4-9-01 through 4-15-01**

Term	Rate
1-89 days	5.04%
3 months	3.87%
6 months	3.96%
1 year	3.94%
18 months	4.01%
2 years	4.09%

Derl S. Treff  
Director of Investments

Doc. No. 026411

## 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. EnerSys, Inc. has applied for a Class II operating permit modification in accordance with the provisions of K.A.R. 28-19-544. Emissions of particulate matter less than 10 micrometers (PM<sub>10</sub>), lead and lead compounds (Pb) 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.

EnerSys, Inc. owns and operates a lead-acid manufacturing plant located at 1 EnerSys Road, Hays, Ellis County.

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

Direct written comments or questions regarding the proposed permit to Alan Brooks, KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, 66620. In order to be considered in formulating a final permit decision, written comments must be received by the close of business May 14.

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 May 14 in order for the Secretary of Health and Environment to consider the request.

Clyde D. Graeber  
Secretary of Health  
and Environment

Doc. No. 026417

## 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. Northern Natural Gas Company has applied for an air quality construction permit in accordance with the provisions of K.A.R. 28-19-300 to install a new natural gas treater plant. Emissions of oxides of nitrogen (NO<sub>x</sub>), carbon monoxide (CO), oxides of sulfur (SO<sub>x</sub>), volatile organic compounds (VOCs), hydrogen sulfide (H<sub>2</sub>S) and hazardous air pollutants (HAPs) were evaluated during the permit review process.

Northern Natural Gas Company owns and operates the stationary source located at Section 11, Township 19 South, Range 7 West, Rice County, at which the natural gas treater plant 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 North Central District Office, 2501 Market Place, Suite D, Salina. To obtain or review the proposed permit and supporting documentation, contact Michael Stewart, (785) 296-1994, at the KDHE central office, or Joan Ratzlaff, (785) 827-9639, at the KDHE North Central District Office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to 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 May 14.

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 May 14 in order for the Secretary of Health and Environment to consider the request.

Clyde D. Graeber  
Secretary of Health  
and Environment

Doc. No. 026432

## State of Kansas

Department of Health  
and Environment

## Request for Comments

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality operating permit and a revision to a previously-issued construction permit. Keebler Company has applied for a Class I operating permit in accordance with the provisions of K.A.R. 28-19-510 *et seq.* The purpose of a Class I permit is to identify the sources and types of regulated air pollutants emitted from the facility; the emission limitations, standards and requirements applicable to each source; and the monitoring, record keeping and reporting requirements applicable to each source as of the effective date of permit issuance. Notice also is given that certain requirements in Keebler's December 10, 1998, permit were modified through a revision to that permit.

Keebler Company, Elmhurst, Illinois, owns and operates the Keebler Company located at 801 Sunshine Road, Kansas City, Kansas.

A copy of the proposed Class I permit, Class I permit application, all supporting documentation, all information relied upon during the Class I permit application review process and a copy of the construction permit revision are available for a 30-day public review during normal business hours at the KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, and at the Unified Government of Wyandotte County/Kansas City, Kansas—Department of Air Quality, 619 Ann Ave., Kansas City, Kansas. To obtain or review either document, contact Connie Carreno, (785) 296-6422, at the KDHE central office, or Stephanie Hirner (913)573-6700, at the Department of Air Quality. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the documents to Stephanie Hirner, Department of Air Quality, 619 Ann Ave., Kansas City, KS 66101. In order to be considered in formulating final document decisions, written comments must be received by the close of business May 14.

A person may request a public hearing be held on the proposed documents. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Connie Carreno, Bureau of Air and Radiation, not later than the close of business May 14 in order for the Secretary of Health and Environment to consider the request.

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

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

Clyde D. Graeber  
Secretary of Health  
and Environment

Doc. No. 026445

## 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. Acme Foundry has applied for an air quality construction permit in accordance with the provisions of K.A.R. 28-19-300 to replace equipment for pouring and cooling gray iron and molding machines. Acme foundry also plans to install an electric holding furnace and three new baghouses. Emissions of oxides of nitrogen (NO<sub>x</sub>), carbon monoxide (CO), particulate matter (PM), particulate matter equal to or less than 10 micrometers in diameter (PM<sub>10</sub>), volatile organic compounds (VOCs), oxides of sulfur (SO<sub>x</sub>) and lead (Pb) were evaluated during the permit review process.

Acme Foundry, Inc., Coffeyville, owns and operates the stationary source located at 1502 Spruce St., Coffeyville, at which the equipment will be replaced and the furnace is to be installed.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during review of the permit application is available for public inspection for a period of 30 days from the date of publication during normal business hours at the KDHE, Bureau of Air and Radiation, 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 Alan W. Brooks, (785) 296-6281, 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 Alan W. Brooks, KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, 66620. In order to be considered in formulating a final permit decision, written comments must be received by the close of business May 14.

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

(continued)

written request must be submitted to Connie Carreno, Bureau of Air and Radiation, not later than the close of business May 14 in order for the Secretary of Health and Environment to consider the request.

Clyde D. Graeber  
Secretary of Health  
and Environment

Doc. No. 026430

#### 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. Sterling Municipal Power Plant has applied for an air quality construction permit in accordance with the provisions of K.A.R. 28-19-300 to install three new dual fuel engines to produce electricity. Emissions of oxides of nitrogen (NO<sub>x</sub>), carbon monoxide (CO), particulate matter (PM), particulate matter less than or equal to 10 micrometers in diameter (PM<sub>10</sub>), volatile organic compounds (VOCs) and oxides of sulfur (SO<sub>x</sub>) were evaluated during the permit review process.

Sterling Municipal Power Plant owns and operates the stationary source located at 333 N. Broadway Ave., Sterling, at which the new dual fuel engines 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 North Central District Office, 2501 Market Place, Suite D, Salina. To obtain or review the proposed permit and supporting documentation, contact Alan W. Brooks, (785) 296-6281, at the KDHE central office, or Joan Ratzlaff, (785) 827-9639, at the KDHE North Central District Office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Alan W. Brooks, KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, 66620. In order to be considered in formulating a final permit decision, written comments must be received by the close of business May 7.

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 May 7 in order for the Secretary of Health and Environment to consider the request.

Clyde D. Graeber  
Secretary of Health  
and Environment

Doc. No. 026455

#### 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. Burlington Northern and Santa Fe Railway Company 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) and oxides of sulfur (SO<sub>x</sub>) 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.

Burlington Northern and Santa Fe Railway Company owns and operates a locomotive and railcar repair facility located at 1001 N.E. Atchison, Topeka.

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 Shawnee County Health Agency, 1615 W. 8th, Topeka. To obtain or review the proposed permit and supporting documentation, contact Ann Spitz, (785) 291-3271, at the KDHE central office, or Ed Kalas, (785) 368-2059, at the Shawnee County Health Agency. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Ann 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 May 14.

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 May 14 in order for the Secretary of Health and Environment to consider the request.

Clyde D. Graeber  
Secretary of Health  
and Environment

Doc. No. 026428

#### 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-01-092/098  
Pending Permits for Confined Feeding Facilities**

Name and Address of Applicant	Legal Description	Receiving Water
Robert Kitchen 37370 John Brown Hwy. Osawatomie, KS 66064	NE/4 of Section 13, T18S, R21E, Miami County	Marais des Cygnes River Basin

Kansas Permit No. A-MCMI-S031  
This is a new facility for 200 head of swine greater than 55 pounds (80 animal units) and 200 head of swine 55 pounds or less (20 animal units), for a (total of 100 animal units).

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

Compliance Schedule: A manure/waste management plan approved by the department shall be adhered to as a condition of the permit.

Name and Address of Applicant	Legal Description	Receiving Water
Dennis Allen Sites #1 & #4 5380 S. Highway 83 Scott City, KS 67871	NW/4 & SE/4 of Section 15, T20S, R32W, Scott County	Upper Arkansas River Basin

Kansas Permit No. A-UASC-H005 Federal Permit No. KS-0094854  
This is a permit for an existing facility having 21,600 head (8,640 animal units) expanding to a total of 54,000 head (21,600 animal units) of swine.

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

Compliance Schedule: Permeability tests shall be conducted on the earthen wastewater retention structure(s). Should any structure not meet permeability requirements, additional sealing will be required.

The anaerobic lagoons shall be pre-filled to a minimum depth of 5 feet prior to being placed into service. Dewatering equipment shall be obtained within 12 months after issuance of the permit. The manure/waste management plan developed by the designer and approved by the department shall be adhered to as a condition of the permit.

Name and Address of Applicant	Legal Description	Receiving Water
Seaboard Farms Inc. Shore Farm #2 (A1) P.O. Box 1207 Guymon, OK 73942	NW/4 of Section 5, T31S, R40W, Morton County	Cimarron River Basin

Kansas Permit No. A-CIMT-S002  
This is a renewal permit for an existing facility for 440 head (176 animal units) of swine boars.

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

Compliance Schedule: The manure/waste management plan developed by the designer and approved by the department shall be adhered to as a condition of the permit.

Name and Address of Applicant	Legal Description	Receiving Water
Kevin Holthaus Route 1, Box 131 Seneca, KS 66538	NW/4 of Section 13, T2S, R11E, Nemaha County	Missouri River Basin

Kansas Permit No. A-MONM-S017  
This is a permit renewal of a current permit for an existing facility for 220 head (88 animal units) of swine greater than 55 pounds, 200 head (20 animal units) of swine 55 pounds or less, 100 head (100 animal units) of a cattle greater than 700 pounds and 100 head (50 animal units) of cattle less than 700 pounds, for a total of 258 animal units.

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

Compliance Schedule: The manure/waste management plan most recently approved by the department shall be adhered to as a condition of the permit.

Name and Address of Applicant	Legal Description	Receiving Water
Robert L'Ecuyer 945 18th Road Morrowville, KS 66958	SW/4 of Section 33, T2S, R2E, Washington County	Little Blue River Basin

Kansas Permit No. A-BBWS-S025  
This is a renewal permit for an existing facility for 915 head (186 animal units) of swine.

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

Compliance Schedule: Dewatering equipment shall be obtained within two months after issuance of the permit. The manure/waste management plan developed by the designer and approved by the department shall be adhered to as a condition of this permit.

Name and Address of Applicant	Legal Description	Receiving Water
Darrel and/or Gloria Stoller Route 4, Box 292 Sabetha, KS 66534	SW/4 of Section 33, T1S, R14E, Nemaha County	Missouri River Basin

Kansas Permit No. A-MONM-S040  
This is a permit renewal of a current permit for an existing facility for 695 head (278 animal units) of swine greater than 55 pounds and 400 (40 animal units) of swine 55 pounds or less, for a total of 318 animal units.

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

Compliance Schedule: The manure/waste management plan developed by the designer and approved by the department shall be adhered to as a condition of this permit.

Name and Address of Applicant	Legal Description	Receiving Water
Frager Farms (South) Gerry Frager 2779 King Road Morrowville, KS 66956	NE/4 of Section 14, T1S, R2E, Washington County	Big Blue River Basin

Kansas Permit No. A-BBWS-S035  
This is a renewal permit for an existing facility for 1,900 head (760 animal units) of swine and 100 head (100 a.u.) of cattle, for a total of 2,000 head (860 a.u.) of livestock.

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

Compliance Schedule: The manure/waste management plan developed by the designer and approved by the department shall be adhered to as a condition of the permit.

(continued)

**Public Notice No. KS-01-032/047**

<b>Name and Address of Applicant</b>	<b>Waterway</b>	<b>Type of Discharge</b>
Larned, City of P.O. Box 70 Larned, KS 67661-0447	Arkansas River	Treated Domestic Wastewater

Kansas Permit No. M-UA25-0001 Federal Permit No. KS0055239  
Legal: NW¼, S4, T22S, R16W, Pawnee County

**Facility Description:** The proposed action is to reissue an existing permit for operation of an existing wastewater treatment facility treating primarily domestic wastewater. The proposed permit includes limits for biochemical oxygen demand, total suspended solids, ammonia, fecal coliform, total residual chlorine and pH. Monitoring for chlorides, sulfates and effluent flow also will be required. Included in this permit is a schedule of compliance requiring the permittee to make necessary improvements to achieve compliance with its NPDES permit. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

<b>Name and Address of Applicant</b>	<b>Waterway</b>	<b>Type of Discharge</b>
Lyndon, City of P.O. Box 287 Lyndon, KS 66451-0287	Salt Creek	Treated Domestic Wastewater

Kansas Permit No. M-MC21-0001 Federal Permit No. KS0024821  
Legal: SE¼, S6, T17S, R16E, Osage County

**Facility Description:** The proposed action is to reissue an existing permit for operation of an existing wastewater treatment facility treating primarily domestic wastewater. The proposed permit includes limits for biochemical oxygen demand, total suspended solids, ammonia, fecal coliform, total residual chlorine and pH. Monitoring for effluent flow also will be required. Included in this permit is a schedule of compliance requiring the permittee to make necessary improvements to achieve compliance with its NPDES permit. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

<b>Name and Address of Applicant</b>	<b>Waterway</b>	<b>Type of Discharge</b>
Seneca, City of P.O. Box 40 Seneca, KS 66538	Nemaha River	Treated Domestic Wastewater

Kansas Permit No. M-MO19-0001 Federal Permit No. KS0047538  
Legal: SE¼, S34 and SW¼, S35, T2S, R12E, Nemaha County

**Facility Description:** The proposed action is to modify and reissue an existing permit for operation of an existing wastewater treatment facility treating primarily domestic wastewater. The proposed permit includes limits for biochemical oxygen demand, total suspended solids and pH. Monitoring for ammonia, fecal coliform and effluent flow also will be required. This permit is being re-public noticed because of a significant change in the requirements in the schedule of compliance requiring the permittee to make necessary improvements to achieve compliance with its NPDES permit. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

<b>Name and Address of Applicant</b>	<b>Waterway</b>	<b>Type of Discharge</b>
Clay Center, City of City Hall 427 Court St. Clay Center, KS 67432	Huntress Creek via Drainage Channel	Cooling water

Facility Name: Clay Center Power Plant  
Kansas Permit No. I-LR05-CO02 Federal Permit No. KS0093459  
Legal: SW¼ S7, T8S, R3E, Clay County

**Facility Description:** The proposed action is to reissue an existing permit for the discharge of cooling water. This facility is a standby electrical generating station used for peaking and emergency power consisting of five dual-fuel combustion engines and two steam turbines. An on-site well and city water are used in intercoolers for once-through

cooling to cool the intake air to the engines. The proposed permit includes limits for total residual chlorine, temperature, nitrate and pH. Monitoring for effluent flow also will be required. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

<b>Name and Address of Applicant</b>	<b>Waterway</b>	<b>Type of Discharge</b>
Great Bend Library 1409 Williams St. Great Bend, KS 67530	Arkansas River via Storm Sewer	Noncontact Cooling Water

Kansas Permit No. I-UA16-CO02 Federal Permit No. KS0079961  
Legal: SE¼, S29, T19S, R13W, Barton County

**Facility Description:** The proposed action is to modify and reissue an existing permit for the discharge of noncontact cooling water. This facility utilizes well water in the library's air conditioning system. Monitoring of the effluent will not be required unless there is a significant change in the quality or quantity of the subject discharge. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

<b>Name and Address of Applicant</b>	<b>Waterway</b>	<b>Type of Discharge</b>
Harshman Construction Route 1, Box 21A Cedar Point, KS 66843	Verdigris River via Buffalo Creek via Various Tributaries	Pit Dewatering and Uncontaminated Stormwater Runoff

Facility Name: Pringle Quarry  
Kansas Permit No. I-VE44-PO01 Federal Permit No. KS0092371  
Legal: NW¼, S19, T26S, R16E, Woodson County

**Facility Description:** The proposed action is to reissue an existing permit for the discharge of wastewater during quarry operation. This facility is a limestone quarrying and crushing operation without washing. Monitoring of the effluent will not be required unless there is a significant change in the quality or quantity of the subject discharge. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

<b>Name and Address of Applicant</b>	<b>Waterway</b>	<b>Type of Discharge</b>
Harshman Construction Route 1 Cedar Point, KS 66843	Walnut River via Unnamed Tributary	Pit Dewatering and Uncontaminated Stormwater Runoff

Facility Name: Southwest Butler-Gordon Quarry  
Kansas Permit No. I-WA07-PO02 Federal Permit No. KS0089192  
Legal: NW¼, S29, T28S, R4E, Butler County

**Facility Description:** The proposed action is to reissue an existing permit for the discharge of wastewater during quarry operation. This facility is a limestone quarrying and crushing operation without washing. Monitoring of the effluent will not be required unless there is a significant change in the quality or quantity of the subject discharge. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

<b>Name and Address of Applicant</b>	<b>Waterway</b>	<b>Type of Discharge</b>
Midwest Minerals, Inc. P.O. Box 412 Pittsburg, KS 66762	Verdigris River via Buffalo Creek via Elders' Branch	Pit Dewatering and Uncontaminated Stormwater Runoff

Facility Name: Quarry #29  
Kansas Permit No. I-VE02-PO01 Federal Permit No. KS0115452  
Legal: SE¼, S2, T28S, R15E, Wilson County

**Facility Description:** The proposed action is to reissue an existing permit for the discharge of wastewater during quarry operation. This facil-

ity is a limestone quarrying and crushing operation without washing. Monitoring of the effluent will not be required unless there is a significant change in the quality or quantity of the subject discharge. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

<b>Name and Address of Applicant</b>	<b>Waterway</b>	<b>Type of Discharge</b>
Minneapolis, City of 218 N. Rock St. Minneapolis, KS 67467	Solomon River via Pipe Creek	Noncontact Cooling Water

Facility Name: Minneapolis Municipal Power Plant  
Kansas Permit No. I-SO27-CO02 Federal Permit No. KS0080217  
Legal: SE¼, S1, T11S, R4W, Ottawa County

Facility Description: The proposed action is to reissue an existing permit for the discharge of noncontact cooling water. This facility is a standby electrical generating station used for peaking and emergency power. Dechlorinated city water is used for once through, noncontact cooling purposes and discharges to four separate outfalls. The proposed permit includes limits for total residual chlorine and pH. Monitoring for temperature and effluent flow also will be required. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

<b>Name and Address of Applicant</b>	<b>Waterway</b>	<b>Type of Discharge</b>
Mulberry Limestone Company 325 N. 260th St. Mulberry, KS 66756	Cox Creek via Dry Creek via Unnamed Tributary	Pit Dewatering and Uncontaminated Stormwater Runoff

Facility Name: Englevale Quarry  
Kansas Permit No. I-MC59-PO01 Federal Permit No. KS0096008  
Legal: SW¼, S25, T28S, R24E, Crawford County

Facility Description: The proposed action is to issue a new permit for the discharge of wastewater during quarry operation. This facility is a limestone quarrying and crushing operation without washing. Monitoring of the effluent will not be required unless there is a significant change in the quality or quantity of the subject discharge. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

<b>Name and Address of Applicant</b>	<b>Waterway</b>	<b>Type of Discharge</b>
Mulberry Limestone Company 325 N. 260th St. Mulberry, KS 66756	Neosho River via Lightning Creek via Unnamed Tributary	Pit Dewatering and Uncontaminated Stormwater Runoff

Facility Name: McCune Quarry  
Kansas Permit No. I-NE48-PO02 Federal Permit No. KS0096211  
Legal: SE¼, S25, T31S, R21E, Cherokee County

Facility Description: The proposed action is to issue a new permit for the discharge of wastewater during quarry operation. This facility is a limestone quarrying and crushing operation without washing. Monitoring of the effluent will not be required unless there is a significant change in the quality or quantity of the subject discharge. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

<b>Name and Address of Applicant</b>	<b>Waterway</b>	<b>Type of Discharge</b>
Mulberry Limestone Company 325 N. 260th St. Mulberry, KS 66756	Marais des Cygnes River via Unnamed Tributary	Pit Dewatering and Uncontaminated Stormwater Runoff

Facility Name: Mulberry Quarry  
Kansas Permit No. I-MC27-PO04 Federal Permit No. KS0095991

Legal: SE¼, S2, T29S, R25E, Crawford County

Facility Description: The proposed action is to issue a new permit for the discharge of wastewater during quarry operation. This facility is a limestone quarrying and crushing operation without washing. Monitoring of the effluent will not be required unless there is a significant change in the quality or quantity of the subject discharge. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

<b>Name and Address of Applicant</b>	<b>Waterway</b>	<b>Type of Discharge</b>
N.R. Hamm Quarry, Inc. P.O. Box 17 Perry, KS 66073	Kansas River via Delaware River via Various Tributaries	Pit Dewatering and Uncontaminated Stormwater Runoff

Facility Name: Eisenbarth Quarry #64  
Kansas Permit No. I-KS70-PO02 Federal Permit No. KS0087378  
Legal: NE¼, S36, T5S, R14E, Nemaha County

Facility Description: The proposed action is to reissue an existing permit for the discharge of wastewater during quarry operation. This facility is a limestone quarrying and crushing operation without washing. Monitoring of the effluent will not be required unless there is a significant change in the quality or quantity of the subject discharge. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

<b>Name and Address of Applicant</b>	<b>Waterway</b>	<b>Type of Discharge</b>
N.R. Hamm Quarry, Inc. P.O. Box 17 Perry, KS 66073	Kansas River via Wakarusa River via Clinton Lake	Pit Dewatering and Uncontaminated Stormwater Runoff

Facility Name: #53 Harrell  
Kansas Permit No. I-KS88-PO01 Federal Permit No. KS0117901  
Legal: SW¼, S35, T13S, R18E, Douglas County

Facility Description: The proposed action is to reissue an existing permit for the discharge of wastewater during quarry operation. This facility is a limestone quarrying and crushing operation without washing. Monitoring of the effluent will not be required unless there is a significant change in the quality or quantity of the subject discharge. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

<b>Name and Address of Applicant</b>	<b>Waterway</b>	<b>Type of Discharge</b>
N.R. Hamm Quarry, Inc. P.O. Box 17 Perry, KS 66073	Missouri River via South Fork Nemaha River via Various Tributaries	Pit Dewatering and Uncontaminated Stormwater Runoff

Facility Name: Olberding Quarry #98  
Kansas Permit No. I-MO19-PO04 Federal Permit No. KS0095133  
Legal: SE¼, S7, T1S, R12E, Nemaha County

Facility Description: The proposed action is to issue a new permit for the discharge of wastewater during quarry operation. This facility is a limestone quarrying and crushing operation without washing. Monitoring of the effluent will not be required unless there is a significant change in the quality or quantity of the subject discharge. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

<b>Name and Address of Applicant</b>	<b>Waterway</b>	<b>Type of Discharge</b>
Walker Stone Company, Inc. P.O. Box 563 Chapman, KS 67431	Lower Republican River via Four Mile Creek via Dixon Creek	Pit Dewatering and Uncontaminated Stormwater Runoff

Facility Name: Junction City / Fort Riley Plant

(continued)

Kansas Permit No. I-LR15-PO01 Federal Permit No. KS0001821

Legal: SE¼, S2 and NE¼, S11, T11S, R5E, Geary County

Facility Description: The proposed action is to reissue an existing permit for the discharge of wastewater during quarry operation. This facility is a limestone quarrying and crushing operation without washing. Monitoring of the effluent will not be required unless there is a significant change in the quality or quantity of the subject discharge. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

### Public Notice No. KS-ND-01-004

Name and Address of Applicant	Legal Location	Type of Discharge
APAC - Kansas Inc., Shears Div. Allied Branch P.O. Box 190 Hays, KS 67601	SW¼ S2, T14S, R18E, Ellis County	Nonoverflow

Facility Name: Hays Asphalt Plant #921

Kansas Permit No. I-SH16-NP05

Facility Description: The proposed action is to issue a new permit for the operation of a new wastewater treatment facility treating primarily process wastewater. This facility is engaged in an asphalt production operation. Concrete-lined settling pits collect wastewater originating from the wet washer at the asphalt plant. Discharge of wastewater from this treatment facility to the surface waters of the State of Kansas is prohibited by this permit. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f).

Persons wishing to comment on or object to the draft permits and/or permit applications must submit their 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 May 12 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate Kansas permit number (KS-AG-01-092/098, KS-01-032/047, KD-ND-01-004) and name of applicant/application as listed when preparing comments.

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

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

Northwest District Office, 2301 E. 13th, Hays, 67601-2651,  
(785) 625-5664

North Central District Office, 2501 Market Place,  
Salina, 67401-7699, (785) 827-9639

Northeast District Office, 800 W. 24th, Lawrence,  
66046-4417, (785) 842-4600

Southwest District Office, 302 W. McArtor Road,  
Dodge City, 67801-6098, (316) 225-0596

South Central District Office, 130 S. Market, 6th Floor,  
Wichita, 67202-3802, (316) 337-6020

Southeast District Office, 1500 W. 7th, Chanute, 66720,  
(316) 431-2390

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

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

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

Clyde D. Graeber  
Secretary of Health  
and Environment

Doc. No. 026434

## 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 each of the following bills 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 April 12, 2001.)

#### HOUSE BILL No. 2252

AN ACT relating to credit unions; concerning the regulation thereof; amending K.S.A. 17-2217 and K.S.A. 2000 Supp. 17-2223a and repealing the existing sections.

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

Section 1. K.S.A. 17-2217 is hereby amended to read as follows: 17-2217. All entrance fees, transfer fees and charges shall, after the payment of the organization expenses, be known as reserve income, and shall be added to the reserve fund of the credit union. At the close of the fiscal year or each dividend paying period there shall be set apart to the reserve fund, such sums as are provided for in this section.

(a) For any credit union covered by share insurance authorized under the provisions of this act and in operation less than four years or having assets of less than \$500,000, the gross earnings of the credit union shall be determined. From this amount, there shall be set aside, as a regular reserve against losses on loans and against such other losses, sums in accordance with the following schedule: Ten percent of the gross income until the regular reserve shall equal 7½% of the total of outstanding loans and risk assets, then 5% of gross income until the regular reserve shall equal 10% of the total of outstanding loans and risk assets.

(Published in the Kansas Register April 12, 2001.)

## HOUSE BILL No. 2234

AN ACT concerning rural water districts; relating to the procedure for release of lands from a district; repealing K.S.A. 82a-630.

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

Section 1. (a) Terms used in this section shall have the meanings provided by K.S.A. 82a-612, and amendments thereto.

(b) If certain lands included within a district cannot be economically or adequately served by the facilities of the district, the owners of such lands may petition the board of directors of the district to release those lands from the district. The petition shall describe the lands requested to be released and shall be signed by at least 75% of the total number of the owners of the lands requested to be released. The board of directors may prescribe a fee to be collected from the petitioners for the purpose of offsetting costs reasonably expected to be incurred by the district in hearing the request for release. The petition for release, together with a verified list of the names and addresses of all owners of the land requested to be released, and the prescribed fee, shall be filed with the secretary of the district.

(c) If the board of directors of the district finds the petition to be in proper form, the board shall conduct a hearing on the petition for release. Notice of the time and place of the hearing shall be mailed to all owners of land requested to be released not later than 10 days before the hearing. The hearing may be continued from time to time without further notice to landowners. In considering the petition for release, the board shall consider whether the lands requested to be released cannot be economically or adequately served by the facilities of the district and whether the release would be in the best interests of the landowners and the district, based on the following factors:

- (1) Whether the petitioners for release of lands have applied for one or more benefit units to serve the lands requested to be released, which applications have been denied;
- (2) the length of time before the board of directors reasonably expect to make water service available to the lands requested to be released;
- (3) whether water service is available from another source if the lands are released from the district;
- (4) if water service is available from the district to the lands requested to be released, the relative cost of obtaining such water service, as determined by the district, compared to the additional value of the lands after water service is made available;
- (5) if water service is available from the district, the cost of obtaining such water service, as determined by the district, compared to the cost of obtaining water from another source;
- (6) whether any applicable law will prevent any other water suppliers from serving the lands requested to be released; and
- (7) whether the district's interest in maintaining the integrity of its territory is outweighed by the landowners' need to obtain a source of supply of water to the lands requested to be released.

(d) The board may approve the release of all or part of the lands requested to be released or may deny the request. The burden of proof shall be on the petitioners for release. The board of directors shall make a determination on the petition for release within 120 days after its receipt, shall record its findings in the minutes of the district and shall mail a copy of such findings to each petitioner within seven days.

(e) Any owner of land requested to be released from the district who is dissatisfied with the determination of the board of directors on the petition for release may bring an action in the district court of the county in which the district is located to determine if the board of directors of the district abused its discretion in making such determination. Such appeal shall be filed within 30 days after the final decision of the board.

(f) If the board of directors of the district approves the petition, or if the district court on appeal determines that the board abused its discretion in denying release, a copy of the board's action approving the release or of the district court's order on appeal, as the case may be, shall be transmitted to the chief engineer and to the county clerk, who shall note the change of such district's boundaries.

Sec. 2. K.S.A. 82a-630 is hereby repealed.

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

Whenever the regular reserve falls below 10% or 7½% of the total of outstanding loans and risk assets, as the case may be, it shall be replenished by regular contribution in such amounts as may be needed to maintain the reserve goals of 7½% or 10%. In addition to such regular reserve, special reserves to protect the interests of members shall be established when found by the administrator, in any special case, to be necessary for that purpose.

(b) A credit union covered by share insurance authorized under the provisions of this act and in operation for more than four years and having assets of \$500,000 or more shall set aside 10% of the gross income until the regular reserve shall equal 4% of the total of outstanding loans and risk assets, then 5% of gross income until the regular reserve shall equal 6% of the total of outstanding loans and risk assets.

Whenever the regular reserve falls below the stated per centum of the total outstanding loans and risk assets, it shall be replenished by regular contributions in such amounts as may be required to maintain the reserve goals. In addition to such regular reserve, special reserves to protect the interests of the members shall be established when found by the administrator, in any special case, to be necessary for that purpose. The administrator may also decrease the reserve requirements set forth in this subsection and subsection (a) when in the administrator's opinion such a decrease is necessary or desirable.

(c) A corporate credit union, in lieu of other reserve requirements, at a minimum, shall set aside an amount equal to the average daily net assets of the corporate credit union, as defined by the administrator, multiplied by .0005 and then multiplied by the number of days in the transfer period divided by 365, until the total amount of the corporate credit union's reserves, undivided earnings and membership shares equal 4% of the net assets of the corporate credit union. The administrator may decrease the amounts required to be set aside by this subsection when in the administrator's opinion such decrease is necessary or desirable.

(a) A credit union shall comply with the reserve requirements of the national credit union administration rules and regulations, 12 C.F.R. 702 in effect on the effective date of this act, or any later version as adopted by the administrator in rules and regulations.

(b) A corporate credit union, in lieu of other reserve requirements, at a minimum, shall set aside an amount equal to the average daily net assets of the corporate credit union, as defined by the administrator, multiplied by .0005 and then multiplied by the number of days in the transfer period divided by 365, until the total amount of the corporate credit union's reserves, undivided earnings and membership shares equal 4% of the net assets of the corporate credit union. The administrator may decrease the amounts required to be set aside by this subsection when in the administrator's opinion such decrease is necessary or desirable.

(d) (c) The reserve fund shall belong to the credit union and shall be held to meet losses on loans. Other losses may be charged to the reserve fund with prior approval of the credit union administrator. The reserve fund shall not be distributed to the members except upon dissolution of the credit union.

Sec. 2. K.S.A. 2000 Supp. 17-2223a is hereby amended to read as follows: 17-2223a. (a) Subject to the rules and regulations of the administrator, no credit union, except credit unions organized under the laws of the state of Kansas or the "federal credit union act," 12 U.S.C. 1751 et seq., and amendments thereto, shall do business in this state until it has received the approval of the credit union administrator.

(b) The administrator may require any such credit union to submit at least every 18 months an examination report made by or under the authority of the national credit union administration or its successor or successors, by any such other appropriate federal or state agency or by an independent auditor or certified public accountant. Such report shall meet the standards which the administrator has established.

(c) If after a hearing or an opportunity for a hearing has been given such credit union in accordance with the provisions of the Kansas administrative procedure act, the administrator determines that such credit union has violated any provision of this act, the administrator may revoke such credit union's authority to do business in this state.

Sec. 3. K.S.A. 17-2217 and K.S.A. 2000 Supp. 17-2223a are hereby repealed.

Sec. 4. This act shall take effect and be in force from and after its publication in the Kansas register.



(Published in the Kansas Register April 12, 2001.)

## SENATE BILL No. 44

AN ACT relating to property taxation; concerning the administration of certain refunds thereof; amending K.S.A. 79-32,105, 79-4501 and 79-4521 and K.S.A. 2000 Supp. 79-255 and 79-4504 and repealing the existing sections.

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

Section 1. K.S.A. 79-4501 is hereby amended to read as follows: 79-4501. The title of this act shall be the homestead property tax refund act. The purpose of this act shall be to provide ad valorem tax refunds to: (a) ~~Certain female persons of qualifying age who are the surviving spouses of husbands who died during marriage, who own or rent their homestead, so long as they remain unmarried;~~ (b) certain persons other than persons included under the provisions of (a) who are of qualifying age who own or rent their homestead; (c) ~~(b)~~ certain persons who have a disability, who own or rent their homestead; and (d) ~~(c)~~ certain persons other than persons included under the provisions of (a); or (b) and (c) who have low incomes and dependent children and own or rent their homestead.

Sec. 2. K.S.A. 2000 Supp. 79-4504 is hereby amended to read as follows: 79-4504. Subject to the limitations provided in this act or the provisions of K.S.A. 79-4530, and amendments thereto, as the case requires, a claimant may claim property tax relief under the homestead property tax refund act or the provisions of K.S.A. 79-4530, and amendments thereto, with respect to property taxes accrued, and after audit by the division of taxation with respect to homestead property tax refund act, the allowable amount of such claim shall be paid, except as otherwise provided in K.S.A. 79-4521, to the claimant from funds appropriated for such purposes the income tax refund fund upon warrants of the director of accounts and reports pursuant to vouchers approved by the director of taxation or by any person designated by the claimant, but no warrant issued hereunder shall be drawn in an amount of less than \$5. No interest shall be allowed on any payment made to a claimant pursuant to this act.

Sec. 3. K.S.A. 79-4521 is hereby amended to read as follows: 79-4521. (a) Beginning in 1992 2001, and in each succeeding year, any person who owns a homestead, as defined by K.S.A. 79-4502, and amendments thereto, and who will be entitled to claim a refund of property taxes under the provisions of article 45 of chapter 70 of the Kansas Statutes Annotated, may make application to the county clerk of the county in which the homestead is located for a certificate of eligibility for such refund and the director of taxation shall issue a certificate of eligibility for refund to each claimant who received a refund of property taxes under the homestead property tax refund act for the prior year. After the certificate has been completed by the claimant and the county clerk of the county in which the property is located, the claimant may present such certificate to the county treasurer on or before the time prescribed for the payment of the first half of taxes levied on such homestead in the current year in lieu of paying that portion of such taxes the first half of taxes on the claimant's homestead in the current year which equals the amount of the homestead property tax refund received by the claimant for taxes levied in the preceding year up to the amount of the first half of the property taxes due. Any person making an application shall present such proof as to eligibility for the refund as prescribed in rules and regulations adopted by the secretary of revenue. If the county clerk is satisfied that such person will be eligible for a refund, the county clerk shall make out a certificate of eligibility for such person on a form prescribed by the secretary of revenue. The certificate shall be signed by the county clerk and the person making application therefor. An eligible applicant shall also assign, in a space provided on the certificate, the refund to the county to pay the taxes on the applicant's homestead for the year in which such application is made.

(b) Prior to presenting the certificate to the county treasurer the claimant shall sign the certificate, and shall also assign, in a space provided on the certificate, the refund to the county to pay the taxes on the claimant's homestead for the year in which such certificate is issued. The claimant shall then submit the certificate of eligibility to the county clerk for review. The county clerk shall review the claim, based on proof of eligibility as prescribed in rules and regulations adopted by the secretary of revenue, to determine whether the claimant will be eligible for the refund. If the county clerk is satisfied the claimant will be eligible, the county clerk shall sign the certificate and return it to the claimant.

(b) (c) The county treasurer shall send daily a copy of each certificate of eligibility to the director of taxation by December 31 of each year. After

receiving a claim of any claimant who has obtained a certificate of eligibility under this section, the director shall examine the same, and if the claim is valid, the director of accounts and reports shall draw a warrant in favor of the county in which claimant's homestead is located upon a voucher approved by the director of taxation in the amount of the allowable claim for refund. Sufficient information to identify the claimant shall be directed to the county treasurer with each warrant. Any taxes levied in any year on the homestead of any claimant who has obtained the certificate of eligibility herein provided for in excess of the amount paid to the county by the state and by the claimant on or before December 20 of such year shall be paid by the claimant on or before June 20 of the succeeding year.

Sec. 4. K.S.A. 79-32,105 is hereby amended to read as follows: 79-32,105. (a) The director shall pay to the treasurer of the state daily the entire amount collected during the preceding day, under the provisions of this act and from the income tax imposed upon individuals, corporations, estates or trusts pursuant to the "Kansas income tax act" less amounts withheld as provided in subsection (b) and any amounts credited to the IMPACT program repayment fund or the IMPACT program services fund under K.S.A. 74-50,107 and amendments thereto, which amounts shall be credited to the state general fund.

(b) A revolving fund, designated as "income tax refund fund" not to exceed \$4,000,000 shall be set apart and maintained by the director from income tax collections, withholding tax collections, and estimated tax collections and held by the state treasurer for prompt payment of all income tax refunds and for the payment of interest as provided in subsection (e), for payment of homestead property tax refunds in accordance with the homestead property tax refund act and for payment of property tax refunds allowed pursuant to the provisions of K.S.A. 2000 Supp. 79-255, and amendments thereto. The fund shall be in such amount, within the limit set by this section, as the director determines is necessary to meet current refunding requirements under this act.

(c) If the director discovers from the examination of the return, or upon claim duly filed by the taxpayer or upon final judgment of the court that the income tax, withholding tax, declaration of estimated tax or any penalty or interest paid by or credited to any taxpayer is in excess of the amount legally due, the director shall certify to the director of accounts and reports the name of the taxpayer, the amount of refund and such other information as the director may require. Upon receipt of such certification the director of accounts and reports shall issue a warrant on the state treasurer for the payment to the taxpayer out of the fund provided in subsection (b), except that no refund shall be made for a sum less than \$5, but such amount may be claimed by the taxpayer as a credit against the taxpayer's tax liability in the taxpayer's next succeeding taxable year.

(d) When a resident taxpayer dies, and the director determines that a refund is due the claimant not in excess of \$100, the director shall certify to the director of accounts and reports the name and address of the claimant entitled to the refund and the amount of the refund. A refund may be made upon a claim duly made on behalf of the estate of the deceased or in the absence of any such claim upon a claim by a surviving spouse and if none upon the claim by any heir at law. Upon receipt of such certification the director of accounts and reports shall issue a warrant on the state treasurer for the payment to the claimant out of the fund provided in subsection (b).

(e) Interest shall be allowed and paid at the rate of 12% per annum upon any overpayment of the income tax imposed upon individuals, corporations, estates or trusts pursuant to the Kansas income tax act for any period prior to January 1, 1995, 6% per annum for the period commencing on January 1, 1995, and ending on December 31, 1997, and at the rate prescribed and determined pursuant to K.S.A. 79-2968, and amendments thereto, for any period thereafter.

For the purposes of this subsection:

(1) Any return filed before the last day prescribed for the filing thereof shall be considered as filed on such last day, determined without regard to any extension of time granted the taxpayer;

(2) any tax paid by the taxpayer before the last day prescribed for its payment, any income tax withheld from the taxpayer during any calendar year and any amount paid by the taxpayer as estimated income tax for a taxable year shall be deemed to have been paid on the last day prescribed for filing the return for the taxable year to which such amount constitutes a credit or payment, determined without regard to any extension of time granted the taxpayer;

(3) if any overpayment of tax results from a carryback of a net oper-



ating loss or net capital loss, such overpayment shall be deemed not to have been made prior to the close of the taxable year in which such net operating loss or net capital loss arises. For purposes of this paragraph, the return for the loss year shall not be deemed to be filed before claim for such overpayment is filed;

(4) in the case of a credit, interest shall be allowed and paid from the date of the overpayment to the due date of the amount against which the credit is taken, except that if any overpayment of income tax is claimed as a credit against estimated tax for the succeeding taxable year, such amount shall be considered as a payment of the income tax for the succeeding taxable year, whether or not claimed as a credit in the return of estimated tax for such succeeding taxable year, and no interest shall be allowed or paid in such overpayment for the taxable year in which the overpayment arises;

(5) in the case of a tax return which is filed after the last date prescribed for filing such return, determined with regard to extensions, no interest shall be allowed or paid for any period before the date on which the return is filed;

(6) in the case of a refund, interest shall be allowed and paid from the date of the overpayment to a date preceding the date of the refund check by not more than 30 days, as determined by the director, whether or not such refund check is accepted by the taxpayer after tender of such check to the taxpayer, but acceptance of such check shall be without prejudice to any right of the taxpayer to claim any additional overpayment and interest thereon; and

(7) if any overpayment is refunded within two months after the last date prescribed, or permitted by extension of time, for filing the return of such tax, or within two months after the return was filed, whichever is later, no interest shall be allowed or paid. For the purposes of this section, an overpayment shall be deemed to have been refunded at the time the refund check in the amount of the overpayment, plus any interest due thereon, is deposited in the United States mail.

Sec. 5. K.S.A. 2000 Supp. 79-255 is hereby amended to read as follows: 79-255. (a) For all taxable years commencing after December 31, 1999, and subject to the provisions of this section, there shall be allowed as a property tax refund to the operator of an oil lease an amount equal to 50% of the total amount of property tax levied and actually and timely paid by the operator for a property tax year which is attributable to the working interest of an oil lease the average daily production per well from which is 15 barrels or less when the price per barrel of oil is \$16 or less, as prescribed in the oil and gas appraisal guide by the director of property valuation for the applicable tax year. No refund shall be allowed for property tax paid upon machinery and equipment for which a credit is claimed pursuant to K.S.A. 2000 Supp. 79-32,206 and amendments thereto.

(b) No claim for a refund allowable pursuant to subsection (a) shall be paid unless filed with and in possession of the department of revenue on or before April 15 of the year next succeeding the year in which such taxes were paid, except that the director of taxation may extend the time for filing any claim or accept a claim filed after the deadline for filing when good cause exists therefor if the claim has been filed within three years of the deadline.

(c) The allowable amount of such claim shall be paid to the operator from funds appropriated for such purposes the income tax refund fund upon warrants of the director of accounts and reports pursuant to vouchers approved by the director of taxation or by any person designated by the claimant, but no warrant issued hereunder shall be drawn in an amount of less than \$5. No interest shall be allowed on any payment made to an operator pursuant to this section.

(d) Insofar as the same may be made applicable, the provisions of K.S.A. 79-3226, and amendments thereto, shall apply to claims for refunds allowable pursuant to this section which may become in dispute.

(e) The department of revenue shall devise and provide forms and instructions necessary to administer this section, and the secretary of revenue may adopt rules and regulations for such purpose.

Sec. 6. K.S.A. 79-32,105, 79-4501 and 79-4521 and K.S.A. 2000 Supp. 79-255 and 79-4504 are hereby repealed.

Sec. 7. This act shall take effect and be in force from and after its publication in the Kansas register.

(Published in the Kansas Register April 12, 2001.)

#### HOUSE BILL No. 2194

AN ACT concerning criminal procedure; relating to reports of forensic examination; amending K.S.A. 2000 Supp. 22-2902a and repealing the existing section.

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

Section 1. K.S.A. 2000 Supp. 22-2902a is hereby amended to read as follows: 22-2902a. At any preliminary examination in which the results of a forensic examination, analysis, comparison or identification prepared by the Kansas bureau of investigation, the federal bureau of investigation, the bureau of alcohol, tobacco and firearms of the United States department of the treasury, the state secretary of health and environment, the sheriff's department of Johnson, Shawnee or Sedgwick county, the police department of the cities of Overland Park, Topeka or Wichita, the Sedgwick county regional forensic science center, the drug enforcement administration, the air force of the United States, the navy of the United States, the army of the United States, the Missouri southern state college regional crime laboratory or, Bethany medical center, inc. located in Kansas City, Kansas, the Kansas City, Kansas community college forensic laboratory or the Kansas City, Missouri regional crime laboratory are to be introduced as evidence, the report, or a copy of the report, of the findings of the forensic examiner shall be admissible into evidence in the preliminary examination in the same manner and with the same force and effect as if the forensic examiner who performed such examination, analysis, comparison or identification and prepared the report thereon had testified in person.

Sec. 2. K.S.A. 2000 Supp. 22-2902a is hereby repealed.

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

(Published in the Kansas Register April 12, 2001.)

#### HOUSE BILL No. 2169

AN ACT relating to state moneys; concerning the investment thereof; amending K.S.A. 75-4221 and K.S.A. 2000 Supp. 75-4237 and repealing the existing sections.

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

Section 1. K.S.A. 75-4221 is hereby amended to read as follows: 75-4221. (a) ~~In all cases wherein it shall appear to the board that the securities pledged by any depository bank have become inadequate, it shall be the duty of Any state agency which is authorized to maintain a bank account, shall be responsible for determining that the securities pledged, assigned, deposited or in which a security interest is granted by the depository bank are adequate to secure the balance in the account pursuant to K.S.A. 75-4218, and amendments thereto. The agency shall immediately notify the board if the securities pledged, assigned, deposited or in which a security interest is granted by the depository bank have become inadequate.~~ The board shall immediately notify such depository bank and demand that additional security be pledged to make good such inadequacy; and in default of such additional security being promptly furnished, the board shall instruct the treasurer to close the account.

(b) In cases where a depository bank fails to meet the requirements established by the board pursuant to K.S.A. 75-4232, and amendments thereto, the board shall instruct the treasurer to advise the depository bank it must select one of the following options:

(1) Close the account for the full amount, including accrued interest and without penalty if the deposit exceeds seven days, or

(2) convert the account to a repurchase agreement under terms acceptable to the board.

(c) In the event of the insolvency or dissolution from any cause of a depository bank having a state bank account of any type, the state shall be entitled to file a claim for the full amount of such account and shall retain or collect dividends or interest on securities pledged by such depository bank until the amount of the dividends or interest added to the amount realized from sale of any securities so pledged to the state equals the amount of the account and any interest due thereon.

(continued)

The state shall be fully responsible to any depository bank for the safe return of any securities deposited in the state treasury in accordance with this act.

Sec. 2. K.S.A. 2000 Supp. 75-4237 is hereby amended to read as follows: 75-4237. (a) The director of investments shall accept requests from banks interested in obtaining investment accounts of state moneys. Such requests may be submitted any business day and shall specify the dollar amount, ~~maturity or maturity range and interest rate. Except as provided in subsection (c), if the interest rate bid by the bank is at or greater than the market rate determined by the director of investments in accordance with subsection (b), and maturity.~~ The director of investments is authorized to award the investment account to the ~~bidding~~ requesting bank at the market rate established by subsection (b). Awards of investment accounts pursuant to this section shall be subject to investment policies of the pooled money investment board. When multiple ~~bids~~ requests are received and are in excess of the amount available for investment that day for any maturity, awards shall be made available in ascending order from smallest to largest dollar amount ~~bid requested~~, subject to investment policies of the board.

(b) The market rate shall be determined each business day by the director of investments, in accordance with any procedures established by the pooled money investment board. Subject to any policies of the board, the market rate shall reflect the highest rate at which state moneys can be invested on the open market in investments authorized by subsection (a) of K.S.A. 75-4209, and amendments thereto, for equivalent maturities.

(c) (1) Notwithstanding the provisions of this section, linked deposits made pursuant to the provisions of K.S.A. 2000 Supp. 2-3703 through 2-3707, and amendments thereto, shall be at an interest rate which is 2% less than the market rate determined under this section and which shall be recalculated on the first business day of each calendar year using the market rate then in effect.

(2) Notwithstanding the provisions of this section, agricultural production loan deposits made pursuant to the provisions of K.S.A. 2000 Supp. 75-4268 through 75-4274, and amendments thereto, shall be at 2% less than the market rate provided by this section and which shall be recalculated on the first business day of each calendar year using the market rate then in effect.

Sec. 3. K.S.A. 75-4221 and K.S.A. 2000 Supp. 75-4237 are hereby repealed.

Sec. 4. This act shall take effect and be in force from and after its publication in the Kansas register.

(Published in the Kansas Register April 12, 2001.)

#### HOUSE BILL No. 2300

AN ACT concerning certain state agencies; relating to the advisory committee on Hispanic affairs; appointments of members; concerning the Kansas governmental operations accountability law; amending K.S.A. 32-801, 74-2613, 74-5002f, 74-6502, 75-3702a, 75-4503, 75-5001, 75-5101, 75-5203, 75-5301, 75-5601, 75-5701 and 75-5903 and K.S.A. 2000 Supp. 2-1904, 74-560 and 74-5202 and repealing the existing sections.

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

Section 1. K.S.A. 74-6502 is hereby amended to read as follows: 74-6502. (a) The advisory committee shall consist of seven members. No more than four members shall be members of the same political party. Subject to the provisions of K.S.A. ~~1992 Supp. 75-4315c, and amendments thereto~~, each congressional district in the state of Kansas shall be represented on the advisory committee by at least one member who is a resident of the district at the time of appointment and the remainder shall represent the state at large. Advisory committee members shall be appointed by the governor. A person appointed to fill a vacancy which occurs prior to the expiration of a term shall be appointed for the unexpired term. *Except as provided by subsection (b)*, each member of the committee shall be appointed for a three-year term.

(b) *The terms of all members of the committee shall expire on June 30, 2001. Of the members appointed to fill vacancies due to expiration of terms on June 30, 2001, two shall be appointed to terms of one year, two shall be appointed for terms of two years and three shall be appointed for*

*terms of three years. Thereafter members shall be appointed for terms of three years and until successors are appointed and qualified.*

*Nothing in this subsection shall be construed as prohibiting the reappointment of members of the committee who had been appointed prior to the effective date of this act.*

Sec. 2. K.S.A. 2000 Supp. 74-5202 is hereby amended to read as follows: 74-5202. (a) There is hereby created a Kansas arts commission which shall be composed of twelve members to be appointed by the governor ~~and to serve. Except as provided by subsection (b), members shall be appointed~~ for terms of three years. Upon expiration of the term of each member serving on the commission on the effective date of this act, the governor shall appoint a successor for a term of three years. Members serving on the commission on the effective date of this act may be reappointed to a term of three years. Members may not serve more than two terms and are not eligible for reappointment following the end of their second term of office. The commission shall have a chairperson, vice-chairperson, and secretary-treasurer, which officers shall be designated by the governor from the membership of the commission. The commission shall meet upon call of the chairperson, but at least once each quarter. Members of the Kansas arts commission attending meetings of such commission, or attending a subcommittee meeting thereof authorized by such commission, shall be paid compensation, subsistence allowances, mileage and other expenses as provided in K.S.A. 75-3223, and amendments thereto. Employment by the state, or any instrumentality or subdivision of the state, shall not prevent any person from accepting appointment to and serving on the commission.

(b) *The terms of all members of the commission shall expire on June 30, 2001. Of the members appointed due to expiration of terms on June 30, 2001, four members shall be appointed for terms of one year, four members shall be appointed for terms of two years and four members shall be appointed for terms of three years. Thereafter, members shall be appointed for terms of three years and until successors are appointed and qualified.*

*Nothing in this subsection shall be construed as prohibiting the reappointment of members of the commission who had been appointed prior to the effective date of this act except no member may be appointed to serve more than seven consecutive years.*

Sec. 3. K.S.A. 2000 Supp. 2-1904 is hereby amended to read as follows: 2-1904. (a) There is hereby established, to serve as an agency of the state and to perform the functions conferred upon it in this act, the state conservation commission. The state conservation commission shall succeed to all the powers, duties and property of the state soil conservation committee. The commission shall consist of nine members. ~~The following shall serve, ex officio, as members of the commission and shall hold office so long as they shall retain the office by virtue of which they shall be serving on the commission; as follows:~~

(1) The director of the cooperative extension service and the director of the state agricultural experiment station ~~or their designees~~ located at Manhattan, Kansas, ~~or such persons' designees shall serve, ex officio, as members of the commission.~~

(2) The commission shall ~~invite request~~ the secretary of agriculture of United States of America to appoint one person and the ~~Kansas state board secretary of the Kansas department~~ secretary of the Kansas department of agriculture to appoint one person, each of whom shall be residents of the state of Kansas to serve ~~with the above-mentioned members as a member as members of the commission.~~ These members shall hold office for four years and until a successor is appointed and qualifies, with terms commencing on the second Monday in January beginning in 1973.

(3) Five members of the state commission shall be elected by the conservation district supervisors at a time and place to be designated by the state conservation commission. The method of electing *such* members to be conducted as follows: The state is to be divided into five ~~(5)~~ separate areas. Area No. I to include the following counties: Cheyenne, Rawlins, Decatur, Norton, Phillips, Smith, Osborne, Rooks, Graham, Sheridan, Thomas, Sherman, Wallace, Logan, Gove, Trego, Ellis and Russell. Area No. II to include: Greeley, Wichita, Scott, Lane, Ness, Rush, Pawnee, Hodgeman, Finney, Kearny, Hamilton, Edwards, Ford, Gray, Haskell, Grant, Stanton, Morton, Stevens, Seward, Meade, Clark, Comanche and Kiowa. Area No. III to include: Jewell, Republic, Mitchell, Cloud, Lincoln, Ottawa, Ellsworth, Saline, Rice, McPherson, Reno, Harvey, Kingman, Sedgwick, Sumner, Harper, Barber, Pratt, Barton and Stafford. Area No. IV to include: Washington, Marshall, Nemaha, Brown, Doniphan,

Clay, Riley, Pottawatomie, Jackson, Atchison, Jefferson, Leavenworth, Wyandotte, Johnson, Douglas, Shawnee, Wabaunsee, Geary, Dickinson, Morris, Osage, Franklin and Miami. Area No. V to include: Marion, Chase, Lyon, Coffey, Anderson, Linn, Bourbon, Allen, Woodson, Greenwood, Butler, Elk, Wilson, Neosho, Crawford, Cowley, Chautauqua, Montgomery, Labette and Cherokee. Areas II and IV will elect in even number years and Areas I, III and V shall elect in odd number years for two year terms. The elected commission members from Areas I, III and V shall take office on January 1, of the even number years. The remaining two elected members of the state commission from Areas II and IV shall take office on January 1, of the odd number years. The method of election is to be by area caucus of the district supervisors of each of the five separate areas of Kansas. The commission shall give each district notice of the time and place of such annual election meeting by letter if a member is to be elected to the commission from that area that year. The selection of a successor to fill an unexpired term shall be by appointment by the commission. The successor who is appointed to fill the unexpired term shall be a resident of the same area as that of the predecessor.

(b) The commission shall keep a record of its official actions, shall adopt a seal which seal shall be judicially noticed, and may perform such acts, hold such public hearings and adopt rules and regulations necessary for the execution of its functions under this act.

(b)(c) The state conservation commission may employ an administrative officer and such technical experts as it may require and shall determine their qualifications and duties. Such officer and experts shall be in the unclassified service of the Kansas civil service act and shall receive annual salaries fixed by the commission and approved by the state finance council. All other agents and employees, permanent or temporary, required by the state conservation commission, shall be within the classified service of the Kansas civil service act. The commission may call upon the attorney general of the state for such legal services as it may require. It shall have authority to delegate to its chairperson, to one or more of its members or to one or more agents or employees, such powers and duties as it deems proper. It shall be supplied with suitable office accommodations at the state capital, and shall be furnished with the necessary supplies and equipment. Upon request of the commission, for the purpose of carrying out any of its functions, the supervising officer of any state agency or of any state institution of learning, insofar as may be possible under available appropriations and having due regard to the needs of the agency to which the request is directed, shall assign or detail to the commission members of the staff or personnel of such agency or institution of learning and make such special reports, surveys or studies as the commission may request.

(e)(d) The commission shall designate its chairperson and, from time to time, may change such designation. A majority of the commission shall constitute a quorum, and the concurrence of a majority in any matter within their duties shall be required for its determination. Members of the state conservation commission attending meetings of such commission or attending a subcommittee meeting thereof authorized by such commission shall be paid compensation, subsistence allowances, mileage and other expenses as provided in K.S.A. 75-3223, and amendments thereto. The commission shall provide for keeping of a full and accurate record of all proceedings and of all resolutions, regulations and orders issued or adopted.

(e)(e) In addition to the duties and powers hereinafter conferred upon the state conservation commission, it shall have the following duties and powers:

(1) To offer such assistance as may be appropriate to the supervisors of conservation districts, organized as provided hereinafter, in the carrying out of any of their powers and programs;

(2) to keep the supervisors of each of the several districts organized under the provisions of this act informed of the activities and experience of all other districts organized hereunder and to facilitate an interchange of advice and experience between such districts and cooperation between them;

(3) to coordinate the programs of the several conservation districts organized hereunder;

(4) to secure the cooperation and assistance of the United States and any of its agencies and of agencies of this state, in the work of such districts and to contract with or to accept donations, grants, gifts and contributions in money, services or otherwise from the United States or any of its agencies or from the state or any of its agencies in order to carry out the purposes of this act;

(5) to disseminate information throughout the state concerning the activities and programs of the conservation districts organized hereunder and to encourage the formation of such districts in areas where their organization is desirable;

(6) to cooperate with and give assistance to watershed districts and other special purpose districts in the state of Kansas for the purpose of cooperating with the United States through the secretary of agriculture in the furtherance of conservation pursuant to the provisions of the watershed protection and flood prevention act, as amended;

(7) to cooperate in and carry out, in accordance with state policies, activities and programs to conserve and develop the water resources of the state and maintain and improve the quality of such water resources;

(8) to enlist the cooperation and collaboration of state, federal, regional, interstate, local, public and private agencies with the conservation districts; and

(9) to facilitate arrangements under which conservation districts may serve county governing bodies and other agencies as their local operating agencies in the administration of any activity concerned with the conservation of natural resources.

(e) ~~The provisions of the Kansas governmental operations accountability law apply to the state conservation commission and the commission is subject to audit, review and evaluation under such law.~~

Sec. 4. K.S.A. 32-801 is hereby amended to read as follows: 32-801. (a) In order to reorganize the administration, planning and regulation of the state's parks, wildlife and other natural resources, there is hereby established within the executive branch of government the Kansas department of wildlife and parks, which shall be administered under the direction and supervision of a secretary of wildlife and parks who shall be appointed by the governor, with the consent of the senate as provided in K.S.A. 75-4315b and amendments thereto.

(b) The secretary shall be fully qualified by education, training and experience in wildlife, parks or natural resources, or a related field, and shall have a demonstrated executive and administrative ability to discharge the duties of the office of secretary. The secretary shall serve at the pleasure of the governor. The secretary shall be in the unclassified service under the Kansas civil service act and shall receive an annual salary to be fixed by the governor.

(c) ~~The provisions of the Kansas governmental operations accountability law apply to the office of secretary of wildlife and parks and the Kansas department of wildlife and parks, and the office and department are is subject to audit, review and evaluation under such law.~~

Sec. 5. K.S.A. 2000 Supp. 74-560 is hereby amended to read as follows: 74-560. (a) On and after the effective date of this act, in order to reorganize the administration, planning and regulation of the state's agriculture industry there is hereby established within the executive branch of government the Kansas department of agriculture, which shall be administered under the direction and supervision of a secretary of agriculture.

(b) The state board of agriculture, established pursuant to K.S.A. 2000 Supp. 74-562, shall nominate three individuals to the governor for the appointment as secretary of agriculture. The governor either shall select and appoint a person nominated to be secretary or shall reject the nominations and request the board to nominate three new individuals for the appointment as secretary. Upon receipt of any such request for the nomination of three new individuals, the board shall nominate three new individuals for the appointment as secretary in the same manner. The nominees shall have a demonstrated executive and administrative ability to discharge the duties of the office of secretary. Every appointed secretary of agriculture shall be appointed subject to confirmation by the senate as provided in K.S.A. 75-4315b, and amendments thereto. The secretary shall be a member of the governor's cabinet. The secretary shall serve at the pleasure of the governor. The secretary shall be in the unclassified service under the Kansas civil service act and shall receive an annual salary to be fixed by the governor. The acting secretary of agriculture who is serving as the secretary on the effective date of this act shall be the secretary of agriculture as established by this act, shall serve at the pleasure of the governor and shall be subject to confirmation by the senate as provided in K.S.A. 75-4315b, and amendments thereto. Any action of the Senate taken prior to the effective date of this act which confirms an individual as the secretary of agriculture is hereby validated and shall constitute confirmation by the Senate of such individual as secretary of agriculture under this section.

(continued)

(c) The secretary shall organize an annual public informational meeting. The meeting shall take place in each congressional district on a rotating basis.

(d) The provisions of the Kansas governmental operations accountability law apply to the office of secretary of agriculture and the Kansas department of agriculture, and the office and department are subject to audit, review and evaluation under such law.

Sec. 6. K.S.A. 74-2613 is hereby amended to read as follows: 74-2613. (a) There is hereby established within the executive branch of government the Kansas water office, which shall be administered under the direction and supervision of the director of the Kansas water office. The director of the Kansas water office shall be appointed by the governor, subject to confirmation by the senate as provided in K.S.A. 75-4315b, and amendments thereto. Except as otherwise provided by this section, the director of the Kansas water office shall be in the unclassified service under the Kansas civil service act, shall serve at the pleasure of the governor and shall receive an annual salary fixed by the governor. The provision of this act shall not affect the term of office of the director of the Kansas water office serving in such office on the day preceding the effective date of this act and such term of office shall expire on June 30, 1988, in accordance with the provisions of this section prior to amendment by this act.

(b) All budgeting, purchasing and related management functions of the Kansas water office shall be administered under the direction and supervision of the director of the Kansas water office.

(c) All vouchers for expenditures from appropriations to or for the Kansas water office shall be approved by the director of the Kansas water office or a person or persons designated by the director for such purpose.

(d) The provisions of the Kansas governmental operations accountability law apply to the office of director of the Kansas water office and the Kansas water office, and the office and department are subject to audit, review and evaluation under such law.

Sec. 7. K.S.A. 74-5002f is hereby amended to read as follows: 74-5002f. (a) In order to reorganize the administration and planning of housing related issues within the state, there is hereby established the department of commerce and housing, the head of which shall be the secretary of commerce and housing. The secretary of commerce and housing shall be appointed by the governor. When the governor appoints a secretary of commerce and housing that is an individual other than the individual that was confirmed by the senate in 1990 as secretary of commerce, the secretary of commerce and housing shall be subject to confirmation by the senate pursuant to K.S.A. 75-4315b, and amendments thereto. The secretary shall be in the unclassified service under the Kansas civil service act.

(b) The provisions of the Kansas governmental operations law apply to the department and the department is subject to audit, review and evaluation under such law.

Sec. 8. K.S.A. 75-3702a is hereby amended to read as follows: 75-3702a. (a) There is hereby created a department of administration, the head of which shall be the secretary of administration. The governor shall appoint the secretary of administration, subject to confirmation by the senate as provided in K.S.A. 75-4315b, and amendments thereto. The secretary of administration shall serve at the pleasure of the governor. The department of administration shall be administered under the direction and supervision of the secretary of administration. The secretary of administration shall receive an annual salary fixed by the governor.

(b) The provisions of the Kansas governmental operations accountability law apply to the office of secretary of administration and the department of administration, and the office and department are subject to audit, review and evaluation under such law.

Sec. 9. K.S.A. 75-4503 is hereby amended to read as follows: 75-4503. (a) There is hereby created the capitol area security patrol which shall be under the supervision and management of the superintendent of the highway patrol.

(b) Members of the capitol area security patrol shall have the powers and authority of peace, police and law enforcement officers while wearing the prescribed badge of office and while on duty in Shawnee county, Kansas.

(c) All persons arrested by a member of the capitol area security patrol shall be turned over to the Shawnee county department of corrections to be dealt with in the same manner as other persons turned over to such department, except in cases of violation of the ordinances of the

city of Topeka, any such person may be turned over to the police department of the city of Topeka to be dealt with by it in the same manner as other persons arrested by police officers of the Topeka police department.

(d) The provisions of the Kansas governmental operations accountability law apply to the capitol area security patrol and the patrol is subject to audit, review and evaluation under such law.

Sec. 10. K.S.A. 75-5001 is hereby amended to read as follows: 75-5001. (a) In order to coordinate the planning, development and operation of the various modes and systems of transportation within this state, there is hereby established a department of transportation, which shall be administered under the direction and supervision of the secretary of transportation. The secretary of transportation shall be appointed by the governor, subject to confirmation by the senate as provided in K.S.A. 75-4315b, and amendments thereto, and shall serve at the pleasure of the governor. The secretary shall receive an annual salary fixed by the governor.

(b) The provisions of the Kansas governmental operations accountability law apply to the office of secretary of transportation and the department of transportation, and the office and department are subject to audit, review and evaluation under such law.

Sec. 11. K.S.A. 75-5101 is hereby amended to read as follows: 75-5101. (a) There is hereby created a department of revenue, the head of which shall be the secretary of revenue. The governor shall appoint the secretary of revenue, subject to confirmation by the senate as provided in K.S.A. 75-4315b, and amendments thereto, and the secretary shall serve at the pleasure of the governor. The department of revenue created by this act shall be administered under the direction and supervision of the secretary of revenue. The secretary of revenue shall receive an annual salary fixed by the governor.

(b) The provisions of the Kansas governmental operations accountability law apply to the office of secretary of revenue and the department of revenue, and the office and department are subject to audit, review and evaluation under such law.

Sec. 12. K.S.A. 75-5203 is hereby amended to read as follows: 75-5203. (a) There is hereby established the department of corrections, the chief executive officer of which shall be the secretary of corrections. The secretary shall be appointed by the governor, subject to confirmation by the senate as provided in K.S.A. 75-4315b, and amendments thereto, and shall serve at the pleasure of the governor. In case of a vacancy in the office of secretary, the governor shall appoint a successor in the manner that the original appointment was made. The secretary shall receive an annual salary fixed by the governor, which shall be payable in equal monthly installments. In addition, the secretary shall be entitled to receive actual and necessary traveling and subsistence expenses incurred in the performance of the secretary's official duties.

(b) Except as provided by subsection (c), no person shall be eligible for appointment to, or hold the position of, secretary of corrections unless such person:

(1) Has had at least five years' experience in the field of corrections or as an executive officer in the administration of federal or state penal or correctional institutions; or

(2) (A) has had at least three years' experience in the field of corrections or as an executive officer in the administration of federal or state penal or correctional institutions; and (B) has a degree from an accredited college or university, which degree is based on penology or a related field as a major of study; or

(3) (A) has had at least five years' experience as a federal, appellate or district judge or federal, district or county prosecutor, five years' experience in military administration or administration of a criminal justice agency or five years' administrative experience treating criminal offenders through programs involving penal custody, parole, probation and sentencing; (B) has a degree from an accredited college or university, which degree is in a social or behavioral science, penology, corrections, criminal justice, police science, criminology, public administration, local corrections programs or a related field; and (C) has demonstrated administrative ability and leadership.

(c) If the governor is unable to appoint a person as secretary who possesses the qualifications required by subsection (b), the governor may appoint a person without such qualifications as acting secretary, who shall be subject to confirmation by the senate as provided in K.S.A. 75-4315b, and amendments thereto, and shall serve at the pleasure of the governor.

(d) Before entering upon the duties of the office, the secretary shall take and subscribe an oath to faithfully and honestly discharge the duties of the office to the best of the secretary's knowledge and ability.

(e) The provisions of the Kansas governmental operations accountability law apply to the office of secretary of corrections and the department of corrections, and the office and department are subject to audit, review and evaluation under such law.

Sec. 13. K.S.A. 75-5301 is hereby amended to read as follows: 75-5301. (a) There is hereby created a department of social and rehabilitation services, the head of which shall be the secretary of social and rehabilitation services. The governor shall appoint the secretary of social and rehabilitation services, subject to confirmation by the senate as provided in K.S.A. 75-4315b, and amendments thereto, and the secretary shall serve at the pleasure of the governor. The department of social and rehabilitation services created by this order shall be administered under the direction and supervision of the secretary of social and rehabilitation services. The secretary of social and rehabilitation services shall receive an annual salary fixed by the governor.

(b) The provisions of the Kansas governmental operations accountability law apply to the office of the secretary of social and rehabilitation services and the department of social and rehabilitation services, and the office and department are subject to audit, review and evaluation under such law.

Sec. 14. K.S.A. 75-5601 is hereby amended to read as follows: 75-5601. (a) There is hereby created a department of health and environment, the head of which shall be the secretary of health and environment, which office is hereby created. The governor shall appoint the secretary of health and environment, subject to confirmation by the senate as provided in K.S.A. 75-4315b, and amendments thereto, and the secretary shall serve at the pleasure of the governor. The department of health and environment shall consist of the division of health and the division of environment. The secretary of health and environment shall receive an annual salary fixed by the governor.

(b) The provisions of the Kansas governmental operations accountability law apply to the office of secretary of health and environment and the department of health and environment, and the office and department are subject to audit, review and evaluation under such law.

Sec. 15. K.S.A. 75-5701 is hereby amended to read as follows: 75-5701. (a) There is hereby established a department of human resources. The department shall be administered under the direction and supervision of the secretary of human resources who shall be appointed by the governor, subject to confirmation by the senate as provided in K.S.A. 75-4315b, and amendments thereto, and who shall serve at the pleasure of the governor. The secretary shall be in the unclassified service under the Kansas civil service act and shall receive an annual salary fixed by the governor.

(b) The provisions of the Kansas governmental operations accountability law apply to the office of secretary of human resources and the department of human resources, and the office and department are subject to audit, review and evaluation under such law.

Sec. 16. K.S.A. 75-5903 is hereby amended to read as follows: 75-5903. (a) There is hereby created a department on aging. The department on aging shall be administered under the direction and supervision of the secretary of aging. The secretary shall be appointed by the governor, subject to confirmation by the senate as provided in K.S.A. 75-4315b, and amendments thereto, and shall serve at the pleasure of the governor. In appointing the secretary, the governor shall consider, but is not limited to, persons suggested by the council and persons with responsible administrative experience in the field of gerontology. The secretary shall be in the unclassified service under the Kansas civil service act and shall receive an annual salary fixed by the governor.

The department on aging shall be the single state agency for receiving and disbursing federal funds made available under the federal older Americans act (public law 89-73) and any amendments thereto or other federal programs for the aging.

(b) The provisions of the Kansas governmental operations accountability law apply to the office of secretary of aging and the department on aging, and the office and department are subject to audit, review and evaluation under such law.

Sec. 17. K.S.A. 32-801, 74-2613, 74-5002f, 74-6502, 75-3702a, 75-4503, 75-5001, 75-5101, 75-5203, 75-5301, 75-5601, 75-6701 and 75-5903 and K.S.A. 2000 Supp. 2-1904, 74-560 and 74-5202 are hereby repealed.

Sec. 18. 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*.

**AGENCY 1: DEPARTMENT OF ADMINISTRATION**

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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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3-2-1	New	V. 19, p. 1016
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
4-7-213	Amended	V. 19, p. 117
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
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4-8-29	Amended	V. 19, p. 1680
4-8-32	Amended	V. 19, p. 1680
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4-8-41	Amended	V. 19, p. 1680
4-8-42	New	V. 19, p. 1680
4-10-2j	Amended	V. 20, p. 431
4-10-5	Amended	V. 20, p. 430
4-10-5a	New	V. 20, p. 431

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5-1-12	New	V. 19, p. 1480-1483
5-2-3	New	V. 19, p. 1484
5-3-1a	New	V. 19, p. 1484
5-3-4b	Amended	V. 19, p. 1484
5-3-4c	New	V. 19, p. 1484
5-3-4d	New	V. 19, p. 1485
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5-3-5d	Amended	V. 19, p. 1485
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5-3-5n	New	V. 19, p. 1485, 1486

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5-3-28	New	V. 19, p. 1490-1493
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5-5-6	Amended	V. 19, p. 1495
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5-5-16	New	V. 19, p. 1496
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5-21-9	New	V. 19, p. 1510
5-23-1	Amended	V. 19, p. 1510

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5-23-3	Amended	V. 19, p. 1511	28-17-15	Amended	V. 19, p. 1190	36-15-23	Revoked	V. 19, p. 1622
5-23-3a	New	V. 19, p. 1511	28-19-202	Amended	V. 20, p. 322	36-34-1	Revoked	V. 19, p. 1622
5-23-4	Amended	V. 19, p. 1512	28-19-717	New	V. 19, p. 1932	<b>AGENCY 40: KANSAS INSURANCE DEPARTMENT</b>		
5-23-4a	Amended	V. 19, p. 1513	28-19-729	New	V. 19, p. 565	<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>
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5-23-14	New	V. 19, p. 1514	28-19-729h	New	V. 19, p. 566-569	40-3-27	Revoked	V. 19, p. 680
5-23-15	New	V. 19, p. 1514	28-29-1100	through		40-3-32	Amended	V. 19, p. 303
5-25-4	Amended	V. 20, p. 294	28-29-1107	New	V. 19, p. 941-943	40-3-45	Amended	V. 19, p. 303
5-40-1	Amended	V. 19, p. 1514	28-34-1a	Amended	V. 20, p. 105	40-3-49	Amended	V. 19, p. 303
5-40-4	Amended	V. 19, p. 1515	28-34-6a	Amended	V. 20, p. 106	40-4-35	Amended	V. 19, p. 1853
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5-40-16	New	V. 19, p. 1515	28-34-27	Revoked	V. 20, p. 323	49-45-4a	Amended	V. 19, p. 504
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5-45-1	Amended	V. 19, p. 1517	28-34-51	Amended	V. 20, p. 454	49-45-29	through	
5-45-4	Amended	V. 19, p. 1518	28-34-52	Revoked	V. 20, p. 455	49-45-34	New	V. 19, p. 505
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5-45-18	New	V. 19, p. 1518	28-34-53	Amended	V. 20, p. 456	49-45a-27	Revoked	V. 19, p. 506
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5-46-3	New	V. 19, p. 1519	28-34-55	Revoked	V. 20, p. 457	49-47-1	Amended	V. 19, p. 507
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7-25-1	Amended	V. 20, p. 325	28-34-58	Revoked	V. 20, p. 458	49-49-1a	New	V. 19, p. 508
7-26-1	Amended	V. 20, p. 325	28-34-58a	New	V. 20, p. 458	49-50-1	through	
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28-4-503	Amended	V. 19, p. 423	28-68-1	Amended	V. 19, p. 1934	50-1-3	Amended	V. 20, p. 138
28-4-504	Amended	V. 19, p. 423	28-68-2	Amended	V. 19, p. 1934	50-1-4	Amended	V. 20, p. 138
28-4-505	Amended	V. 19, p. 423	28-68-3	Amended	V. 19, p. 1935	50-2-1	Amended	V. 20, p. 139
28-4-513	Amended	V. 19, p. 423	28-68-6	Amended	V. 19, p. 1936	50-2-3	Amended	V. 20, p. 139
28-4-530	Revoked	V. 19, p. 423	28-72-51	through		50-2-9	Revoked	V. 20, p. 140
28-4-531	Revoked	V. 19, p. 423	28-72-54	New	V. 19, p. 989, 990	50-2-12	Amended	V. 20, p. 140
28-10-15	through		<b>AGENCY 30: SOCIAL AND REHABILITATION SERVICES</b>			50-2-17	Amended	V. 20, p. 140
28-10-35	Revoked	V. 20, p. 322	<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>	50-2-18	Amended	V. 20, p. 140
28-10-37	Revoked	V. 20, p. 322	30-4-50	Amended	V. 19, p. 1548	50-2-19	Amended	V. 20, p. 140
28-10-38	Revoked	V. 20, p. 322	30-5-59	Amended	V. 19, p. 1548	50-2-21	Amended	V. 20, p. 141
28-10-39	Revoked	V. 20, p. 322	30-5-64	Amended	V. 19, p. 1549	50-2-26	Amended	V. 20, p. 143
28-10-75	through		30-5-81	Amended	V. 19, p. 1587	50-3-1	through	
28-10-88	Revoked	V. 20, p. 322	30-5-309	Amended	V. 19, p. 988	50-3-5	Amended	V. 20, p. 143-145
28-10-100	through		30-10-21	Amended	V. 19, p. 1550	<b>AGENCY 36: DEPARTMENT OF TRANSPORTATION</b>		
28-10-108	Revoked	V. 20, p. 322	<b>AGENCY 36: DEPARTMENT OF TRANSPORTATION</b>			<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>
28-16-28b	Amended	V. 19, p. 1720	36-2-3	Revoked	V. 19, p. 1449	36-2-3	Revoked	V. 19, p. 1449
28-16-28e	Amended	V. 19, p. 1723	36-2-4	Revoked	V. 19, p. 1449	36-2-6	Revoked	V. 19, p. 1449
28-16-57	Revoked	V. 20, p. 322	36-2-8	through		36-2-8	through	
28-16-76	through		36-2-13	Revoked	V. 19, p. 1449			
28-16-79	Revoked	V. 20, p. 322						
28-16-82	Revoked	V. 20, p. 322						



50-4-2 Amended V. 20, p. 146

**AGENCY 60: BOARD OF NURSING**

Reg. No.	Action	Register
60-4-101	Amended	V. 20, p. 449
60-6-101	Amended	V. 19, p. 344
60-7-102	Amended	V. 20, p. 449
60-7-108	Amended	V. 20, p. 449
60-8-101	Amended	V. 20, p. 449
60-9-105	Amended	V. 20, p. 449
60-9-106	Amended	V. 20, p. 450
60-11-101	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
60-11-119	Amended	V. 20, p. 451
60-13-101	Amended	V. 20, p. 451
60-16-104	Amended	V. 20, p. 451
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
63-5-1	Amended	V. 19, p. 2028
63-6-1	Amended	V. 19, p. 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
82-4-31a	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

(continued)

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 93: DEPARTMENT OF REVENUE—DIVISION OF PROPERTY VALUATION

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

AGENCY 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
111-2-119 through 111-2-124	New	V. 20, p. 416-419
111-3-12	Amended	V. 20, p. 40
111-4-1795 through 111-4-1813	New	V. 20, p. 40-47
111-4-1814 through 111-4-1823	New	V. 20, p. 419-427
111-5-23	Amended	V. 20, p. 428
111-5-24	Amended	V. 20, p. 428
111-5-27	Amended	V. 20, p. 429
111-7-123	Amended	V. 20, p. 48
111-7-134	Amended	V. 20, p. 429
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

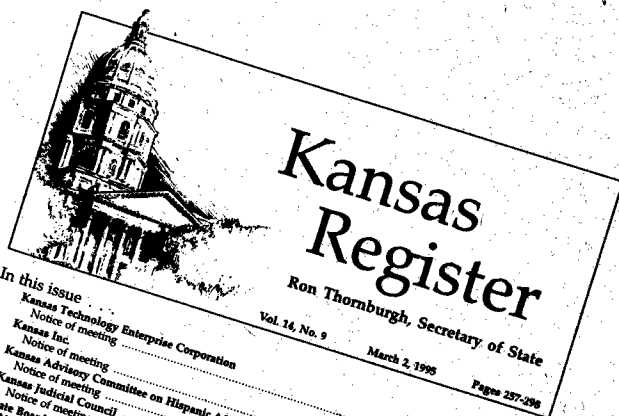
AGENCY 115: DEPARTMENT OF WILDLIFE AND PARKS

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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