

Kansas Register

Ron Thornburgh, Secretary of State

Vol. 20, No. 52 December 27, 2001 Pages 1911-1926

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State of Kansas

Law Enforcement Training Commission**Notice of Meeting**

The Kansas Law Enforcement Training Commission will meet at 9 a.m. Wednesday, January 30, at the Kansas Bureau of Investigation Headquarters, 1620 S.W. Tyler, Topeka. The meeting is open to the public.

Darrell Wilson
Chairperson

Doc. No. 027403

State of Kansas

Continuing Legal Education Commission**Notice of Meeting**

The Kansas Continuing Legal Education Commission will meet at noon Friday, January 11, at 400 S. Kansas Ave., Suite 202, Topeka. For additional information, call (785) 357-6510.

Shelley Sutton
Executive Director

Doc. No. 027404

State of Kansas

Racing and Gaming Commission**Notice of Deadline Extension for 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 **February 5, 2002**. All grant applications submitted for funds must be in compliance with K.A.R. 112-15-3. **This is an extension of the regular deadline published November 22, 2001 (Doc. No. 027299).**

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

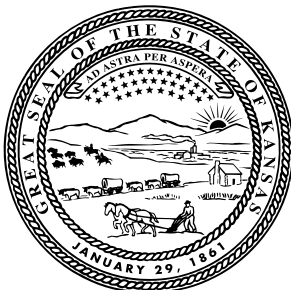
Doc. No. 027413

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State of Kansas

Board of Pharmacy

Correction Notice Concerning Hearing on Proposed Administrative Regulations

The address for which a hearing will be conducted on proposed administrative regulations of the Kansas State Board of Pharmacy was printed incorrectly in the notice of hearing published in the December 13, 2001 Kansas Register. The hearing will be at 9:30 a.m. Wednesday, February 13, at the Pozez Education Center, 1505 S.W. 8th St., Topeka. Parking is provided east of the building or in the hospital parking garage.

Susan A. Linn
Executive Director

Doc. No. 027408

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 12-24-01 through 12-30-01

Table with 2 columns: Term, Rate. Rows include 1-89 days (1.78%), 3 months (1.56%), 6 months (1.79%), 1 year (2.16%), 18 months (2.68%), 2 years (3.09%).

Derl S. Treff
Director of Investments

Doc. No. 027399

State of Kansas

Department of Administration
Division of Architectural Services

Notice of Commencement of Negotiations for Architectural Services

Notice is hereby given of the commencement of negotiations for architectural services for the \$56,360,000/210,000 gsf Biomedical Research Center (BRC) to be located on a two-acre site immediately north of the Dykes Library on the University of Kansas Medical Center campus in Kansas City, Kansas. The project has been submitted to the Legislature for approval in the upcoming session. Selection of the A/E team will be made in advance of the final action by the Legislature. Approval of the project is not guaranteed, and an element of risk does exist. Concurrence of the Joint Committee on State Building Construction to begin the selection process has been secured.

The BRC will house research programs in neuroscience, cancer biology, proteomics and genetics, including laboratories for Biochemistry and Molecular Biology, Physiology and the School of Allied Health. The facility will

accommodate wet/dry laboratories (which could be arranged in multiple large or small open suites), support space (shared laboratories), vivarium, and administrative space associated with the laboratories as well as ancillary support space. The facility will use interstitial space for utility distribution and will be connected to an existing campus utility-distribution/pedestrian bridge system for access to campus utilities (except chilled water). The BRC will contain chilled water production equipment with capacity to provide chilled water to other campus facilities located north of 39th Avenue. The bridge system will provide secure access for researchers and students to other campus research and support facilities.

Firms interested in submitting qualifications for consideration for the project must have demonstrated experience providing similar research facilities for major research universities or the federal government. Specialized consultants in the areas of laboratory design, fire protection and detection, and central power plant (chilled water) and utility distribution systems are encouraged to be named members of the A/E team. It is the specific intention of the university to use accelerated construction management techniques to speed the design and construction process to the swift completion of the project. Multiple contracts for the project will be issued and administered by the KUMC/A/E/CM team. Demonstrated experience with accelerated construction management techniques and contracts will be beneficial.

Please direct questions about the project to Dave Roland, AIA, Director of Facilities Planning, at (913) 588-5311 or droland@kumc.edu. A synopsis of the building program is available for review by e-mail or fax.

There will be a pre-submittal meeting to brief interested firms on the project, its site and other project constraints. The meeting will be at 3 p.m. January 8 in the Facilities Planning conference room on the first floor of Building 48 at 4125 Rainbow Boulevard in Kansas City, Kansas. Pre-notification of attendance is requested but not mandatory. Firms are requested to use this opportunity to gain the most detail about the project in lieu of other, more traditional, avenues.

If interested, an original and six copies (seven total) of the SF 255 form (plus relevant attachments of information regarding similar projects) should be submitted. These submittals should be concise, relevant to the project and follow the State Building Advisory Commission guidelines for submittal. Copies of the guidelines have previously been distributed to firms; if copies of the guidelines are required, contact Gary Grimes, Division of Architectural Services, 1020 S. Kansas Ave., Topeka, 66612-1311, (785) 296-8899, ext. 204. Submittals not complying with the guidelines will be returned without consideration.

Expressions of interest and the SF 255 submittals should be received by Gary Grimes before 5 p.m. January 18.

Thaine Hoffman, AIA
Director, Division of Architectural Services

Doc. No. 027416

State of Kansas

Secretary of State

Executive Appointments

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

State Representative, 53rd District

Roger Toelkes, 3811 S.E. 33rd Terrace, Topeka, 66605. Term expires when a successor is elected and qualifies according to law. Succeeds Dixie Toelkes, resigned.

Reno County Sheriff

Randy J. Henderson, Reno County Courthouse, 206 W. First, Hutchinson, 67501. Term expires when a successor is elected and qualifies according to law. Succeeds Larry Leslie, resigned.

Kansas Council on Developmental Disabilities Services

Kim Swink, 4244 S. Hydraulic, Apt. 220, Wichita, 67216. Serves at the pleasure of the Governor. Succeeds Andrea Romero, resigned.

Kansas Film Services Commission

Judy Billings, 734 Vermont, Box 586, Lawrence, 66044. Term expires June 30, 2004. Reappointed.

Barbara Nash, 452 S. Harrison, Olathe, 66061. Term expires June 30, 2004. Reappointed.

Don Steele, 1201 Fifth Ave., Dodge City, 67801. Term expires June 30, 2004. Succeeds Kathy Foss.

Jack B. Wright, 317 Murphy Hall, University of Kansas, Lawrence, 66045. Term expires June 30, 2004. Reappointed.

Dr. James L. Yonally, 10039 Mastin Drive, Overland Park, 66212. Term expires June 30, 2004. Reappointed.

Lewis and Clark Bicentennial Commission

Galen Weiland, 305 Railroad St., Bendena, 66008. Serves at the pleasure of the Governor. Succeeds Janice Walker.

Physician Assistant Council

Wendy Cox, 4628 N.W. Geronimo Trail, Topeka, 66618. Term expires January 31, 2004. Reappointed.

David B. Day, 309 Whispering Pines, Wichita, 67212. Term expires January 31, 2002. Reappointed.

Gary E. McIntosh, 1608 Highway 36, Troy, 66087. Term expires January 31, 2003. Reappointed.

James B. Pearson Fellowship Selection Board

Larry Britegam, 102 S. Skyline Drive, Salina, 67401. Term expires December 31, 2002. Succeeds Maxine Porter.

Elaine Nelson, 3132 Campfire Drive, Lawrence, 66049. Term expires December 31, 2003. Succeeds Judy Lykins.

Kenneth E. North, 8529 Bradshaw St., Lenexa, 66215. Term expires December 31, 2004. Reappointed.

Kansas Real Estate Appraisal Board

Ronald D. Aul, 3405 Riverview Road, Lawrence, 66049. Term expires June 30, 2004. Succeeds Fletcher Simmons.

Jerry Capps, 301 N. Main, Suite 1700, Wichita, 67202. Term expires June 30, 2004. Succeeds Gary Freeman.

Kansas Territorial Sesquicentennial Commission

(Established by 2001 Session Laws of Kansas, Chapter 152. Members serve at the pleasure of the Governor.)

Constance M. Achterberg, 132 Overhill Road, Salina, 67401.

Pauline Bales, 102 W. Commercial, Box 185, Logan, 67646.

Judy Billings, 734 Vermont, Box 586, Lawrence, 66044.

Larry K. Burke, 506 El Trigo, Dodge City, 67801.

Jack E. Dalton, 2207 Third Ave., Dodge City, 67801.

Peggy Goertzen, 302 S. Wilson, Hillsboro, 67063.

Sara Harris, 101 S. Steuben St., Chanute, 66720.

Larry M. Hatteberg, 3107 Wild Rose St., Wichita, 67205.

Dr. Bruce R. Kahler, 804 N. Main St., Lindsborg, 67456.

Fred Krebs, 8520 W. 61st, Merriam, 66202.

Yolanda Lopez, 9213 W. 100th St., Overland Park, 66212.

Dr. Bruce D. Mactavish, 479 N. 500 Road, Overbrook, 66524.

Dr. Craig Miner, 303 Circle Drive, Wichita, 67218.

Martha J. Parker, 261 N. 861st Diagonal Road, Overbrook, 66524.

Hal Ross, 2 Hampton Road, Wichita, 67206.

Karen Seaberg, 20073 266th Road, Atchison, 66002.

Darlene Clifton Smith, 1201 Fifth Ave., Dodge City, 67801.

Dr. Homer E. Socolofsky, 801 Willard Place, Manhattan, 66502.

Karen Swisher, 4416 W. 24th Place, Lawrence, 66047.

Judge Deanell Tacha, Chair, 643 Massachusetts, Suite 301, Lawrence, 66044.

Dr. Joyce Thierer, 2886 N. Highway 99, Admire, 66830.

Dr. Raymond Wilson, 500 W. 30th, Hays, 67601.

Dr. Kelly A. Woestman, 1010 Village Drive, Pittsburg, 66762.

Dr. Donald E. Worster, 1034 E. 450 Road, Lawrence, 66047.

Ron Thornburgh
Secretary of State

Doc. No. 027406

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-02-012

Table with 3 columns: Name and Address of Applicant, Waterway, Type of Discharge. Row 1: Johnson County Unified Wastewater District, Kansas River via Turkey Creek, Treated Domestic Wastewater.

7311 W. 130th St. Suite 100 Overland Park, KS 66213 Facility Name: Nelson Complex Wastewater Treatment Plant Kansas Permit No. M-KS45-OO01 Federal Permit No. KS0055492 Legal: NE¼, S5, T12S, R25E, Johnson County

Facility Description: The proposed draft permit contains an amendment to the Johnson County Wastewater District's Nelson Complex permit issued previously with an effective date of October 1, 2001. Johnson County objected to the permit as issued because of certain conditions in the chronic whole effluent toxicity (WETc) testing requirements. Following discussions between the EPA, the county and KDHE, the parties have worked out revised conditions. The draft amended permit provides the county with a one-year period to provide WETc data to determine if persistent toxicity is present and to establish alternative WETc limits, if appropriate. After one year, either the alternative or standard WETc limits shall become effective. If persistent toxicity is determined present, the county will be required to do a toxicity inventory evaluation/toxicity reduction evaluation (TIE/TRE) study to determine the source of the apparent toxicity. Alternate WETc limits may be developed and adopted into the permit as a result of the study. The draft amended permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

Persons wishing to comment on or object to the draft permits and/or permit applications must submit their comments in writing to the Kansas Department of Health and Environment if they wish to have the comments or objections considered in the decision making process. Comments or objections should be submitted to the attention of 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 January 26 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate Kansas permit number (KS-02-012) 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. 027407

State of Kansas

**Office of Judicial Administration
Supreme Court Docket**

(Note: Dates and times of arguments are subject to change.)

Tuesday, January 22, 2002

9:00 a.m.

Case No.	Case Name	Attorneys	Jurisdiction
86,539 86,813 86,814 86,815 86,816 86,817	In the Matter of the Conservatorship of Eric Fortino Huerta.	Tracy A. Cole Van R. Delhotal Andrea M. Ramsay	Sedgwick
86,123	State of Kansas, Appellee, v. Daniel Parker, Jr., Appellant.	Carla J. Stovall, Atty. Gen. Nick A. Tomasic, District Atty. Randall L. Hodgkinson, Deputy Appellate Defender	Wyandotte
86,325	Levoi D. Easterwood, Appellant, v. State of Kansas, Appellee.	Sarah Ellen Johnson, Asst. Appellate Defender Carla J. Stovall, Atty. Gen. Nick A. Tomasic, District Atty.	Wyandotte
86,161	State of Kansas, Appellant, v. Demetrius Hargrove, Appellee.	Carla J. Stovall, Atty. Gen. Nick A. Tomasic, District Atty. Ronald F. Evans	Wyandotte

1:30 p.m.

86,614	Plains Petroleum Co., et al., Appellants, v. First National Bank in Lamar, et al., Appellees.	Timothy E. McKee Steven D. Gough Kerry McQueen Kenneth H. Jack John M. Cassidy Gregory J. Stucky	Stevens
86,319	In the Matter of the Adoption of Baby Girl S.	Anne Burke Miller Susan C. Jacobson	Riley Petition for Review
84,221	State of Kansas, Appellee, v. Gerald L. Cope, Appellant.	Carla J. Stovall, Atty. Gen. Paul J. Morrison, District Atty. Rebecca E. Woodman, Asst. Appellate Defender	Johnson Petition for Review
86,928	In the Matter of the Petition of Jackie P. Minnis, Jr., for a Writ of Habeas Corpus.	Bradley P. Sylvester Carla J. Stovall, Atty. Gen. Debra S. Peterson, Asst. District Atty.	Original Petition for Review

Wednesday, January 23, 2002

9:00 a.m.

Case No.	Case Name	Attorneys	Jurisdiction
86,273	Mary Jo Brand, Appellant, v. Michael Joseph Brand, Appellee.	Ross D. Alexander Stephen J. Blaylock	Sedgwick
86,437	Shelia Hudson, Appellee, v. State of Kansas, Appellant.	Libby K. Snider, Asst. Appellate Defender Julie Riddle	Sedgwick

86,258	State of Kansas, Appellee, v. Marcus D. Clemons, Appellant.	Carla J. Stovall, Atty. Gen. Debra S. Peterson, Asst. District Atty. Peter T. Maharry, Asst. Appellate Defender	Sedgwick
87,295	In the Matter of the Appeal of National Cooperative Refinery Assn. and Subsidiaries from an order of the Division of Taxation on Assessment of Kansas Corporate Income Tax.	John Michael Hale Jack D. Flesher	Tax Appeal
1:30 p.m.			
85,724	State of Kansas, Appellee, v. Joseph M. Daigle, Appellant.	Carla J. Stovall, Atty. Gen. J. Marcus Goodman, County Atty. Randall L. Hodgkinson, Deputy Appellate Defender	Lyon
86,138	State of Kansas, Appellee, v. Jerry D. Bramlett, Appellant.	Carla J. Stovall, Atty. Gen. Nick A. Tomasic, District Atty. Petition for Review John M. Duma	Wyandotte
85,645	State of Kansas, Appellee, v. David L. Ivory, Appellant.	Carla J. Stovall, Atty. Gen. Debra S. Peterson, Asst. District Atty. Petition for Review Shawn Minihan, Asst. Appellate Defender	Sedgwick
85,238	State of Kansas, Appellee, v. Timothy A. Carr, Appellant.	Carla J. Stovall, Atty. Gen. Debra S. Peterson, Asst. District Atty. Petition for Review Cory D. Riddle, Asst. Appellate Defender	Sedgwick
86,674	State of Kansas, Appellee, v. William Anthony, Appellant.	Carla J. Stovall, Atty. Gen. Nick A. Tomasic, District Atty. Virginia Girard-Brady	Wyandotte
85,553	State of Kansas, Appellee, v. Travis T. Hitt, Appellant.	Carla J. Stovall, Atty. Gen. J. Marcus Goodman, County Atty. Petition for Review Libby K. Snider, Asst. Appellate Defender	Lyon

Thursday, January 24, 2002**9:00 a.m.**

Case No.	Case Name	Attorneys	Jurisdiction
86,433	Decker & Mattison Co., Inc., Appellant, v. Charles Wilson, et al., Appellees.	E. Dexter Galloway Thomas D. Arnhold	Reno
84,635	State of Kansas, Appellee, v. Alroy Vern Martens, Appellant.	Carla J. Stovall, Atty. Gen. Ellen H. Mitchell, County Atty. Petition for Review Peter T. Maharry, Asst. Appellate Defender	Saline
85,290	State of Kansas, Appellee, v. Kevin B. Peterson, Appellant.	Carla J. Stovall, Atty. Gen. William R. Ludwig, County Atty. Petition for Review Michael S. Holland	Mitchell
85,704	State of Kansas, Appellant, v. Jeremy J. Bell, Appellee.	Carla J. Stovall, Atty. Gen. Keith E. Schroeder, District Atty. Autumn L. Fox	Reno

(continued)

1:30 p.m.

84,248	State of Kansas, Appellee, v. Kristin D. Wilt, Appellant.	Carla J. Stovall, Atty. Gen. Thomas Black, County Atty. Petition for Review Mary Curtis, Asst. Appellate Defender	Pratt
87,590	In the Matter of J.M.	Michael George Matt Treaster, County Atty.	Harvey
86,880	Timothy Bolz, D.C., Appellant, v. State Farm Mutual Automobile Ins., Appellee.	James M. Crowl William A. Larson	Shawnee
86,509	State of Kansas, Appellee, v. Ruth Hamman, Appellant.	Carla J. Stovall, Atty. Gen. J. Marcus Goodman, County Atty. Steven L. Davis	Lyon

Friday, January 25, 2002

9:00 a.m.

Case No.	Case Name	Attorneys	Jurisdiction
87,173	Nathan Willis, Appellant, v. Kansas Highway Patrol, Appellee.	Michael W. Merriam Hsingkan Chiang	Shawnee
87,567	In the Matter of Vashti Winterburg, Respondent.	Alexander M. Walczak, Deputy Disciplinary Admin. Jonathan C. Becker Vashti Winterburg, Pro Se	Original
87,894	In the Matter of George William Swisher, Respondent.	Alexander M. Walczak, Deputy Disciplinary Admin. Michael C. Hayes George William Swisher, Pro Se	Original
87,900	In the Matter of Stanley R. Juhnke, Respondent.	Alexander M. Walczak, Deputy Disciplinary Admin. Thomas J. Berscheidt Stanley R. Juhnke, Pro Se	Original
87,966	In the Matter of Stan R. Singleton, Respondent.	Frank D. Diehl, Deputy Disciplinary Admin. G. Craig Robinson Stan R. Singleton, Pro Se	Original
87,895	In the Matter of Byron J. Moore, Respondent.	Stanton A. Hazlett, Disciplinary Admin. G. Craig Robinson Byron J. Moore, Pro Se	Original

Summary Disposition of Sentencing Appeals—No Oral Argument
(Pursuant to Supreme Court Rule 7.041(a))

86,952 State v. Charles Gray	87,121 State v. Jesse L. Dunn	87,259 State v. Joe N. Nelson
87,007 State v. Ryan Lambert	87,153 State v. Kevin Clark	87,305 State v. Ronnie G. Maples
87,012 State v. Russell E. Shelden	87,157 State v. Curtis Mongold	87,362 State v. Ratwan C. Norwood
87,034 State v. Ramon Ruiz	87,211 State v. Cynthia G. Hays	87,429 State v. Craig I. Gilbert
87,035 State v. Drew Valentine	87,245 State v. Ricky Gissander	

Carol G. Green
Clerk of the Appellate Courts

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:

Tuesday, January 8, 2002

04370

Kansas State University—Bulk Liquid Nitrogen

04417

University of Kansas Medical Center—Carpet

Thursday, January 10, 2002

04432

Department of Wildlife and Parks—Furnish and Install Sewage Pumps, Manhattan

04433

Department of Wildlife and Parks—Rubber Track Crawler Tractor, McPherson

Wednesday, January 16, 2002

A-9020

Department of Transportation—Equipment Wash Building, Pittsburg

A-9279

Department of Transportation—Chemical Storage Building, Great Bend

A-9353

Wichita State University—Carpet Replacement, Various Buildings

Tuesday, January 22, 2002

04323

Department of Transportation—Maintenance of Highway Lighting, Lyon County

Thursday, January 24, 2002

A-9371

Pittsburg State University—McCray Hall Roof Replacement

Thursday, January 31, 2002

04427

Adjutant General's Department—All Labor and Materials to Replace Carpet and Paint

Request for Proposals

Wednesday, January 16, 2002

04398

Window Cleaning for the Department of Administration, Division of Facilities Management

Tuesday, January 22, 2002

04410

Space Management Consultant for the Department of Administration, Division of Facilities Management

04418

Underage Drinking Media Campaign for the Department of Transportation

John T. Houlihan
Director of Purchases

Doc. No. 027411

State of Kansas

Department of Transportation

Notice to Contractors

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

District One - Northeast

Brown—7 C-3774-01 - County road 3.5 miles (5.6 kilometers) west and 8 miles (12.9 kilometers) north of Horton, 1 mile (1.6 kilometers), grading and surfacing. (Federal Funds)

District—106 K-8655-01 - Various locations in District One, 58.6 miles (94.3 kilometers), milling. (State Funds)

Shawnee—70-89 K-6358-01 - Interstate 70, 0.5 mile (0.8 kilometer) west of the Wabaunsee-Shawnee county line east to 0.3 mile (0.5 kilometer) west of Valencia Road, 4.2 miles (6.8 kilometers), pavement reconstruction. (Federal Funds)

Wabaunsee—70-99 K-6357-01 - Interstate 70, 0.4 mile (0.6 kilometer) east of the junction of K-30 east to 0.5 mile (0.8 kilometer) west of the Wabaunsee-Shawnee county line, 4.1 miles (6.6 kilometers), pavement reconstruction. (Federal Funds)

Wyandotte—69-105 K-8639-01 - U.S. 69 bridge over I-35, bridge repair. (State Funds)

District Two - Northcentral

Geary—70-31 K-8580-01 - Eastbound Interstate 70 safety rest area, 1 mile (1.6 kilometers) west of the U.S. 77 interchange, sewer line improvement. (State Funds)

McPherson—56-59 K-8216-01 - U.S. 56 and Kansas Avenue south of Canton, 0.18 mile (0.3 kilometer), intersection improvement. (State Funds)

District Three - Northwest

Ellis-Republic—106 K-8659-01 - U.S. 81, from 3.2 miles (5.2 kilometers) northeast of U.S. 36 northeast to approximately 0.5 mile (0.8 kilometer) south of the Kansas-Nebraska state line; I-70 from the Trego-Ellis county line east to the U.S. 183 interchange, 25.7 miles (41.4 kilometers), milling. (State Funds)

Phillips—74 C-3644-01 - County road 4 miles (6.4 kilometers) west and 2.5 miles (4 kilometers) north of Kirwin, 0.2 mile (0.3 kilometer), grading and bridge. (Federal Funds)

Thomas—25-97 U-1855-01 - K-25 and Davis/Zelpher Road in Colby, 0.18 mile (0.3 kilometer), intersection improvement. (Federal Funds)

(continued)

Trego—70-98 K-8683-01 - Interstate 70 from the west junction of U.S. 283 east to the Trego-Ellis county line, 16.8 miles (27 kilometers), recycled asphalt pavement sampling. (State Funds)

District Four - Southeast

Allen—169-1 K-4419-03 - Elm Creek bridge on old U.S. 169, 0.9 mile (1.4 kilometers) south of U.S. 54, bridge repair. (State Funds)

Cherokee—160-11 K-6429-01 - U.S. 160 bridges over Cherry Creek east to the Labette- Cherokee county line, bridge replacement. (Federal Funds)

Greenwood—99-37 K-6386-01 - K-99 bridge 37, Slate Creek, 8.9 miles (14.6 kilometers) north of the east junction of U.S. 54, bridge replacement. (Federal Funds)

Labette—166-50 K-6388-01 - U.S. 166 bridge over the Neosho River, 0.2 mile (0.4 kilometer) east of the east junction of U.S. 59, bridge replacement. (Federal Funds)

Montgomery—63 K-1427-06 - Elk City State Park, 2 miles (3.2 kilometers), state park road improvements. (State Funds)

Wilson—39-103 K-7983-01 - K-39 Verdigris River bridge, 8.5 miles (13.6 kilometers) east and northeast of the junction of U.S. 400, bridge deck. (State Funds)

Wilson—39-103 K-8632-01 - K-39 bridge over Snake Creek, 7.1 miles (11.5 kilometers) east of the junction of U.S. 400, bridge repair. (State Funds)

District Five - Southcentral

District—106 K-8678-01 - Various locations in District Five, 102 miles (164.2 kilometers), milling. (State Funds)

District—106 K-5928-02 - Various locations in District Five, 185.8 miles (299.1 kilometers), signing. (State Funds)

Kingman—14-48 K-6380-01 - K-14 bridge over the Chickaskia River and the Chickaskia River drainage, bridge replacement. (Federal Funds)

Rush—83 C-3801-01 - County road 2 miles (3.2 kilometers) west and 3 miles (4.8 kilometers) south of Nekoma, 0.2 mile (0.4 kilometer), grading, bridge and surfacing. (Federal Funds)

Sedgwick—87 K-8195-01 - Wichita metropolitan area (I-135, I-235, U.S. 54 and K-96) intelligent transportation system. (State Funds)

District Six - Southwest

District—106 K-8635-01 - Various locations within District Six, 56.8 miles (91.4 kilometers), milling. (State Funds)

Ford—50-29 X-2171-02 - U.S. 50, from St. Andrews Street south to Casey Jones Street in Wright, grading and surfacing. (Federal Funds)

Gray—50-35 K-7181-01 - Ash Street east to 2nd Street in Cimarron, 0.2 mile (0.3 kilometer), grading and surfacing. (State Funds)

Morton—27-65 K-5753-01 - K-27 from the north city limits of Elkhart, north to the south junction of K-51 and the northeast bypass, 9.8 miles (15.8 kilometers), grading, bridge and surfacing. (Federal Funds)

Proposals will be issued upon request to all prospective bidders who have been prequalified by the Kansas De-

partment of Transportation on the basis of financial condition, available construction equipment and experience. Also, a statement of unearned contracts (Form No. 284) must be filed. There will be no discrimination against anyone because of race, age, religion, color, sex, handicap or national origin in the award of contracts.

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

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

E. Dean Carlson
Secretary of Transportation

Doc. No. 027412

State of Kansas

Attorney General

Permanent Administrative Regulations

Article 7.—CRIME VICTIMS ASSISTANCE GRANTS

16-7-1. (Authorized by and implementing HB 2200, Sec. 29; effective, T-16-8-22-89, Aug. 22, 1989; effective Nov. 13, 1989; revoked Jan. 11, 2002.)

16-7-2. (Authorized by 1989 HB 2200, Sec. 29; implementing 1989 HB 2200, Sec. 29, Sec. 32; effective, T-16-8-22-89, Aug. 22, 1989; effective Nov. 13, 1989; revoked Jan. 11, 2002.)

16-7-3 through 16-7-4. (Authorized by 1989 HB 2200, Sec. 29; implementing 1989 HB 2200, Sec. 29, Sec. 32; effective, T-16-8-22-89, Aug. 22, 1989; effective Dec. 20, 1989; revoked Jan. 11, 2002.)

16-7-5 through 16-7-8. (Authorized by 1989 HB 2200, Sec. 29; implementing 1989 HB 2200, Sec. 29, Sec. 32; effective, T-16-8-22-89, Aug. 22, 1989; effective Nov. 13, 1989; revoked Jan. 11, 2002.)

16-7-9. (Authorized by and implementing 1989 HB 2200, Sec. 29; effective, T-16-8-22-89, Aug. 22, 1989; effective Nov. 13, 1989; revoked Jan. 11, 2002.)

Carla J. Stovall
Attorney General

Doc. No. 027400

State of Kansas

Crime Victims Compensation Board

Permanent Administrative
Regulations

Article 8.—ELIGIBILITY REQUIREMENTS

20-8-1 through 20-8-2. (Authorized by and implementing K.S.A. 1984 Supp. 74-7325; effective, T-85-27, Nov. 14, 1984; effective May 1, 1985; amended, T-86-45, Dec. 18, 1985; amended May 1, 1986; revoked Jan. 11, 2002.)

20-8-3. (Authorized by and implementing K.S.A. 1984 Supp. 74-7325; effective, T-85-27, Nov. 14, 1984; effective May 1, 1985; amended, T-86-14, June 17, 1985; amended, T-86-45, Dec. 18, 1985; amended May 1, 1986; revoked Jan. 11, 2002.)

20-8-4. (Authorized by and implementing K.S.A. 1984 Supp. 74-7325; effective, T-85-27, Nov. 14, 1984; effective May 1, 1985; amended, T-86-45, Dec. 18, 1985; amended May 1, 1986; revoked Jan. 11, 2002.)

Article 10.—GRANT APPLICATION
REQUIREMENTS

20-10-1 through 20-10-2. (Authorized by and implementing K.S.A. 1984 Supp. 74-7325; effective, T-85-

27, Nov. 14, 1984; effective May 1, 1985; amended, T-86-45, Dec. 18, 1985; amended May 1, 1986; revoked Jan. 11, 2002.)

Article 11.—GRANT REVIEW AND APPEALS

20-11-1. (Authorized by and implementing K.S.A. 1984 Supp. 74-7325; effective, T-85-27, Nov. 14, 1984; effective May 1, 1985; amended, T-86-14, June 17, 1985; amended, T-86-45, Dec. 18, 1985; amended May 1, 1986; revoked Jan. 11, 2002.)

20-11-2. (Authorized by and implementing K.S.A. 1984 Supp. 74-7325; effective, T-85-27, Nov. 14, 1984; effective May 1, 1985; amended, T-86-45, Dec. 18, 1985; amended May 1, 1986; revoked Jan. 11, 2002.)

Article 13.—GRANTEE ACCOUNTABILITY

20-13-2. (Authorized by and implementing K.S.A. 1984 Supp. 74-7325; effective, T-85-27, Nov. 14, 1984; effective May 1, 1985; amended, T-86-45, Dec. 18, 1985; amended May 1, 1986; revoked Jan. 11, 2002.)

20-13-3. (Authorized by and implementing K.S.A. 1984 Supp. 74-7325; effective, T-86-45, Dec. 18, 1985; effective May 1, 1986; revoked Jan. 11, 2002.)

Carla J. Stovall
Attorney General

Doc. No. 027401

State of Kansas

Legislature

Interim Committee Schedule

The following committee meetings have been scheduled during the period of December 31 through January 14. 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
January 8	Wichita (Hughes Metropolitan Complex, 29th and Oliver)	10:00 a.m.	Legislative Educational Planning Committee	School finance and other matters.
January 10	123-S	10:00 a.m.	Joint Committee on State Building Construction	Capitol Improvement Project review.
January 11	123-S	9:00 a.m.		
January 11	514-S	10:00 a.m.	Joint Committee on Administrative Rules and Regulations	Review of rules and regulations proposed for adoption by the Dept. of Revenue, Dept. of Corrections, Board of Pharmacy, Animal Health Dept., Dept. on Aging, State Bank Commissioner, and others filed after this notice and before January 2, 2002.
January 11	519-S	10:00 a.m.	Legislative Post Audit	Presentation of completed audits and approval of audit topics.
January 14	235-N	9:00 a.m.	Joint Committee on Children's Issues	Agenda not available.

Jeff Russell
Director of Legislative
Administrative Services

Doc. No. 027415

State of Kansas

Racing and Gaming Commission

Permanent Administrative
Regulations

Article 18.—SIMULCASTING LICENSES

112-18-11. **Emergency procedures.** (a) A simulcasting licensee shall not accept wagers on a simulcast race until the simulcasting licensee is receiving the video signal from the sending racetrack. If the audio signal is not received, the simulcasting licensee shall establish a telephone linkup with the sending racetrack's stewards, racing judges, or simulcast official and shall announce to the patrons all pertinent information.

(b) If the simulcasting licensee loses the audio or video signal from the sending racetrack, the simulcasting licensee shall immediately notify the sending racetrack of the lost signal.

(c) If the audio or video signal is lost after wagering has commenced, wagering shall be suspended while it is determined if the signal can be reestablished. An announcement shall be made to the patrons advising them that wagering has been temporarily suspended due to video problems. The results and prices of each race that goes post while the signal is lost shall be received through the tote linkup and shall be verified with the host track. An announcement of the results shall be made to the patrons.

(d) If the video signal cannot be reestablished, the simulcast licensee shall cease accepting wagers. The licensee may order a refund of all monies wagered on future races, or at the determination of the mutuel manager, the outstanding wagers on future races may remain in the system. If the decision is made to keep outstanding wagers in the system, a ticket list shall be run showing all outstanding wagers on the remainder of the performance. The mutuel manager shall verify the prices and results of all races in which there are outstanding wagers, and the results of these races shall be announced to the patrons.

(e) If the licensee loses the audio or video signal as described above in subsection (c) or (d), the licensee shall file a written report with the inspector of parimutuels.

(f) Wagers that encompass more than one race shall be unaffected by signal problems encountered in any race of the sequence other than the first. (Authorized by K.S.A. 2000 Supp. 74-8804; implementing K.S.A. 2000 Supp. 74-8836, as amended by L. 2001, Ch. 5, Sec. 352; effective, T-112-4-27-92, April 27, 1992; effective, T-112-9-10-92, Sept. 10, 1992; effective Nov. 23, 1992; amended Sept. 6, 1994; amended Jan. 11, 2002.)

Tracy T. Diel
Acting Executive Director

Doc. No. 027405

(Published in the Kansas Register December 27, 2001.)

Summary Notice of Bond Sale

City of Marion, Kansas

\$262,000

General Obligation Bonds, Series A, 2002

(General obligation bonds payable from
unlimited ad valorem taxes)

Bids

Subject to the notice of bond sale dated December 17, 2001, written bids will be received by the clerk of the City of Marion, Kansas (the issuer), on behalf of the governing body at City Hall, 203 N. Third, Marion, KS 66861, until 3:30 p.m. January 14, 2002, for the purchase of \$262,000 principal amount of General Obligation Bonds, Series A, 2002. No bid of less than 98.5 percent of the principal amount of the bonds and accrued interest thereon to the date of delivery will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof, except one bond in the denomination of \$2,000 (or such amount added to \$5,000 or any integral multiple thereof). The bonds will be dated January 15, 2002, and will become due on February 1 in the years as follows:

Year	Principal Amount
2003	\$12,000
2004	15,000
2005	15,000
2006	15,000
2007	15,000
2008	15,000
2009	15,000
2010	15,000
2011	15,000
2012	20,000
2013	20,000
2014	20,000
2015	20,000
2016	25,000
2017	25,000

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

Optional Book-Entry-Only System

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

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a good faith deposit in the form of a cashier's or certified check drawn on a bank located in the United States or a qualified financial surety bond in the amount of \$5,240 (2 percent of the principal amount of the bonds).

Delivery

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about January 30, 2002, to DTC for the account of the successful bidder or at such bank or trust company in the contiguous United States as may be specified by the successful bidder, or elsewhere at the expense of the successful bidder.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 2001 is \$9,435,534. The total general obligation indebtedness of the issuer as of the date of delivery of the bonds, including the bonds being sold, is \$1,951,000.

Approval of Bonds

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

Additional Information

Additional information regarding the bonds may be obtained from the clerk, (620) 382-3703, fax (620) 382-3993; or from the financial advisor, Chapman Securities, Inc., 800 E. 1st St., Suite 400, Wichita, KS 67201-0205, Attention: David K. Shupe, (316) 265-3331, fax (316) 265-6418.

Dated December 17, 2001.

City of Marion, Kansas

Doc. No. 027414

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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Table with 3 columns: Reg. No., Action, Register. Lists regulations 1-5-8 through 1-45-7a.

AGENCY 4: DEPARTMENT OF AGRICULTURE

Table with 3 columns: Reg. No., Action, Register. Lists regulations 4-3-47 through 4-10-5a.

AGENCY 5: DEPARTMENT OF AGRICULTURE—DIVISION OF WATER RESOURCES

Table with 3 columns: Reg. No., Action, Register. Lists regulation 5-25-4.

AGENCY 7: SECRETARY OF STATE

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