



Kansas Register

Ron Thornburgh, Secretary of State

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State of Kansas

Board of Examiners in Optometry

Notice of Hearing on Proposed
Administrative Regulations

A public hearing will be conducted at 9 a.m. Thursday, January 24, in the conference room of Suite 303, 555 S. Kansas Ave., Topeka, to consider the adoption of proposed changes to a rule and regulation of the Kansas Board of Examiners in Optometry.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed rule and regulation. All parties may submit written comments prior to the hearing to the secretary-treasurer of the Kansas State Board of Examiners in Optometry, 3111 W. 6th, Suite A, Lawrence, 66049. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulation during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request each participant to limit any oral presentation to five minutes.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulation and economic impact statement in an accessible format. Requests for accommodation should be made at least five working days

in advance of the hearing by contacting Frieden, Haynes & Forbes at (785) 232-7266. Handicapped parking is located at the east end of the building, and the street entrance to the building is accessible to individuals with disabilities.

This regulation is proposed for adoption on a permanent basis. This regulation is not mandated by federal law as a requirement for participating in or implementing a federally subsidized or assisted program. A summary of the regulation and its economic impact follows.

K.A.R. 65-4-3. This regulation increases the fees for the license issued by examination and, if necessary, each subsequent retaking of the examination, plus the renewal fee upon second and each subsequent notice to renew license before the expiration date.

The only cost will be borne by optometrists, not by the agency proposing the regulation, nor any other governmental agencies or units, nor any private citizens. This is not an environmental regulation.

Copies of the regulation and its economic impact statement may be obtained by writing to the secretary-treasurer of the Kansas State Board of Examiners in Optometry at the address above.

Sharon Green, O.D.
Executive Secretary

Doc. No. 027300

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State of Kansas

Commission on Veterans' Affairs

Notice of Change in Meeting Date

The Kansas Commission on Veterans' Affairs will meet at 1 p.m. Friday, November 30, at the Kansas Veterans' Home, 1220 WWII Memorial Drive, Winfield. This meeting has been rescheduled from November 16. The public is invited to attend. For further information, call (785) 296-3976.

Stoney Wages
Executive Director

Doc. No. 027285

State of Kansas

Advisory Committee on Trauma

Notice of Meeting

The Advisory Committee on Trauma will meet from 10 a.m. to 3 p.m. Wednesday, November 28, at the Kansas Medical Society, 623 S.W. 10th Ave., Topeka. For further information, contact the KDHE Office of Local and Rural Health at (785) 296-1200.

Clyde D. Graeber
Secretary of Health
and Environment

Doc. No. 027288

State of Kansas

Legislature

Interim Committee Schedule

The following committee meetings have been scheduled during the period of November 26-December 9. Requests for accommodation to participate in committee meetings should be made at least two working days in advance of the meeting by contacting Legislative Administrative Services at (785) 296-2391 or TTY (785) 296-8430. When available, agendas can be found at <http://skyways.lib.ks.us/ksleg/KLRD/klrd.html>.

Date	Room	Time	Committee	Agenda
November 26	519-S	10:00 a.m.	Joint Committee on Arts and Cultural Resources	Review of 2003 agency budgets and related matters.
November 27		Canceled		
November 27	313-S	10:00 a.m.	Special Committee on Redistricting	Review and consideration of redistricting plans.
November 28	313-S	9:00 a.m.		
November 27		10:00 a.m.	Senate Republican Caucus in 521-S; Senate Republican Staff in 459-E; Senate Democratic Caucus in 347-N; or Senate Democratic Staff in 443-N; KLRD Staff in 545-N; House Republican Caucus in 170-W; House Republican Staff in 330-N; House Democratic Caucus in 327-S; House Democratic Staff in 502-S; KLRD Staff in 528-S.	Caucus meetings and work with caucus and KLRD staff on plans for legislative districts.
November 28	514-S	10:00 a.m.	Legislative Budget Committee	Estimates for general and supplemental state aid for local school districts; SRS and Dept. on Aging caseload estimates; state general fund consensus estimates; committee discussion and recommendations on all assigned interim topics.
November 29	514-S	9:00 a.m.		
November 29	231-N	9:00 a.m.	Joint Committee on Children's Issues	28th: Children's Cabinet, Smart Start and responses to. 29th: Committee discussion of recommendations.
November 29	531-N	9:00 a.m.	Special Claims Against the State	Claims filed to date.
November 30	531-N	9:00 a.m.		
December 3	519-S	9:00 a.m.	Legislative Post Audit	Agenda not available.
December 3	531-N	10:00 a.m.	Health Care Stabilization Fund Oversight	Agenda not available.
December 4	123-S	10:00 a.m.	Joint Committee on Pensions, Investments and Benefits	4th: COLA study; preliminary actuarial audit results. 5th: Other topics to be determined.
December 5	123-S	9:00 a.m.		

Jeff Russell
Director of Legislative
Administrative Services

Doc. No. 027297

State of Kansas

Board of Adult Care Home Administrators**Notice of Meeting**

The Complaint Investigatory Committee of the Board of Adult Care Home Administrators will meet at 11 a.m. Friday, December 14, in Classroom B of the Wheatland Habilitation Center, Kansas Neurological Institute, 21st and Oakley, Topeka. The regular quarterly meeting of the board will follow at 1 p.m.

Lesa Roberts, Director
Health Occupations Credentialing

Doc. No. 027289

State of Kansas

Board of Emergency Medical Services**Notice of Meeting**

The Board of Emergency Medical Services will meet at 9 a.m. Friday, December 7, in the Centennial Room of the Pozez Education Center, Stormont-Vail Medical Center, 1500 S.W. 10th Ave., Topeka. Committee meetings will begin at 10 a.m. Thursday, December 6.

Agenda items include an office update; committee reports and possible action; EMS Summit-KRHOP; EMSC grant update; Advisory Committee on Trauma update; FY 2002/2003 budget update; and board meeting dates, times and locations for 2002.

All meetings of the board are open to the public. For more information, contact the administrator at 109 S.W. 6th, Topeka, 66603, (785) 296-6237.

David Lake
Administrator

Doc. No. 027284

State of Kansas

Department of Human Resources**Public Notice**

The Local Workforce Investment Board Area V is currently accepting letters of intent to become certified as a One-Stop Center in Workforce Investment Area V. Area V consists of the following 17 counties in Southeast Kansas: Allen, Anderson, Bourbon, Chautauqua, Cherokee, Coffey, Crawford, Elk, Greenwood, Labette, Linn, Lyon, Miami, Montgomery, Neosho, Wilson and Woodson. At a minimum, the letters will include the following information: physical location of the One-Stop, contact person and phone number, services provided as part of the One-Stop system in Local Workforce Area V, and memorandums of understanding from the 12 required partners as listed in the Workforce Investment Act.

Additional information pertaining to the Letter of Intent may be obtained by contacting the Local Workforce Investment Area V administrative office, 320 N. Locust, Pittsburg, 66762, (620) 232-2620. Contact persons are Jim Stowell or Jon Pettus. All Letters of Intent must be received in the administrative office by December 21.

Richard E. Beyer
Secretary of Human Resources

Doc. No. 027298

State of Kansas

Kansas Development Finance Authority**Notice of Hearing**

A public hearing will be conducted at 9 a.m. Thursday, December 6, in the offices of the Kansas Development Finance Authority, 555 S. Kansas Ave., Suite 202, Topeka, on the proposal for the Kansas Development Finance Authority to issue its Agricultural Development Revenue Bonds for the projects numbered below in the respective maximum principal amount. The bonds will be issued to assist the respective borrower named below (who will be the owner and operator of the project) to finance the cost in the amount of the bond of acquiring the project or for the purpose of refunding a bond previously issued to finance the project. The projects shall be located as shown:

Project No. 000515—Maximum Principal Amount: \$96,000. Owner/Operator: Paul B. and Cynthia L. Hershberger. Description: Acquisition of 120 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 north 120 acres in the Northeast Quarter of Section 3, Township 25 South, Range 7 West, Reno County, Kansas, approximately 4 miles south and .5 mile east of Partridge.

Project No. 000516—Principal Amount: \$148,527.92. Owner/Operator: Rodric E. and Jill A. Berning. Description: Acquisition of 656.72 acres of agricultural land and related improvements and equipment to be used by the owner/operator for farming purposes. The project is located at Section 16, Township 19, Range 34 (296.33 acres), Section 15, Township 19, Range 34 (198.39 acres) and the Northwest Quarter of Section 21, Township 19, Range 34, Scott County, Kansas, approximately 6 miles south of Modoc.

The bonds, 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 they be an indebtedness for which the faith and credit and taxing powers of the State of Kansas are pledged. The bonds 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 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 555 S. Kansas Ave., Suite 202, Topeka, 66603, will be considered. Additional information regarding the projects may be obtained by contacting the Authority.

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

Jack H. Brier
President

Doc. No. 027302

State of Kansas

Kansas Bureau of Investigation

Notice of Hearing on Proposed
Administrative Regulations

A public hearing will be conducted at 9 a.m. Friday, March 1, in the auditorium at the Kansas Bureau of Investigation, 1620 S.W. Tyler, Topeka, to consider adoption of amended rules and regulations of the Kansas Bureau of Investigation in relation to amending the DNA Databank pursuant to K.S.A. 2000 Supp. 21-2511; the implementation of changes regarding the dissemination of conviction records and the right to review and challenge decisions relating to criminal history record information found at K.S.A. 22-4704, 22-4707, 22-4709 and 38-1608; and the implementation of changes regarding the Missing Persons statute found at K.S.A. 75-712b.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed rules and regulations. All interested parties may submit written comments prior to the hearing to Director Larry Welch, c/o Jane Nohr, Assistant Attorney General, Kansas Bureau of Investigation, 1620 S.W. Tyler, Topeka, 66612.

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 Linda Durand at (785) 296-8211 or the Kansas Relay Center at 1-800-766-3777. Handicapped parking is located at the south end of the KBI building, off of Tyler Street.

All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulations during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request each participant limit any oral presentation to 10 minutes.

These regulations are proposed for adoption on a permanent basis. A summary of proposed regulations and their economic impact follows:

10-21-1. Definitions. This definitional section lists and describes terms, agencies and persons involved in the makeup of the DNA databank. It is amended to include K.S.A. 22-4901 et seq. With this section there is no economic impact.

10-21-2. Purpose of DNA identification. The DNA databank is utilized only for identifying investigative leads in criminal investigations, locating missing persons, identifying unknown human remains, for population statistic database, when personal identifiable information is removed, and for research protocol development and quality control, when personal identification is removed. With this section there is no economic impact.

10-21-3. Procedural compatibility with the FBI. (a) The DNA database as established by the KBI shall be compatible with the following documents: "National DNA index system (NDIS), NDIS standards for acceptance of DNA data," dated January 2000; "Quality assurance standards for forensic DNA testing laboratories" effective Oc-

tober 1998; and "Quality assurance standards for convicted offender DNA databasing laboratories," effective April 1999. (b)(1) Each DNA record submitted pursuant to K.S.A. 21-2511 or 22-4901 et seq., and amendments thereto, shall be classified and filed by the KBI for the purposes specified in K.A.R. 10-21-2. (b)(3) If the laboratory is a non-CODIS crime laboratory, the laboratory request shall be submitted in compliance with the procedures specified in the documents adopted in subsection (a). (c) A separate population database comprised of blood samples obtained pursuant to K.S.A. 21-2511 or 22-4901 et seq., and amendments thereto, shall be created by the KBI after all personal identification is removed. With this section there is no economic impact.

10-21-4. Expungement. Adds the expungement provision for a person who has been pardoned by the governor of the state of Kansas pursuant to article 1, section 7 of the Kansas Constitution and any implementing legislation. Adds K.S.A. 22-4901 et seq. to subsection (d). Adds the language in subsection (e) the samples submitted shall be retained if additional offenses require retention pursuant to K.S.A. 21-2511 or 22-4901 et seq., and amendments thereto. With this section there is no economic impact.

10-21-5. Maintenance. Adds K.S.A. 22-4901 et seq. to the DNA records to be treated as confidential. Adds subsection (c) limiting access to blood and saliva samples to only forensic DNA analysis for profiles to be included in the DNA databank. With this section there is no economic impact.

10-21-6. Collection of samples for DNA databank procedures. Adds K.S.A. 22-4901 et seq. and adopts by reference the Kansas Bureau of Investigation DNA collection kit: instructions for collection and submission of DNA databank samples, as well as brings this into statutory compliance. With this section there is no economic impact.

10-12-1. Dissemination of conviction records. This regulation governs the dissemination of conviction records by a criminal justice agency and provides clarification for local law enforcement agencies concerning dissemination of criminal history record information. With this section there is no economic impact.

10-13-1. Right to review and challenge decisions. This regulation governs the inspection and challenge of criminal history record information and juvenile offender information by specifying the procedures for a person to obtain their own criminal history record information or juvenile offender information and allows criminal justice agencies to provide this information by mail or electronic transmission. The regulation retains current language stating that agencies must provide written notification to a person of the right to challenge the record and the procedures for challenging the record. The amended regulation adds additional language requiring that any corrections made to a record must be reported to the KBI. With this section there is no economic impact.

10-20-2a. Procedures for reporting. The rules and regulations are being modified to implement the requirement for the jurisdictional local law enforcement agency receiving initial reports on missing persons to immedi-

(continued)

ately enter the information into the National Crime Information Center (NCIC). After initial entry, all additional information received by the entering agency shall be immediately entered into the base record. A missing person's report shall not be removed from NCIC based solely on age. With this section there is no economic impact.

Copies of the proposed regulations and the associated economic impact statement may be obtained from the Legal Division at the address and phone number given above.

Larry Welch
Director

Doc. No. 027293

State of Kansas

Kansas Military Board

Notice of Meeting

The Kansas Military Board of the Adjutant General's Department will meet at 10 a.m. Wednesday, November 28, at the State Defense Building, Conference Room 102, 2800 S.W. Topeka Blvd., Topeka. An agenda may be obtained by contacting Tracey Talley, State Defense Building, Room 100, 2800 S.W. Topeka Blvd., Topeka, 66611-1287, (785) 274-1004.

Any individual with a disability may request accommodation in order to participate in the meeting. Requests for accommodation should be made at least two working days in advance of the meeting date by contacting Tracey Talley.

Tracey Talley
Executive Secretary to
the Adjutant General

Doc. No. 027283

State of Kansas

Racing and Gaming Commission

Request for Proposals

Grant funds are available from the horse breeding development fund and the greyhound breeding development fund for equine research through institutions of higher education under the State Board of Regents and for greyhound research preferable through institutions of higher education under the State Board of Regents or in association with those institutions (K.S.A. 74-8829 and 74-8831). Those eligible and interested in applying should submit a grant proposal to the Kansas Racing and Gaming Commission at the address below postmarked by January 22. All grant applications submitted for funds must be in compliance with K.A.R. 112-15-3.

For additional information, contact the Kansas Racing and Gaming Commission, 3400 S.W. Van Buren, Topeka, 66611-2228, (785) 296-5800.

Tracy T. Diel
Acting Executive Director

Doc. No. 027299

State of Kansas

Legislative Administrative Services

Request for Proposals

The Kansas Legislature has issued a request for proposals for leasing and maintenance of computer laser printers. Interested parties may obtain a copy of the RFP by contacting Jeff Russell, Legislative Administrative Services, Room 511-South, State Capitol, 300 S.W. 10th Ave., Topeka, 66612, (785) 296-2391 or fax (785) 296-1153. Completed proposals must be received not later than 2 p.m. December 7.

Jeff Russell
Director of Legislative
Administrative Services

Doc. No. 027287

State of Kansas

Department of Corrections

Notice of Hearing on Proposed Administrative Regulations

A public hearing will be conducted at 9 a.m. Tuesday, January 22, in the Department of Corrections' main conference room, fourth floor, Landon State Office Building, 900 S.W. Jackson, Topeka, to consider the amendment and revocation of various regulations found in Article 11, Community Corrections, of Chapter 44 of the *Kansas Administrative Regulations*.

At that hearing, proposed amendments to the following Kansas Department of Corrections administrative regulations will be considered:

K.A.R. 44-11-111, 44-11-113, 44-11-119, 44-11-120, 44-11-121, 44-11-123, 44-11-127, 44-11-129, 44-11-130, 44-11-131, 44-11-132, 44-11-133 and 44-11-135

At the same hearing, the proposed revocation of the following Kansas Department of Corrections administrative regulations also will be considered:

K.A.R. 44-11-112, 44-11-114, 44-11-115, 44-11-122, 44-11-124 and 44-11-134

This 60-day notice constitutes a public comment period for the purpose of receiving written public comments on the proposed amendments and revocations of existing regulations. All interested parties may submit written comments prior to the hearing to Linden G. Appel, Deputy Chief Legal Counsel, Kansas Department of Corrections, 4th Floor, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612-1284. All interested parties will be given a reasonable opportunity at the hearing to present their views orally on the adoption of the proposed amendments and revocations. In order to give all parties an opportunity to express their views, it may be necessary to request each participant to limit oral presentation to five minutes.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed amendments, revocations 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

Linden Appel at (785) 296-4508, TDD (785) 296-8157 or fax (785) 296-0014. Handicapped parking is located at the south end of the Landon State Office Building, and the north entrance to the building, which is the public access entrance, is accessible to individuals with disabilities.

The amendments to existing regulations are proposed on a permanent basis. A summary of the proposed amendments and their economic impact follows:

K.A.R. 44-11-111 is amended by rearranging in alphabetical order its definitions of terms concerned with administration of the Kansas Community Corrections Act. It is further amended by deletion of definitions of certain terms that are now obsolete and by addition of definitions of four new terms: "governing authority," "offender fees," "reimbursements" and "service."

K.A.R. 44-11-113, dealing with formulation of comprehensive plans by the community corrections agency in collaboration with the corrections advisory board, is amended by striking obsolete language concerned with formation of initial comprehensive plans for each community corrections program and by addition of an expanded list of topics that the annual comprehensive plan devised by each community corrections agency is to address. The additional topics to be covered in the plan are, in part, derived from elements of the current K.A.R. 44-11-114 and 44-11-115, which are both proposed for revocation.

K.A.R. 44-11-113 is further amended by addition of provisions that address the matter of inclusion of foundation documents for newly-established programs in their submission of their initial comprehensive plan to the department for review and disposition, and creation of a program review committee at the department level for the purpose of reviewing comprehensive plans submitted and then making recommendations concerning the plans to the Secretary of Corrections. The latter addition is derived, in part, from an element of current K.A.R. 44-11-122, which is proposed for revocation.

K.A.R. 44-11-119, dealing with implementation and administration of comprehensive plans by local programs, is amended by deletion of the obsolete term "planning unit" in favor of use of the new term "governing authority" in connection with identity of the governing entity empowered to enter into contracts or other written agreements with a private agency to operate programs or provide services identified in the comprehensive plan. It is further amended by specifying that the annual audit of each local comprehensive plan conducted by the Secretary of Corrections may consist of various sorts of audits or other review as determined by the secretary, and by addition of a requirement for advance notice of corrections advisory board meetings to the Deputy Secretary for Community and Field Services, as well as submission of minutes of each meeting to the secretary.

K.A.R. 44-11-120 is amended by deletion of the term "planning unit" in favor of substitution of the new term "governing authority," and by making certain stylistic changes.

K.A.R. 44-11-121 is amended in numerous regards: (1) by deleting the term "planning unit" in favor of substitution of the term "governing authority" as the entity re-

sponsible for designation of a person to manage all fiscal matters; (2) by deletion of "state and county rules" as guidelines for management of funds in favor of substitution of the phrase "generally accepted accounting principles"; (3) by requiring that fiscal information concerning grant funds is to be reported by the designated fiscal manager to the corrections advisory board and the Secretary of Corrections on a quarterly basis as well as a monthly basis; (4) by lengthening the time period for submission of the monthly financial status report to the secretary from 10 to 20 days, clarifying that calendar days are used as the measure of number of days; (5) by requiring that the monthly financial report must include all reimbursements collected or maintained by the agency or governing authority while also deleting language requiring certified statements of amounts expended and costs incurred; (6) by lengthening in parallel fashion the time period for submission of the quarterly financial report by the county to the secretary, again increasing it from 10 to 20 days, clarifying that calendar days are used as the measure of number of days; (7) by requiring the quarterly report to note any single-item or aggregate purchases made in the last quarter amounting to \$5,000 or more, and to attach documentation of approval of such purchases by the advisory board and the governing authority; (8) by requiring that any bulk payments that have been or will be incurred in multiple months must be included in the quarterly report, as well as certification by the governing authority that all accounts containing grant funds have been balanced and reconciled with invoices and receipts, and by deleting current language concerning the contents of the quarterly financial report; (9) by clarifying that the final financial status report at the end of each fiscal year is to be submitted within 60 calendar days and by deleting the deadline of September 1 for the secretary's determination of the total amount of unexpended funds for each county receiving grant funds; (10) by requiring that each county receiving grant funds must provide to the secretary all portions of its annual financial audit pertaining to grant funds, including the report's cover letter and any audit exceptions applicable to grant funds, within 60 calendar days of receipt of the audit report by the county; (11) by requiring that all reimbursements to the agency must be included on the monthly financial status report to the secretary and by providing that all unexpended reimbursements at the end of the fiscal year become part of unexpended funds, unless the agency has received prior approval from the secretary for a plan to spend such funds beyond the current grant year, subject to the further requirement that any such plan and budget must be submitted to the secretary not later than August 1; (12) by providing that reimbursements may be used to enhance or expand funded services and that any program-generated income at the end of the fiscal year likewise becomes part of unexpended funds unless the agency has received prior approval from the secretary for a plan to spend such income beyond the current grant year; and (13) by requiring that any plan for use of unexpended reimbursement funds must include signatory approval by the advisory board and the governing authority.

(continued)

K.A.R. 44-11-123 is amended by deletion of conditions and restrictions concerning changes or deviations in the comprehensive plan or plan budget, as well as conditions and restrictions on transfers of funds from one line item to another within the budget, in favor of provisions that will simply require that any such changes be approved in writing by the corrections advisory board and governing authority prior to submission to the Secretary of Corrections.

K.A.R. 44-11-127 is amended by deleting the term "planning unit" in favor of substitution of the term "governing authority"; by adding requirements that community corrections grant funds are to be maintained in a separate fund and that all expenditures of grant funds are to be supported by a receipt or invoice; and by placing various restrictions and prohibitions upon the uses to which grant funds may be put. These restrictions and prohibitions are beyond the scope of the original regulation, which deals only with a prohibition of using grant funds to supplant local funding of programs.

K.A.R. 44-11-129 is amended by addition of a requirement that any county making application to the Secretary of Corrections for award and transfer of unexpended funds from another county or counties must submit written justification for the request and documentation of the need for the extra funds. It is further amended by requiring that only in the case of a transfer request that is intended to support a new program is a listing of measurable goals and objectives necessary in the documentation to be submitted to the secretary in support of the request for transfer.

K.A.R. 44-11-130, currently dealing with the use of grant funds for real estate acquisition and capital construction, is extensively amended, including addition of the new subject area of use of grant funds for purchase of property and supplies. In regard to real estate acquisition and capital construction, a requirement that the community corrections program director file a written report with the Secretary of Corrections upon completion of the acquisition or construction has been added. Further, a requirement that the secretary give prior approval before cessation of use of such property for community corrections purposes is imposed. Finally, it is prohibited for a governing authority to charge rent to a community corrections agency for lease of real estate acquired with state community corrections funds, subject to provisions permitting charging a prorated portion of rent proportionate to the percentage of the real estate that was not acquired with state grant funds and in consideration of the percentage of the real estate actually occupied by the agency, and permitting the governing authority to charge the agency for maintenance and utilities.

In the new portion of this regulation dealing with acquisition of personal property and supplies, rules are established concerning minimum life expectancy of property and supplies to be purchased with such funds, inventory control, methods of authorized disposition depending upon the value of the property or supplies, and transfers of such property or supplies.

K.A.R. 44-11-131, dealing with use of grant funds for remodeling or renovation, is amended in a number of regards: (1) by addition of language that requires prior

approval by the Secretary of Corrections of any remodeling or renovation with an aggregate cost of \$5,000 or more; (2) by requiring that the post-completion written report to the secretary be filed by the program director and that the filing occur within 30 calendar days of completion of the work; (3) by clarifying that the timeframe for the secretary's verification of completion of the work is 30 calendar days; (4) by requiring that if renovated or remodeled property ceases to be used for community corrections purposes within five years of the date of the secretary's verification of completion of the work, then the governing authority shall immediately notify the secretary, in addition to continuing the current requirement of a full refund of the cost of the remodeling or renovation; and (5) by requiring that community corrections agencies must amortize the value of remodeling or renovation over the period of any lease of real estate that is remodeled or renovated, with the amortized value to be noted in the agency's property inventory.

K.A.R. 44-11-132 is amended by adding language requiring that a competitive bidding process be employed for purchase, lease or contracting for goods, equipment or services in an aggregate amount of \$1,000 or more, and further requiring that all contracts between community corrections agencies and other parties be made available to the Secretary of Corrections for review.

K.A.R. 44-11-133, dealing with use of grant funds to purchase jail space, is amended by deleting language that had permitted use of grant funds to purchase jail space for clients being detained pending placement in a treatment program, and by deleting a requirement that documentation of the audited per diem cost be attached to the contract for purchase of the jail space. The remainder of the amendments is purely stylistic and grammatical in nature.

K.A.R. 44-11-135, dealing with use of grant funds for copyrights and patents, adds the subject matter of research grants and provides in new language that any research conducted by a community corrections agency or paid for with grant funds shall become part of the public domain.

Adoption of the proposed amendments will have no economic impact upon the Department of Corrections, counties, community corrections programs, other governmental units, offenders, private businesses or private individuals.

The following regulations are to be revoked: **K.A.R. 44-11-112, 44-11-114, 44-11-115, 44-11-122, 44-11-124 and 44-11-134.**

No economic impact upon any party is anticipated in regard to any of these proposed revocations of existing regulations.

A complete copy of the proposed regulations and the economic impact statements may be obtained by contacting Linden Appel at the address and phone numbers given above from 8 a.m. to 5 p.m. Monday through Friday.

Charles E. Simmons
Secretary of Corrections

Doc. No. 027295

State of Kansas

Department of Health and Environment

Notice Concerning Proposed General Stormwater Permit

The Kansas Department of Health and Environment has prepared a draft combined Kansas Water Pollution Control general stormwater permit and National Pollutant Discharge Elimination System general stormwater permit for construction activities. This permit, when finalized, will replace the current general permit for stormwater discharges from construction activities scheduled to expire December 31, 2001.

A general wastewater permit is provided for those entities engaged in similar activities and discharging the same types of wastewater. The wastewater from these types of activities has a low public health and environmental risk. A general permit is placed on public notice once during the life of the permit and then is made available, without further public notice, to all persons for construction activities that meet the requirements of the permit. The permittees also are required to meet all other federal, state and local requirements including local zoning ordinances.

The draft permit covers discharges of stormwater from construction activities that disturb five or more acres of land and, after March 9, 2003, construction activities that disturb one or more acres of land. The draft permit also covers certain nonstormwater discharges related to construction activities such as flushing of water hydrants and potable water lines, street cleaning and runoff of irrigation water. The draft permit does not cover construction activities on Indian lands or in close proximity of certain high priority waters of the state or construction activities that would result in discharges that violate the Kansas Surface Water Quality Standards.

To be covered under the draft permit, the permittee is required to complete and submit the Notice of Intent and the first year's permit fee of \$60 and receive a signed and dated permit from KDHE. To maintain the permit, the permittee is required to achieve and maintain compliance with the permit requirements and pay the annual \$60 permit fee. Other documents available include a Notice of Termination, Contractor's Certification Form, Document Certification Form, Rainfall Erosivity Waiver application and other information explaining the program in more detail. The Rainfall Erosivity Waiver is for very short-term projects that are conducted at times when rainfall is not likely to occur, therefore, stormwater discharges would not be expected. The Rainfall Erosivity Waiver reduces or eliminates many of the requirements included in the general stormwater construction permit.

Copies of the Notice of Intent application, instructions, draft permit and other supporting documents may be requested by writing the Kansas Department of Health and Environment, Bureau of Water - Industrial Programs Section, 1000 S.W. Jackson, Suite 420, Topeka, 66612-1367.

Persons wishing to comment on the draft permit must submit written comments to the address above by December 22.

Clyde D. Graeber Secretary of Health and Environment

Doc. No. 027291

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

Monday, December 3, 2001

04291

Norton Correctional Facility—Demo and Install Steam Lines

Tuesday, December 4, 2001

04260

Statewide—Industrial V-Belts

04292

Statewide—Basic Clothing

04298

Department of Administration, Division of Facilities Management—Insulating Glass Windows

Wednesday, December 5, 2001

04273

Kansas Veterans' Home and Winfield Correctional Facility—Auctioneering Services

Monday, December 10, 2001

04299

Statewide—Fine Paper

Thursday, December 13, 2001

A-9322

Atchison Juvenile Correctional Facility—Replace Condensate Return Pumps, Various Buildings

A-9372

Department of Corrections—Fire Protection Sprinkler System Additions, Various Buildings, Lansing

Request for Proposals

Monday, December 3, 2001

04307

Inductively Coupled Argon Plasma Mass Spectrometer for the Department of Health and Environment

John T. Houlihan Director of Purchases

Doc. No. 027301

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-01-365

Pending Permits for Confined Feeding Facilities

Name and Address of Applicant	Legal Description	Receiving Water
Hinchman Ranch c/o Carl N. Peterson and Matt Peterson 312 DD Ave. Council Grove, KS 66846	N/2 of Section 34, SE/4 of Section 27, SW/4 of Section 26, NW/4 of Section 35, T17S, R9E, Morris County	Neosho River Basin

Kansas Permit No. A-NEMR-C002 Federal Permit No. KS0091308

This is a permit modification/expansion of an existing facility for a maximum of 3,000 head of beef weighing over 700 pounds (3,000 animal units) and 1,000 head of beef weighing under 700 pounds (500 animal units), for a total of 4,000 head (3,500 animal units) of cattle. The expansion consists of adding wastewater controls to the working facilities in the northeast corner of the site.

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

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

Public Notice No. KS-01-159/165

Name and Address of Applicant	Waterway	Type of Discharge
Havana, City of P.O. Box 221 Havana, KS 67347	Little Caney River via Various Tributaries	Treated Domestic Wastewater

Kansas Permit No. M-VE21-0001 Federal Permit No. KS0082571

Legal: NW¼, S13, T34S, R13E, Montgomery 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 and pH. Monitoring for ammonia and fecal coliform also will be required. Included in this permit is a schedule of compliance requiring the permittee to obtain the services of a KDHE-certified wastewater treatment plant operator 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 technology based.

Name and Address of Applicant	Waterway	Type of Discharge
Boeing Commercial Airplane Group 3801 S. Oliver P.O. Box 7730 M/C K12-06 Wichita, KS 67277-7730	Arkansas River	Treated Groundwater

Kansas Permit No. I-AR94-PO46 Federal Permit No. KS0088757

Legal: NE¼, S15, T28S, R1E Sedgwick County

Facility Name: Boeing Wichita - C.D. Landfill Air Stripper

Facility Description: The proposed action is to reissue an existing permit for the discharge from the air stripper during landfill operation. This facility is a construction/demolition landfill that supports building and maintenance activities associated with the manufacture of aircraft components, subassembly of certain body structures and components, and the modification of aircrafts. Contaminated groundwater is treated in an air stripper prior to discharge to the Arkansas River. The proposed permit includes limits for vinyl chloride, 1,2-cis-dichloroethylene, 1,2-trans-dichloroethylene and pH. Monitoring for sulfate, chloride, priority pollutants 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.

Name and Address of Applicant	Waterway	Type of Discharge
Hunt Midwest Mining, Inc. 8300 N.E. Underground Drive Kansas City, MO 64161	Verdigris River via Various Tributaries	Washwater and Stormwater Settling Pond Discharge

Facility Name: Cedar Vale Quarry

Kansas Permit No. I-VE05-PO01 Federal Permit No. KS0085332

Legal: SW¼, S7, T34S, R8E, Cowley 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 with washing. The proposed permit includes limits for total suspended solids and pH. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

Name and Address of Applicant	Waterway	Type of Discharge
Hunt Midwest Mining, Inc. 8300 N.E. Underground Drive Kansas City, MO 64161	Kansas River via Various Tributaries	Washwater and Stormwater Settling Pond Discharge

Facility Name: Lawrence Quarry

Kansas Permit No. I-KS31-PO08 Federal Permit No. KS0116114

Legal: SW¼, S1, 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 operation with washing. The proposed permit includes limits for total suspended solids and pH. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

Name and Address of Applicant	Waterway	Type of Discharge
N.R. Hamm Quarry, Inc. P.O. Box 17 Perry, KS 66073	Marais des Cygnes River via Wolf Creek	Washwater and Stormwater Settling Pond Discharge

Facility Name: Evertson Quarry #8

Kansas Permit No. I-MC23-PO01 Federal Permit No. KS0085561
Legal: SW¼ of S34, T17S, R16E, Osage 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 operation with washing. The proposed permit includes limits for total suspended solids and pH. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

Name and Address of Applicant	Waterway	Type of Discharge
Olathe Aggregates Asphalts Sales 23200 W. 159th St. Olathe, KS 66061	Kansas River via Cedar Creek via Unnamed Tributary	Pit Dewatering and Stormwater Runoff

Facility Name: Olathe Aggregates Kansas Permit No. I-KS52-PO07
Federal Permit No. KS0089290

Legal: NE¼, S16, T14S, R23E, Johnson 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.

Name and Address of Applicant	Waterway	Type of Discharge
Topeka, City of 3245 Waterworks Drive Topeka, KS 66606	Kansas River	Process Wastewater

Facility Name: Topeka Water Treatment Plant
Kansas Permit No. I-KS72-PO16 Federal Permit No. KS0087262

Legal Location: NE¼, S26, T11S, R15E, Shawnee County

Facility Description: The proposed action is to reissue an existing permit for the discharge of process wastewater. The wastewater consists of presedimentation basins underflows, lime treatment sedimentation basins discharges and filter backwash water. The proposed permit includes limits for total residual chlorine and pH. 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.

Public Notice No. KS-ND-01-026

Name and Address of Applicant	Legal Location	Type of Discharge
Kansas Department of Transportation P.O. Box 1060 Fort Scott, KS 66701	NE¼, S33, T16S, R24E, Miami County	Nonoverflow

Facility Name: KDOT Vehicle Wash Lagoon - Louisburg, Kansas
Kansas Permit No. I-MC20-NO05

Facility Description: The proposed action is to reissue an existing permit for the operation of an existing wastewater treatment facility treating primarily washwater wastewater. This facility is a KDOT sub-area shop where KDOT's vehicles are washed. Washwater is piped to a two-cell lagoon. 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 Shonda Domme for agricultural permits or applications, or to the permit clerk for all other permits, at the Kansas Department of Health and Environment, Division of Environment, Bureau of Water, 1000 S.W. Jackson, Suite 420, Topeka, 66612-1367.

All comments regarding the draft permit or application notice postmarked or received on or before December 22 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate Kansas permit number (KS-AG-01-365, KS-01-159/165, KS-ND-01-024) and name of applicant/application as listed when preparing comments.

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

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

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

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

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. 027290

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 11-19-01 through 11-25-01

Term	Rate
1-89 days	2.06%
3 months	1.89%
6 months	1.99%
1 year	2.37%
18 months	2.81%
2 years	3.08%

Derl S. Treff
 Director of Investments

Doc. No. 027281

(Published in the Kansas Register November 22, 2001.)

Summary Notice of Bond Sale
Crawford County, Kansas
\$2,300,000
General Obligation Bonds
Series 2001A

(General obligation bonds payable from unlimited ad valorem taxes)

Sealed Bids

Subject to the official notice of bond sale and preliminary official statement dated November 19, 2001, sealed bids will be received by the county clerk of Crawford County, Kansas (the issuer), on behalf of the governing body of the county at the Crawford County Courthouse, P.O. Box 249, Girard, KS 66743, until 10 a.m. Tuesday, December 4, 2001, for the purchase of \$2,300,000 principal amount of General Obligation Bonds, Series 2001A. No bid of less than the entire par value of the bonds and accrued interest thereon to the date of delivery will be considered.

Bond Details

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

Year	Principal Amount
2003	\$145,000
2004	190,000
2005	55,000
2006	85,000

2007	190,000
2008	240,000
2009	285,000
2010	325,000
2011	370,000
2012	415,000

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

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

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States or a qualified financial surety bond in the amount of \$46,000 (2 percent of the principal amount of the bonds).

Delivery

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

Assessed Valuation and Indebtedness

The total assessed valuation of taxable tangible property in the county for the year 2001 is \$214,848,092. The total general obligation indebtedness of the issuer as of the date of the bonds, including the bonds being sold, is \$8,628,000, including, as of the date of the bonds, temporary notes in the outstanding principal amount of \$105,000.

Approval of Bonds

The bonds will be sold subject to the legal opinion of Nichols and Wolfe Chartered, Topeka, Kansas, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the issuer and delivered to the successful bidder when the bonds are delivered.

Additional Information

Additional information regarding the bonds may be obtained from the county clerk, (620) 724-6115; or from the financial advisor, Kirkpatrick Pettis, Kansas City, Missouri, (816) 360-2270.

Dated November 19, 2001.

Crawford County, Kansas
 Kevin Anselmi, County Clerk
 Crawford County Courthouse
 P.O. Box 249
 Girard, KS 66743

Doc. No. 027296

(Published in the Kansas Register November 22, 2001.)

Summary Notice of Sale
City of Olathe, Kansas
 \$725,000*
General Obligation Temporary Notes
Series 2001-B
 \$4,575,000*
General Obligation Bonds
Series 199
(General obligations payable from
unlimited ad valorem taxes)

Year	Principal Amount*
04/01/02	\$495,000
04/01/03	400,000
04/01/04	410,000
04/01/05	420,000
04/01/06	435,000
04/01/07	450,000
04/01/08	465,000
04/01/09	480,000
04/01/10	500,000
04/01/11	520,000

Bids

Subject to the notice of sale and preliminary official statement, sealed, facsimile and electronic bids for the purchase of \$725,000* of General Obligation Temporary Notes, Series 2001-B, and \$4,575,000* of General Obligation Bonds, Series 199, of the City of Olathe, Kansas, will be received (1) in the case of sealed and facsimile bids, by the director of financial services at the address and fax number hereinafter set forth, and (2) in the case of electronic bids, through *PARITY* electronic bid submission system, until 11 a.m. for the notes and until noon for the bonds, on Tuesday, December 4, 2001, at which time such bids will be publicly read. No bid will be considered of (a) less than 99.50 percent of the principal amount of the notes and accrued interest to the date of delivery, and (b) less than 99.25 percent of the principal amount of the bonds and accrued interest to the date of delivery.

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 payments 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 December 15, 2001, and will become due on June 1, 2002. The notes will bear interest from the dated date at a rate to be determined when the notes are sold, which interest will be payable at maturity on June 1, 2002. The city treasurer will be the note paying agent and note registrar for the notes.

Bond Details

The bonds will consist of fully registered certificated bonds in the denomination of \$5,000 or any integral multiple thereof. Bonds shall initially be registered in the name of Cede & Co., as nominee of the Depository Trust Company, New York, New York, to which payments of principal of and interest on the bonds will be made. Individual purchases of bonds will be made in book-entry form only. Purchasers will not receive certificates representing their interest in bonds purchased. The bonds will be dated December 15, 2001, and will become due annually on April 1, beginning April 1, 2002, in the years as follows:

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 April 1 and October 1 in each year, beginning April 1, 2002. The Kansas State Treasurer, Topeka, Kansas, will be the bond 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

Each bid for the notes shall be accompanied by a good faith deposit in the form of a cashier's or certified check or a financial surety bond in the amount of 1 percent of the principal amount of the notes. Each bid for the bonds shall be accompanied by a good faith check in the form of a cashier's or certified check or a financial surety bond in the amount of 2 percent of the principal amount of the bonds.

Delivery

The city will pay for preparing the notes and the bonds. The city will deliver the notes and bonds in book-entry form only through the facilities of the Depository Trust Company, New York, New York, on or about December 20, 2001.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 2001 is \$981,320,127. The total general obligation indebtedness of the city as of the date of the notes and bonds, including the notes and bonds, is \$113,943,768, and the total general obligation indebtedness of the city as of December 31, 2000, for debt limitation purposes, was \$49,770,548.

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, will accompany the bonds and notes and be delivered to the successful bidder when the bonds/notes are delivered.

Additional Information

Additional information regarding the bonds and the notes may be obtained from Kevin Hammeke, the city's director of financial services, (913) 782-2600; or from the city's financial advisor, George K. Baum & Company,

(continued)

Kansas City, Missouri, Attention: Dave Arteberry, (816) 474-1100.

Dated November 20, 2001.

City of Olathe, Kansas
Kevin Hammeke
Director of Financial Services
Municipal Building
126 S. Cherry St.
Olathe, KS 66061
Fax (913) 393-6203

*Preliminary; subject to change.

Doc. No. 027294

(Published in the Kansas Register November 22, 2001.)

Washburn University of Topeka Topeka, Kansas

Notice of Intent to Issue Revenue Bonds

The Board of Regents of Washburn University of Topeka, Topeka, Kansas, pursuant to official action taken November 7, 2001, declared it necessary and authorized the acquisition, equipping, rehabilitation, renovation and furnishing of certain university buildings, including but not limited to improvements to the Memorial Union, Moore Bowl, construction of a student wellness/fitness center and KTWU television tower (collectively, the projects), all at an estimated cost of \$11,200,000.

The board declared it necessary and authorized the issuance of revenue bonds under the authority of K.S.A. 76-6a13 to 76-6a25, inclusive, as amended and supplemented, of the university in an amount not to exceed \$11,200,000, such bonds to be used to pay the costs of the projects and provide for the related costs of issuance.

Unless an action to contest the legality of the proposed revenue bonds of the university shall be filed in a court of law within 30 days of the date of publication of this notice, the right to contest the legality of any revenue bonds issued in compliance with the proceedings of the board and other proceedings duly and legally had and taken by the board prior to the date of publication of this notice, and the right to contest the validity of the provisions of such proceedings, shall cease to exist, and no court shall thereafter have the authority to inquire into such matter. After the expiration of said 30 days from the date of publication of this notice, no one shall have any right to commence an action contesting the validity of such revenue bonds or the provisions of such proceedings of the board, all such revenue bonds shall be conclusively presumed to be legal, and no court shall thereafter have the authority to inquire into such matters.

Dated November 7, 2001.

Board of Regents
Washburn University of Topeka
Topeka, Kansas
By: Harold L. Dick
Chairman, Board of Regents
Attest: Kenneth P. Hackler
Secretary of the Board

Doc. No. 027292

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, January 24, at the Kansas History Center, 6425 S.W. 6th Ave., Topeka, 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. January 24 at the same location. The meeting will recess at 5 p.m., then resume at 7 p.m. at the same location for the regulatory hearing. There will be public comment periods at the beginning of the afternoon and evening meetings for any issues not on the agenda, and additional comment periods will be available during the meeting on agenda items. Old and new business also may be discussed at this time. If necessary to complete the hearing or other business matters, the commission will reconvene at 9 a.m. January 25 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. 115-11-1. This permanent regulation establishes application and reporting requirements for controlled shooting areas. The proposed change would specify that the daily records kept by the controlled shooting area should include information concerning any hunting activity on the controlled shooting area, rather than only information specific to game bird hunting.

Economic Impact Summary: While the proposed amendment would require some additional recordkeeping by controlled shooting areas, it is not anticipated to

have an economic impact on the department, other state agencies or members of the public.

K.A.R. 115-11-2. This permanent regulation establishes operational procedures for controlled shooting areas. The proposed changes would help clarify that big game animals may be hunted on a controlled shooting area, as long as the hunter has a valid permit issued by the department. This clarification is not intended to alter current practices, but is proposed in concert with a proposed amendment to 115-11-1, in order to prevent confusion concerning allowed practices on controlled shooting areas.

Economic Impact Summary: The proposed amendment is not anticipated to have an economic impact on the department, other state agencies or members of the public.

K.A.R. 115-9-4. This permanent regulation allows individuals purchasing a hunting license to attest, by their signature, to the completion of a hunter education course. Due to legislation passed during the 2001 session, this proposal would simply add furharvesters licenses to the regulation, concerning attesting to completion of the required furharvester education course, to clarify that furharvester licenses may be sold in the same manner.

Economic Impact Summary: The proposed amendment is not anticipated to have an economic impact on the department, other state agencies or members of the public.

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. 027282

State of Kansas

Department of Wildlife
and Parks

Permanent Administrative
Regulations

Article 21.—COMMERCIAL GUIDES

115-21-1. Guides; permit application, examination, and restrictions. (a) Each application for a commercial guide permit or an associate guide permit shall be submitted on a form provided by the department, and the guide permit fee as specified in K.A.R. 115-2-1 shall accompany each application. In addition to the information required by K.S.A. 32-964 and K.S.A. 21-4619 and amendments thereto, each applicant shall provide the following information:

- (1) Proof of completion of the following courses:
 - (A) Current certification in red cross or comparable first aid and cardiopulmonary resuscitation training;
 - (B) department-approved boat safety training, if a boat is used as a part of the guiding service; and
 - (C) department-approved hunter education training, if hunting is a part of the guiding service;
- (2) the commercial guide or associate guide permit

number, if the applicant currently possesses a commercial guide or associate guide permit; and

(3) a signed consent form for a criminal background investigation.

(b) To be listed in an annual directory of Kansas guides, an applicant for a commercial guide permit shall sign the approval section on the permit application.

(c) Each applicant who does not currently possess a valid commercial guide or associate guide permit shall take a department-administered guide examination. The examination shall cover basic knowledge of the following topics:

- (1) Hunting skills, fishing skills, or both;
- (2) hunting safety, fishing safety, or both;
- (3) first aid;
- (4) laws and regulations of the department; and
- (5) boating safety, if a boat is used in the hunting or fishing guide service.

(d) Examinations shall be administered at department offices. A schedule of examinations shall be established for the application period specified in subsection (i).

(e) A score of 75 percent shall be the minimum passing score for each section of the examination.

(f) Any applicant failing an examination may retake the examination by notifying the department at least seven days before the next scheduled examination. However, no applicant may take more than two examinations scheduled in the same calendar year.

(g) The last examination scheduled in association with an application period shall be reserved for applicants who failed to pass the examination earlier in the same application period.

(h) Each guide permit shall specify whether it is valid for hunting guide services, fishing guide services, the use of a boat in the guide service, or a combination of these services. Restrictions on the permit may be based on the type of guide services specified in the application, or may be based on the examination sections taken and passed by the applicant.

(i) Applications for commercial guide and associate guide permits shall be accepted from January 1 through September 15.

(1) Each application for a permit valid during the same calendar year as that of application date shall be approved or denied in writing no later than 60 days after receipt of the complete application.

(2) Each application for a permit valid during the calendar year following the date of application shall be approved or denied in writing no later than January 1 following the date of the application.

(3) An application meeting the requirements described in subsection (a) shall be considered a complete application.

(j) Each application to revise any guide permit restricted to hunting guide services, fishing guide services, or that does not authorize the use of a boat shall be accepted during the application period specified in subsection (i). Each application to revise an associate guide permit to a commercial permit shall be accepted during the

(continued)

application period specified in subsection (i). Each permittee desiring to revise a current permit shall apply on a form supplied by the department and pass the proper written examination. An associate guide permittee applying for a commercial guide permit shall not be required to take an examination unless the application includes any guiding services different from those authorized by the commercial guide permit.

(k) An application for a commercial guide permit or an associate guide permit may be accepted outside of the application period specified in subsection (i) only on demonstration to the department that the applicant would replace a current permittee who has become unable to provide contracted guide services due to health or other reasons beyond the permittee's control. (Authorized by K.S.A. 32-807 and K.S.A. 32-964, as amended by L. 2001, Ch. 185, Sec. 2; implementing K.S.A. 2000 Supp. 21-4619, as amended by L. 2001, Ch. 185, Sec. 1 and K.S.A. 32-964, as amended by L. 2001, Ch. 185, Sec. 2; effective Jan. 28, 1991; amended Dec. 7, 2001.)

115-21-2. Guides; reporting requirements. (a) Each commercial guide permittee shall submit an annual report on a form supplied by the department. Each report shall contain the following information:

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

(2) for each day on which guide services were provided, the name and license number of resident and non-resident individuals for whom hunting guide services, fishing guide services, or both were provided;

(3) the name and permit number of the commercial or associate guide accompanying or guiding the client while hunting or fishing, if someone other than the commercial guide permittee submitting the annual report;

(4) for each day on which guide services were provided, a listing of the department land and water areas used while providing guide services; and

(5) other information as required by the secretary.

A commercial guide permittee shall not be required to include in the annual report information that concerns guide services provided while operating as an associate guide and that will be included in another commercial guide's annual report.

(b) Each commercial guide permittee shall submit interim reports to the department that contain specified elements of subsection (a) when requested by the secretary. These reports shall cover specific hunting or fishing activities and shall be due within deadlines established by the secretary.

(c) Failure to submit a requested interim report by the established deadline shall result in permit suspension.

(d) Each report submitted by a commercial guide permittee shall include all guide services provided by all commercial or associate guides guiding on behalf of the commercial guide permittee.

(e) Each annual report shall be complete and accurate through December 31 of the permit year and shall be received by the department not later than January 30 of the following year.

(f) Each annual report shall be notarized.

(g) A previously issued commercial guide permit shall

be suspended at 5:00 p.m. on January 30 of the permit year if the annual report for the previous permit year is not received by the department by January 30.

(h) Each commercial and associate guide shall report to the department any known violations of wildlife and parks laws and regulations committed by any person guided by the commercial or associate guide within 24 hours of learning of the violation. (Authorized by K.S.A. 32-807 and K.S.A. 32-964, as amended by L. 2001, Ch. 185, Sec. 2; implementing K.S.A. 32-964, as amended by L. 2001, Ch. 185, Sec. 2; effective Jan. 28, 1991; amended Dec. 7, 2001.)

115-21-3. (Authorized by K.S.A. 1992 Supp. 32-807 as amended by L. 1993, chapter 185, section 2 and K.S.A. 1992 Supp. 32-964 as amended by L. 1993, chapter 278, section 1; implementing K.S.A. 1992 Supp. 32-964 as amended by L. 1993, chapter 278, section 1; effective Jan. 1, 1994; revoked Dec. 7, 2001.)

115-21-4. Guides; use of department lands and waters. (a) For department-owned or department-managed lands or waters, possession of a special event permit to perform commercial guide services issued in accordance with K.A.R. 115-8-21 shall constitute written permission required by K.S.A. 32-964, and amendments thereto. A separate special event permit shall be required for each area of land or body of water upon which the guiding services are provided.

(b) A special event permit to perform commercial guide services on department lands or waters shall not constitute exclusive permission to provide guide services on that land or water.

(c) If not otherwise specified on the special event permit, each special event permit to perform commercial guide services on department lands or waters shall expire at the close of the calendar year for which it is issued. (Authorized by K.S.A. 32-807 and K.S.A. 32-964, as amended by L. 2001, Ch. 185, Sec. 2; implementing K.S.A. 32-964, as amended by L. 2001, Ch. 185, Sec. 2; effective Dec. 7, 2001.)

Article 22.—SPORT SHOOTING RANGES

115-22-1. Sport shooting ranges; generally accepted operating practices. The following chapters and articles in "the range manual" of the national rifle association, as revised in June 1998, are hereby adopted by reference as the regulations of the department establishing generally accepted operating practices for sport shooting ranges.

(a) In the "introduction" in section one, the following articles:

- (1) "Article 1. introduction";
- (2) "article 3. manual organization"; and
- (3) "article 4. terminology";

(b) in chapter two of section one, "safety plan," the following articles:

- (1) "Article 1. general";
- (2) "article 2. safety planning";
- (3) "article 3. general administrative regulations"; and

- (4) "article 4. general range commands"; and
- (c) in chapter six of section one, "sound abatement on shooting ranges," the following articles:
 - (1) "Article 1. general";
 - (2) "article 2. definitions"; and
 - (3) "article 3. concepts and methodology." (Author-

ized by L. 2001, Ch. 185, Sec. 8; implementing L. 2001, Ch. 185, Sec. 4 and Sec. 8; effective Dec. 7, 2001.)

Steven A. Williams
Secretary of Wildlife
and Parks

Doc. No. 027273

INDEX TO ADMINISTRATIVE REGULATIONS

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

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115-4-3	Revoked	V. 20, p. 768
115-4-4	New	V. 20, p. 768
115-4-5	Revoked	V. 20, p. 769
115-4-7		
through		
115-4-10	Revoked	V. 20, p. 769

115-4-11	Amended	V. 20, p. 769
115-4-12	Revoked	V. 20, p. 770
115-4-13	Amended	V. 20, p. 770
115-8-1	Amended	V. 20, p. 1061
115-8-4	Amended	V. 20, p. 1500
115-8-5	Revoked	V. 20, p. 1061
115-8-8	Amended	V. 20, p. 1061
115-8-12	Amended	V. 20, p. 1062
115-8-16	Revoked	V. 20, p. 1062
115-8-18	Revoked	V. 20, p. 1062
115-8-20	Amended	V. 20, p. 1062
115-8-21	Amended	V. 20, p. 1062
115-13-1	Amended	V. 20, p. 1500
115-13-2	Amended	V. 20, p. 1500
115-13-5	Amended	V. 20, p. 1501
115-14-2	Amended	V. 20, p. 1501
115-14-3	Amended	V. 20, p. 1502
115-14-5	Amended	V. 20, p. 1502
115-14-6	Amended	V. 20, p. 1502
115-14-7	Revoked	V. 20, p. 1502
115-14-9	Amended	V. 20, p. 1502
115-14-10	Amended	V. 20, p. 1503
115-18-5	Revoked	V. 20, p. 1504
115-18-8	Amended	V. 20, p. 1504
115-18-9	Amended	V. 20, p. 1504
115-18-14	Amended	V. 20, p. 1504
115-18-17	New	V. 20, p. 1062
115-20-1	Amended	V. 20, p. 1063
115-20-2	Amended	V. 20, p. 1063

AGENCY 117: REAL ESTATE APPRAISAL BOARD

Reg. No.	Action	Register
117-6-3	Amended	V. 20, p. 862
117-6-4	New	V. 20, p. 863
117-7-1	Amended	V. 20, p. 863
117-8-1	Amended	V. 20, p. 1020

AGENCY 118: STATE HISTORICAL SOCIETY

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

AGENCY 125: AGRICULTURAL REMEDIATION BOARD

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

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