



Kansas Register

Ron Thornburgh, Secretary of State

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State of Kansas

Kansas Development Finance Authority

Notice of Hearing

A public hearing will be conducted at 9 a.m. Thursday, January 31, 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 Bond for the project numbered below in the respective maximum principal amount. The bond will be issued to assist the respective borrower named below (who will be the owner and operator of the project) to finance the cost in the amount of the bond of acquiring the project or for the purpose of refunding a bond previously issued to finance the project. The project shall be located as shown:

Project No. 000521—Maximum Principal Amount: \$48,400. Owner/Operator: Troy S. Johnston. Description: Acquisition of 117 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 24, Hayes Township and Section 18, Highland Township, Clay County, Kansas, approximately .5 mile north of Green on Utah Road and 3 miles west on 22nd Road to the northeast corner of property.

The bond, when issued, will be a limited obligation of the Kansas Development Finance Authority and will not

constitute a general obligation or indebtedness of the State of Kansas or any political subdivision thereof, including the Authority, nor will it be an indebtedness for which the faith and credit and taxing powers of the State of Kansas are pledged. The bond will be payable solely from amounts received from the respective borrower, the obligation of which will be sufficient to pay the principal of, interest and redemption premium, if any, on the bond when it becomes due.

All individuals who appear at the hearing will be given an opportunity to express their views, and all written comments previously filed with the Authority at its offices at 555 S. Kansas Ave., Suite 202, Topeka, 66603, will be considered. Additional information regarding the project may be obtained by contacting the Authority.

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

Jack H. Brier
President

Doc. No. 027510

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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 1-21-02 through 1-27-02

Table with 2 columns: Term, Rate. Rows include 1-89 days (1.72%), 3 months (1.57%), 6 months (1.66%), 1 year (1.98%), 18 months (2.47%), 2 years (2.85%).

Derl S. Treff
Director of Investments

Doc. No. 027480

State of Kansas
Criminal Justice Coordinating Council

Notice of Available Grant Funding

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

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

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

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

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

Grants operate on a reimbursement basis. Subrecipients will be reimbursed the federal portion for authorized expenditures. Reimbursements are processed monthly.

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

Applications must be postmarked not later than April 27 to the address listed below. Grant awards will be announced before June 30, 2001.

Additional information on the Edward Byrne Memorial State and Local Law Enforcement Assistance Grant can be found at: www.ink.org/public/ksc/federal.htm. The SFY2002 Byrne grant application will be available at this Web site February 1. The application is available in WordPerfect 8, Word 97 and Adobe Acrobat formats.

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

Barbara S. Tombs
Executive Director

Doc. No. 027483

State of Kansas
Kansas Development Finance Authority

Notice of Hearing

A public hearing will be conducted at 9 a.m. Thursday, February 7, 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 Bond for the project numbered below in the respective maximum principal amount. The bond will be issued to assist the respective borrower named below (who will be the owner and operator of the project) to finance the cost in the amount of the bond of acquiring the project or for the purpose of refunding a bond previously issued to finance the project. The project shall be located as shown:

Project No. 000526—Maximum Principal Amount: \$36,500. Owner/Operator: Thomas J. and Shanon L. Svoboda. Description: Acquisition of 60 acres of agricultural land and related improvements and equipment to be used by the owner/operator for farming purposes. The project is located at the Northwest Quarter of Section 14, Township 16, Range 5, Morris County, Kansas, approximately 4 miles east of Herington on U.S. Highway 77.

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

All individuals who appear at the hearing will be given an opportunity to express their views, and all written comments previously filed with the Authority at its offices at 555 S. Kansas Ave., Suite 202, Topeka, 66603, will be considered. Additional information regarding the project may be obtained by contacting the Authority.

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

Jack H. Brier
President

Doc. No. 027504

State of Kansas

State Conservation Commission

Notice of Meeting

The State Conservation Commission will meet at 9 a.m. Monday, February 11, in the State Conservation Commission's conference room, 109 S.W. 9th, Suite 500, Topeka. A copy of the agenda may be obtained by contacting Cathy Greene, 109 S.W. 9th, Suite 500, Topeka, 66612-1215, (785) 296-3600. If special accommodations are needed, please contact the agency three days in advance of the meeting date.

Tracy Streeter
Executive Director

Doc. No. 027468

State of Kansas

Social and Rehabilitation Services

Notice of Hearing on Proposed
Administrative Regulations

A public hearing will be conducted at 10 a.m. Wednesday, March 27, in Room 481-W, Docking State Office Building, 915 S.W. Harrison, Topeka, to consider the adoption of amendments to existing rules and regulations on a permanent basis effective May 1, 2002. Telephone conference will not be available.

This 60-day notice of the public hearing shall constitute a public comment period for the proposed regulations. All interested parties may submit written comments prior to or during the public hearing to Hope Burns, Office of the Secretary for SRS, Room 603-N, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612. All interested parties will be given a reasonable opportunity to present their views, but 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 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 Hope Burns at (785) 296-3969 or by calling the Kansas Relay Center at 1-800-766-3777.

The adoption of the regulations will take place at 10 a.m. Friday, March 29, in the SRS executive conference room, 603-N, Docking State Office Building. Telephone conference will not be available.

Copies of the regulations and the economic impact statement may be obtained by contacting Hope Burns. A summary of the proposed regulations and the economic impact follows:

Article 6.—MEDICAL ASSISTANCE PROGRAM—
CLIENTS' ELIGIBILITY FOR PARTICIPATION

30-6-94. Medical assistance (non-title XIX) determined individuals; eligibility factors specific to persons living in nursing facilities for mental health (NF-MH). This regulation is being amended to ensure that

individuals receiving state funding in NF-MHs have a severe and persistent mental illness.

Economic Impact: SRS will discontinue payment for individuals residing in NF-MHs who do not have a severe and persistent mental illness. Some individuals that continue to require nursing care may move to a nursing home that can provide the level of care required. However, should individuals with other types of disabilities move to other nursing homes, federal financial participation would increase because they would no longer reside in a facility exempted from federal payments. Some individuals with other types of disabilities might also be eligible for community-based services, such as those provided under the Home- and Community-Based Services waivers for persons with a physical disability or a head injury. Again, federal financial participation would increase because the individual would no longer reside in a facility exempted from federal payments.

Bearer of Cost: The Kansas Department on Aging (KDOA) would bear some cost for the state funds required to serve individuals who moved into regular nursing home care. Additional costs also could be borne in the community-based services programs administered through SRS. The SRS-submitted budget assumes savings of \$837,500 in all funds (\$241,808 SGF) in FY 2002 and \$2.5 million in all funds (\$1.8 million SGF) due to implementation of this change. The savings conservatively estimate that 25 percent of all persons in NF-MH facilities do not have a severe and persistent mental illness, and that all NF-MH facilities will continue to serve persons with mental illness.

Affected Parties: The KDOA, NF-MHs and current residents of NF-MHs that do not have a severe and persistent mental illness.

Other Methods: This was determined to be the most appropriate method for ensuring that NF-MHs specialize in the care of individuals with mental illness, and that the state not bear the total cost of care for Medicaid-eligible individuals placed in facilities exempt from federal payments.

Article 10.—ADULT CARE HOME PROGRAM

30-10-1a. Nursing facility program definitions.

This regulation is being amended to ensure that individuals with mild or short-term psychiatric symptoms are not placed in the most costly and restrictive level of care. The regulation clarifies what types of disorders are considered when determining if a person has a severe and persistent mental illness.

Economic Impact: SRS will discontinue payment for individuals residing in NF-MHs who do not have a severe and persistent mental illness. Some individuals that continue to require nursing care may move to a nursing home that can provide the level of care required. However, should individuals with other types of disabilities move to other nursing homes, federal financial participation would increase because they would no longer reside in a facility exempted from federal payments. Some individuals with other types of disabilities also might be eligible for community-based services, such as those provided under the Home- and Community-Based Services

waivers for persons with a physical disability or a head injury. Again, federal financial participation would increase because the individual would no longer reside in a facility exempted from federal payments.

Bearer of Cost: The Kansas Department on Aging (KDOA) would bear some cost for the state funds required to serve individuals that moved into regular nursing home care. Additional costs also could be borne in the community-based services programs administered through SRS. The SRS-submitted budget assumes savings of \$837,500 in all funds (\$241,808 SGF) in FY 2002 and \$2.5 million in all funds (\$1.8 million SGF) due to implementation of this change. The savings conservatively estimate that 25 percent of all persons in NF-MH facilities do not have a severe and persistent mental illness, and that all NF-MH facilities will continue to serve persons with mental illness.

Affected Parties: The KDOA, NF-MHs and current residents of NF-MHs that do not have a severe and persistent mental illness.

Other Methods: This was determined to be the most appropriate method to ensure that costly and restrictive institutional care be limited to individuals with the most severe and disabling mental health conditions.

30-10-2. Standards for participation; nursing facilities and nursing facilities for mental health. This regulation is being amended for technical changes. They include: Adding language to clarify a reference to the Federal Omnibus Budget Reconciliation Act of 1987; striking language that requires disclosure of ownership information for subcontractors that providers have more than \$25,000 worth of business transactions with; and changes that clarify that the U.S. Department of Health and Human Services is referred to.

Economic Impact: The specific fiscal impact is uncertain at this time. It is not anticipated that this change would add significant new costs.

Bearer of Cost: SRS

Affected Parties: None.

Other Methods: None.

30-10-7. Screening, evaluation, re-evaluation, and referral procedures for nursing facilities. This regulation is being changed in order to comply with federal mandates to serve individuals with disabilities in the least restrictive setting. There are currently no regular reviews to determine if residents in nursing facilities for mental health continue to need institutional level of care. This change would add the requirement of an annual resident review for residents of an NFMH. This regulation is being further amended for a technical change to update the reference cited regarding assessments.

Economic Impact: The specific fiscal impact is uncertain at this time. It is not anticipated that this change would add significant new costs. Any additional reimbursement to community mental health centers for conducting these reviews would be incorporated within the department's contract with the centers.

Bearer of Cost: SRS

Affected Parties: CMHCs and NFMHs

Other Methods: This was determined to be the most appropriate method for ensuring that NFMHs meet federal mandates ensuring individuals with disabilities live

in the least restrictive setting, and that SRS does not fund institutional placement for individuals whose conditions have improved and no longer need this level of care.

Janet Schalansky
Secretary of Social and
Rehabilitation Services

Doc. No. 027491

State of Kansas

Legislature

Legislative Bills and Resolutions Introduced

The following numbers and titles of bills and resolutions were introduced January 14-16 by the 2002 Kansas Legislature. Copies of bills and resolutions are available free of charge from the Legislative Document Room, 145-N State Capitol, 300 S.W. 10th Ave., Topeka, 66612, (785) 296-4096. Full texts of bills, bill tracking and other information may be accessed at ink.org/public/legislative.

House Bills

HB 2603, An act designating part of United States highway 169 as the Robert V. Talkington highway, by Representative Dreher.

HB 2604, An act relating to drivers' licenses; concerning the expiration thereof; amending K.S.A. 8-240 and 8-247 and repealing the existing sections, by Representative Lightner.

HB 2605, An act concerning school district finance; providing for declining enrollment weighting; amending K.S.A. 2001 Supp. 72-6407 and repealing the existing section, by Representatives Faber and Gatewood.

HB 2606, An act concerning telecommunications services; relating to the fraudulent procurement thereof; amending K.S.A. 2001 Supp. 66-1,187 and 66-2002 and repealing the existing sections, by Representative Gordon.

HB 2607, An act concerning elections; relating to mail ballot elections; amending K.S.A. 25-432 and repealing the existing section, by Representative Sloan.

HB 2608, An act relating to motor carriers; providing for certain exemptions; amending K.S.A. 2001 Supp. 66-1,129 and repealing the existing section, by Representative Ballou.

HB 2609, An act concerning the state fair; authorizing a hotel and convention center on the state fair grounds, by Representative O'Neal.

HB 2610, An act concerning crimes and punishment; relating to sentencing; amending K.S.A. 2001 Supp. 21-4610 and repealing the existing section, by Representative O'Neal.

HB 2611, An act concerning crimes and punishment; relating to worthless checks; amending K.S.A. 2001 Supp. 21-3707 and repealing the existing section, by Representative Lloyd.

HB 2612, An act relating to state finances; concerning biennial budget estimates for state agencies; amending K.S.A. 2001 Supp. 75-3717 and repealing the existing section, by Legislative Budget Committee.

HB 2613, An act relating to state finances; concerning joint estimates of revenue to the state general fund; amending K.S.A. 75-6701 and repealing the existing section, by Legislative Budget Committee.

HB 2614, An act concerning the 1st Kansas (Colored) Voluntary Infantry regiment capitol mural; amending K.S.A. 2001 Supp. 75-2264 and repealing the existing section, by Joint Committee on Arts and Cultural Resources.

HB 2615, An act establishing the joint committee on the Kansas legislative history project, by Joint Committee on Arts and Cultural Resources.

HB 2616, An act concerning the Kansas business health partnership act; relating to the removal of the sunset provision; amending K.S.A. 40-4707 and repealing the existing section, by Special Committee on Commercial and Financial Institutions/Insurance.

HB 2617, An act establishing the joint committee for legislative oversight of the department of social and rehabilitation services; prescribing powers, duties and functions therefor, by Special Committee on Ways and Means/Appropriations.

(continued)

HB 2618, An act concerning hospital aides; relating to nameplates as identification of job title, by Representative Lightner.

HB 2619, An act relating to tax sheltered annuities provided for employees of community colleges and school districts; amending K.S.A. 72-8603 and repealing the existing section, by Joint Committee on Pensions, Investments and Benefits.

HB 2620, An act concerning retirement and pensions; relating to the retirement system for judges; mandatory retirement age; amending K.S.A. 20-2608 and repealing the existing section, by Joint Committee on Pensions, Investments and Benefits.

HB 2621, An act concerning retirement; relating to the Kansas public employees retirement system and systems thereunder; benefits; eligibility; purchase of participating service; amending K.S.A. 2001 Supp. 74-4902, 74-4919m and 74-4966 and repealing the existing sections; also repealing K.S.A. 2000 Supp. 74-4919t, by Joint Committee on Pensions, Investments and Benefits.

HB 2622, An act concerning retirement; relating to local police and fire pension plans; contribution rates; amending K.S.A. 12-5002 and repealing the existing section, by Joint Committee on Pensions, Investments and Benefits.

HB 2623, An act concerning crimes, criminal procedure and punishment; relating to forgery; sentencing; amending K.S.A. 2001 Supp. 21-4704 and repealing the existing section; also repealing K.S.A. 2001 Supp. 21-4704a, by Joint Committee on Corrections and Juvenile Justice Oversight.

HB 2624, An act concerning rural water districts and public wholesale water supply districts; relating to the powers and duties thereof; amending K.S.A. 82a-619 and K.S.A. 2001 Supp. 19-3552 and repealing the existing sections, by Representative Sloan.

HB 2625, An act concerning state representative districts; providing for the reapportionment thereof; repealing K.S.A. 4-3,601 through 4-3,728, by Special Committee on Redistricting.

HB 2626, An act concerning retirement; relating to the purchase of service credit; rollover of distributions; amending K.S.A. 2001 Supp. 74-49,123 and repealing the existing section, by Representative Stone.

HB 2627, An act relating to water; concerning the public water supply project loan program; amending K.S.A. 2001 Supp. 65-163d, 65-163i, 65-163j and 65-163u and repealing the existing sections, by Representative Cox.

HB 2628, An act concerning the state gaming revenues fund; relating to certain transfers therefrom; amending K.S.A. 79-4801 and repealing the existing section, by Joint Committee on Economic Development.

HB 2629, An act relating to the security of the department of administration computer and telecommunication infrastructure space; concerning fingerprinting of certain personnel, by Special Committee on Kansas Security.

HB 2630, An act concerning counties; relating to medical expenses of prisoners amending K.S.A. 19-4444 and repealing the existing section, by Representative Boston.

HB 2631, An act enacting the renewable energy electricity generation cooperative act; providing for the organization of cooperative corporations to generate electricity from renewable resources and technologies and to transmit and sell such electricity at wholesale, by Committee on Utilities.

HB 2632, An act concerning the environment; relating to pollution; relating to renewable electric generation; providing for certain assessments to fund certain environmental research and remediation programs, by Committee on Utilities.

HB 2633, An act enacting the renewable energy electricity purchasing cooperative act; providing for the organization of cooperative corporations to purchase at wholesale electricity generated from renewable resources and technologies and to sell such electricity at retail to members of the cooperative; amending K.S.A. 66-1,170 and repealing the existing section, by Committee on Utilities.

HB 2634, An act concerning telecommunications facilities and services of certain state agencies; amending K.S.A. 2001 Supp. 75-4709 and repealing the existing section, by Committee on Utilities.

HB 2635, An act concerning certain electric transmission lines; providing for issuance of certain bonds therefor, by Committee on Utilities.

HB 2636, An act concerning state officers and employees; establishing the advisory committee on classified employee issues; prescribing powers, duties and functions therefor, by Representatives Sloan and Findley.

HB 2637, An act relating to sales taxation; providing an exemption therefrom for purchases by Temporary Lodging for Children, Inc.;

amending K.S.A. 2001 Supp. 79-3606 and repealing the existing section, by Representative D. Williams.

HB 2638, An act relating to motor vehicles; concerning the registration thereof; amending K.S.A. 8-127, 8-135, 8-143 and 8-2409 and repealing the existing sections, by Representative Larkin.

HB 2639, An act concerning mortgage guaranty insurance companies; relating to the requirements on authorized real estate security; amending K.S.A. 40-3502 and repealing the existing section, by Committee on Insurance.

HB 2640, An act relating to insurance companies; relating to viatical settlements and investments; amending K.S.A. 2001 Supp. 17-1262 and repealing the existing section; also repealing K.S.A. 40-2,171, 40-2,172, 40-2,173, 40-2,174, 40-2,175, 40-2,176, 40-2,177, 40-2,178, 40-2,179, 40-2,180, 40-2,181, 40-2,182 and 40-2,183, by Committee on Insurance.

HB 2641, An act concerning school employment; amending K.S.A. 2001 Supp. 74-4940 and repealing the existing section, by Representatives Gordon, Flora, Hermes, Hutchins, Kirk, Kuether, Mays, Nichols and R. Toelkes.

HB 2642, An act concerning the Kansas national guard educational assistance program; amending K.S.A. 2001 Supp. 48-276, 48-277, 48-278 and 48-279 and repealing the existing sections, by Legislative Educational Planning Committee.

HB 2643, An act concerning crimes, criminal procedure and punishment; relating to criminal use of weapons; amending K.S.A. 2001 Supp. 21-4201 and repealing the existing section, by Committee on Appropriations.

HB 2644, An act concerning certain public utilities; providing for recovery of certain costs of uncollectible customer accounts, by Committee on Utilities.

HB 2645, An act concerning customers bills for certain services; providing for rounding up; providing for disposition of revenues generated thereby, by Committee on Utilities.

HB 2646, An act concerning parallel generation of electric power; amending K.S.A. 2001 Supp. 66-1,184 and repealing the existing section, by Committee on Utilities.

House Concurrent Resolutions

HCR 5034, A concurrent resolution relating to a committee to inform the governor that the two houses of the legislature are duly organized and ready to receive communications.

HCR 5035, A concurrent resolution providing for a joint session of the Senate and House of Representatives for the purpose of hearing a message from the Governor.

House Resolutions

HR 6001, A resolution relating to the organization of the House of Representatives.

HR 6002, A resolution relating to the assignment of seats of the House of Representatives.

Senate Bills

SB 368, An act making and concerning appropriations for the fiscal year ending June 30, 2002, for the department of corrections for local jail payments; authorizing certain transfers and imposing certain restrictions and limitations, and directing or authorizing certain receipts and disbursements and acts incidental to the foregoing, by Senator Jackson.

SB 369, An act designating part of United States highway 169 as the Robert V. Talkington highway, by Senator Schmidt.

SB 370, An act designating United States highway 83 as the veterans of foreign wars memorial highway, by Senators Clark and Huelskamp.

SB 371, An act concerning certain recreational trails; amending K.S.A. 2001 Supp. 58-3215 and repealing the existing section, by Senator Emler (By request).

SB 372, An act relating to sales taxation; concerning the sourcing of mobile telecommunications services; amending K.S.A. 2001 Supp. 79-3603 and repealing the existing section; also repealing K.S.A. 2001 Supp. 79-3603b, by Special Committee on Assessment and Taxation.

SB 373, An act relating to the arts; concerning the funding thereof; amending K.S.A. 2001 Supp. 79-4803 and 79-4804 and repealing the existing sections, by Joint Committee on Arts and Cultural Resources.

SB 374, An act authorizing the fixing and collecting of certain fees by state agencies and providing for the disposition thereof, by Legislative Budget Committee.

SB 375, An act concerning retirement; relating to schools; early retirement incentive programs; amending K.S.A. 2001 Supp. 72-5395 and

repealing the existing section, by Joint Committee on Pensions, Investments and Benefits.

SB 376, An act concerning the state fire marshal; establishing a hazardous materials incident response program; amending K.S.A. 31-133 and repealing the existing section, by Joint Committee on Administrative Rules and Regulations.

SB 377, An act concerning access to health care records by patients and authorized representatives, by Special Committee on Judiciary.

SB 378, An act concerning congressional districts; providing for the redistricting thereof; repealing K.S.A. 4-128, 4-133 and 4-135, by Special Committee on Redistricting.

SB 379, An act concerning state senate districts; providing for the reapportionment thereof; repealing K.S.A. 4-4,201 through 4-4,243, by Special Committee on Redistricting.

SB 380, An act concerning reports, pamphlets, books and other printed materials of state agencies; amending K.S.A. 46-1212c and 75-3048 and repealing the existing sections, by Legislative Coordinating Council.

SB 381, An act concerning congressional districts; providing for the redistricting thereof; repealing K.S.A. 4-128, 4-133 and 4-135, by Senator Hensley.

SB 382, An act concerning the consumer protection act; relating to profiteering from disaster, by Senator Schmidt.

SB 383, An act amending the interlocal cooperation act; amending K.S.A. 12-2903 and 12-2904 and repealing the existing sections, by Joint Committee on State-Tribal Relations.

SB 384, An act concerning agreements with Native American Indian tribes, by Joint Committee on State-Tribal Relations.

SB 385, An act making and concerning appropriations for the fiscal year ending June 30, 2002; amending K.S.A. 2001 Supp. 79-34,147 and repealing the existing section, by Committee on Ways and Means.

SB 386, An act concerning retirement and pensions; relating to the Kansas public employees retirement system and systems thereunder; unfunded obligations for certain benefits, by Committee on Ways and Means.

SB 387, An act concerning state finance; maximum expenditures and demand transfers from the state general fund; amending K.S.A. 75-6702 and repealing the existing section, by Committee on Ways and Means.

SB 388, An act concerning insurance; relating to risk-based capital requirements; amending K.S.A. 2001 Supp. 40-2c01 and repealing the existing section, by Committee on Financial Institutions and Insurance.

SB 389, An act concerning insurance; authorizing the insurance commissioner to share information with functional regulatory agencies, by Committee on Financial Institutions and Insurance.

SB 390, An act concerning insurance; relating to reinsurance matters; amending K.S.A. 40-221a and repealing the existing section, by Committee on Financial Institutions and Insurance.

SB 391, An act regulating traffic; concerning failure to comply with traffic citation; amending K.S.A. 8-2110 and repealing the existing section, by Committee on Transportation.

SB 392, An act relating to drivers' licenses; concerning habitual violators; amending K.S.A. 8-285 and repealing the existing section, by Committee on Transportation.

SB 393, An act concerning the teacher service scholarship program; relating to the awarding of scholarships; amending K.S.A. 2001 Supp. 74-32,102 and repealing the existing section, by Committee on Education.

SB 394, An act concerning school districts; relating to the closure of school buildings by boards of education; amending K.S.A. 72-8213 and K.S.A. 2001 Supp. 72-8233 and repealing the existing sections; also repealing K.S.A. 72-8136a, 72-8136b, 72-8136c, 72-8136d and 72-8136e, by Committee on Education.

SB 395, An act concerning plant and animal diseases; relating to state of disaster emergency; unlawful acts and punishment therefor; amending K.S.A. 21-3436 and K.S.A. 2001 Supp. 47-623 and 48-924 and repealing the existing sections, by Committee on Agriculture.

Senate Concurrent Resolutions

SCR 1613, A concurrent resolution relating to the joint rules of the Senate and House of Representatives for the 2001-2002 biennium.

SCR 1614, A concurrent resolution encouraging decreased dependence on public moneys to finance long-term care and education concerning long-term care insurance.

Senate Resolutions

SR 1801, A resolution relating to the organization of the Senate.

Doc. No. 027486

State of Kansas

Department of Transportation

Notice to Consulting Engineers

The Kansas Department of Transportation is seeking qualified consulting engineering firms for the project listed below. Seven signed copies of the response should be mailed to Neil Rusch, P.E., Assistant to the Director, Division of Engineering and Design, KDOT, Room 1084-West, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612-1568. Responses shall be limited to four pages. Responses must be received in Room 1084-West by 5 p.m. February 13 for the consulting engineering firm to be considered.

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

The Consultant Negotiating Committee, appointed by the Secretary of Transportation, will conduct the discussions with the firms invited to the individual interview conferences. The committee will select the firm to perform the professional services required for completing the advertised project. After the selection of this firm, the remaining firms will be notified by letter of the outcome.

106 C-3922-01, Statewide

The scope of services is to provide underwater field inspection of the structural integrity and scour of Local Public Authority (LPA) bridges statewide. Inspections shall be conducted using nondestructive/minimally destructive test methods in conformance with the Federal Highway Administration Report No. FHWA-DP-80-1 entitled "Underwater Inspection of Bridge," dated November 1989 or latest revision. Inspections shall be Type 1, 2 or 4 as identified in KDOT Bureau of Design, Bridge Management Section, Bridge Inspection Manual, dated January 1996, p. 78 or latest revision. Approximately 30 structures are proposed for inspection in 2002 and approximately 75 structures are proposed in 2004. The intent is to issue the 2002 Notice to Proceed in May 2002.

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

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

E. Dean Carlson
Secretary of Transportation

Doc. No. 027455

State of Kansas

Department of Transportation

Notice of Public Auction

The Kansas Secretary of Transportation will offer for sale and removal at public auction at site at 11 a.m. Tuesday, February 26, the following improvements located in Butler County, Kansas, described as follows:

Tr. 1—4580 NW Hwy 77 El Dorado, Kansas. 1,883 sq. ft. house with 4 bedrooms, 1.5 bath on crawl space w/ single car attached garage and 12' x 16' raised wood deck.

Immediately following—a 684 sq. ft. pole barn w/overhead door, a metal garden shed, and a pump house will be auctioned individually.

An inspection of property will be from noon to 1 p.m. February 19 and 30 minutes prior to the sale.

Performance Bonds

Posted by cashier's check the day of the sale:

House . . . \$4,000

Pole Barn . . . \$750

Garden Shed & Pump House . . . \$200 each

Terms of Sale

Cashier's check for the purchase price must be paid on the day of the sale. The successful bidder will be required to remove the structures from the right of way on or before June 1, 2002. The Kansas Department of Transportation ensures the acceptance of any bid pursuant to this notice will be without discrimination on the grounds of sex, race, color, religion, physical handicap or national origin.

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

E. Dean Carlson
Secretary of Transportation

Doc. No. 027503

State of Kansas

Department of Transportation

Notice to Consulting Engineers

The Kansas Department of Transportation is seeking qualified consulting engineering firms to handle the platting and annexation of two parcels of property located south of Waterwell Road and west of I-135 in Saline County. One parcel is KDOT right-of-way and the other belongs to the Ruth Yost Trust Number One. Together the parcels total approximately 160 acres. The selected consultant shall comply with all development standards for the City of Salina.

Seven signed copies of the response should be mailed to Neil Rusch, P.E., Assistant to the Director, Division of Engineering and Design, KDOT, Room 1084-West, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612-1568. Responses shall be limited to four pages. Responses must be received in Room 1084 West by 5 p.m. February 7 for the consulting engineering firm to be considered.

A Consultant Selection Committee will select a list of the most highly qualified firms (not less than three, not

more than five) and invite them to attend an individual interview conference. At this time, the consulting firms can more thoroughly discuss their experience related to the type of project at hand and will be expected to discuss, in some detail, their approach to this project and the personnel to be assigned to the project. Firms not selected to be short-listed will be notified by letter.

The Consultant Negotiating Committee, appointed by the Secretary of Transportation, will conduct discussions with the firms invited to the individual interview conferences. The committee will select the firm to perform the professional services required for completing the advertised project. After the selection of this firm, the remaining firms will be notified by letter of the outcome.

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

- Size and professional qualifications;
- Experience of staff;
- Location of firm with respect to proposed project;
- Work load of firm; and
- Firm's performance record.

E. Dean Carlson
Secretary of Transportation

Doc. No. 027489

State of Kansas

Department of Revenue
Division of VehiclesNotice of Intent to Establish a New Line-Make
for Existing New Motor Vehicle Dealer

Notice has been received from DaimlerChrysler Motors Corporation, a manufacturer of West Wichita Chrysler Jeep Inc., Kansas Dealer #0632, that it will be adding the Chrysler line-make to its location at 11028 W. Kellogg, Wichita, Kansas. The proposed completion of the site's construction will take approximately one year. The vehicle dealer-operators will be Gary Shaffer, and the principal investors are Michael E. Steven, Harold D. Johnson and Michael J. Rupp.

Pursuant to K.S.A. 2000 Supp. 8-2430(a)(5), any existing new motor vehicle dealer may protest the proposed addition of the new line-make at West Wichita Chrysler Jeep, Inc., if that existing new motor vehicle dealer has a franchise agreement for the same line-make vehicle as that which is to be sold or offered for sale by West Wichita Chrysler Jeep, Inc., 11028 W. Kellogg, Wichita, Kansas; and provided that the existing new motor vehicle dealer is physically located such that its relevant market area, as defined in K.S.A. 2000 Supp. 8-2430(e), includes the location where the new Chrysler dealership will be located.

Pursuant to K.S.A. 2000 Supp. 8-2430(a), any petition or complaint by any dealer with standing to protest must be filed with the Director of Vehicles within 30 days of this notice. Such petitions or complaints must be directed to the Kansas Department of Revenue, Director of Motor Vehicles, 1st Floor, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612.

Sheila Walker
Director of Motor Vehicles

Doc. No. 027499

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. February 20 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)

Jefferson—24-44 K-8348-01 - U.S. 24 bridge over the Delaware River, bridge repair. (State Funds)

Marshall—58 K-8578-01 - K-9 from 10th Street in Frankfort north to the north junction of K-99; K-99 from the north junction of K-9 north to the junction of U.S. 36, 9.4 miles (15 kilometers), overlay. (State Funds)

Shawnee—470-89 K-8271-01 - Interstate 470 west-bound bridge over I-70 northwest of 10th Street, bridge repair. (Federal Funds)

Wabaunsee—4-99 K-8346-01 - K-4 bridges over South Branch Mill Creek and South Branch Mill Creek drainage, bridge repair. (State Funds)

District Two - Northcentral

Clay—14 C-3844-01 - County road 5.2 miles (8.3 kilometers) south and 4 miles (6.4 kilometers) east of Clay Center, 0.2 mile (0.3 kilometer), grading, bridge and surfacing. (Federal Funds)

Cloud—15 C-3679-01 - County road 5 miles (8 kilometers) south and 1 mile (1.6 kilometers) west of Jamestown at Whites Creek, 0.3 mile (0.5 kilometer), grading and bridge. (Federal Funds)

Cloud—15 U-1778-01 - 18th Street, east of U.S. 81 highway in Concordia, 0.3 mile (0.6 kilometer), grading and surfacing. (Federal Funds)

District Three - Northwest

Norton—9-69 K-6359-02 - K-9 bridges over Elk Creek, East Elk Creek and Otter Creek, seeding and sodding. (Federal Funds)

District Four - Southeast

Anderson—2 K-8605-01 - U.S. 59, from the north city limits of Garnett north to 0.2 mile (0.4 kilometer) south of the Anderson-Franklin county line; U.S. 169, from 1.2 miles (1.9 kilometers) north of the junction of K-57 north to the south junction of U.S. 59; U.S. 59 from the south junction of U.S. 169 north to the north junction of U.S. 169; U.S. 169B from the junction of U.S. 59 east to the junction of U.S. 169, 21.9 miles (35.3 kilometers), overlay. (State Funds)

Cherokee—69-11 K-8559-01 - U.S. 69 from the junction of K-7 east to the junction of U.S. 400, 7 miles (11.3 kilometers), overlay. (State Funds)

Crawford—19 U-1659-01 - Centennial Drive from Knollview to the east city limits in Pittsburg, 1.1 miles (1.8 kilometers), grading and surfacing. (Federal Funds)

District—106 K-6254-02 - Various locations in District 4, 157.7 miles (253.8 kilometers), signing. (State Funds)

District Five - Southcentral

Barton—5 C-3397-01 - County road 4 miles (6.4 kilometers) west of Ellinwood, then south 0.4 mile (0.6 kilometer), grading, bridge and surfacing. (Federal Funds)

Kingman—17-48 K-7338-01 - K-17, Smoots Creek bridge 0.5 mile (0.8 kilometer) north of the junction of U.S. 54, bridge replacement. (Federal Funds)

Sedgwick—87 K-8312-01 - Various locations in Wichita, lighting. (State Funds)

District Six - Southwest

Grant—34 U-1789-01 - Patterson Street from Colorado Street to county road I, 1 mile (1.6 kilometers), grading and surfacing. (Federal Funds)

Morton—56-65 K-6399-01 - U.S. 56, 4.9 miles (7.9 kilometers) northeast of county route 1488 east to the Morton-Stevens county line, 8 miles (12.9 kilometers), grading and surfacing. (Federal Funds)

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

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

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

E. Dean Carlson
Secretary of Transportation

Doc. No. 027490

State of Kansas

Department of Revenue
Division of Vehicles

Notice of Intent to Establish a
New Motor Vehicle Dealer Licence

Notice has been received from Mitsubishi Motor Sales of America, Inc., of its intent to establish a new Mitsubishi dealership, Overland Park Mitsubishi, at 8787 Metcalf, Overland Park, Kansas. The vehicle dealer operator and the principal investor is Frank L. Thompson.

Pursuant to K.S.A. 2000 Supp. 8-2430(a)(5), any existing new motor vehicle dealer may protest the proposed establishment of the new Mitsubishi dealership, Overland Park Mitsubishi, 8787 Metcalf, Overland Park, Kansas, if that existing new motor vehicle dealer has a franchise agreement for the same line-make vehicle as that which is to be sold or offered for sale by Overland Park Mitsubishi, at 8787 Metcalf, Overland Park, Kansas, and provided that the existing new motor vehicle dealer is physically located such that its relevant market area, as defined in K.S.A. 2000 Supp. 8-2430(e), includes the location where the new Mitsubishi dealership will be located.

Pursuant to K.S.A. 2000 Supp. 8-2430(a), any petition or complaint by any dealer with standing to protest must be filed with the Director of Vehicles within 30 days of this notice. Such petitions or complaints must be directed to the Kansas Department of Revenue, Director of Motor Vehicles, 1st Floor, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612.

Sheila Walker
Director of Motor Vehicles

Doc. No. 027488

State of Kansas

Department of Administration
Division of Purchases

Notice to Bidders

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

Wednesday, February 6, 2002

04518

Wichita State University—PRI T1 Circuits for Incoming Dial-up Traffic

Tuesday, February 12, 2002

04490

Kansas State University—Veterinary Treatment Planning Services

Thursday, February 14, 2002

A-9219rev

Kansas State University—Calvin Hall West Entry

A-9408

Department of Social and Rehabilitation Services—Concrete Walk Replacement, Chanute Area SRS Office

Tuesday, February 19, 2002

A-9403

Parsons State Hospital and Training Center—Upgrade Heating and Air Conditioning System, Arbor Hall

Tuesday, February 26, 2002

04311

Emporia State University—Property Insurance

Request for Proposals

Tuesday, February 19, 2002

04514

Historical Marker Services for the Kansas State Historical Society

Wednesday, February 20, 2002

04472

Abandoned Well Plugging, District 4, for the State Corporation Commission

John T. Houlihan
Director of Purchases

Doc. No. 027501

State of Kansas

Department of Agriculture
Division of Water Resources

Notice of Prehearing Conference

A prehearing conference will be conducted at 10 a.m. Thursday, February 28, in the Sunflower Conference Room, second floor, Kansas Department of Agriculture, 109 S.W. 9th, Topeka, to set deadlines, establish procedures and consider other issues preliminary to a hearing in Case No. 02 WATER 1999, titled, "In the Matter of the City of Cheney, Kansas; Morton Township; and Sedgwick County, Kansas." The case will determine certain issues, including whether permits are required from the chief engineer for construction near and along Hoover Street in Sedgwick County, Kansas, between or near the intersections of East 6th Avenue and Shadybrook Drive.

Persons wanting to participate in the proceedings must attend the prehearing conference, by phone or in person, and submit, in writing, their name, address, telephone number, the party they wish to represent and whether they will appear at the conference by phone or in person. This written submission should be sent to the attention of Leslie Garner, Kansas Department of Agriculture, 109 S.W. 9th, Topeka, 66612, to be received not later than February 22. A copy of an Order to Show Cause issued January 16, 2002, in this case may be obtained by contacting Leslie Garner at the address above, (785) 296-4623.

Jamie Clover Adams
Secretary of Agriculture

Doc. No. 027500

State of Kansas

Department of Health and Environment

Notice of Meetings

In accordance with the Kansas Act on Credentialing, the Technical Review Committee, which will review the application for credentialing of pharmacy technicians submitted by the Kansas Board of Pharmacy, will meet at 1 p.m. Thursday, February 28; at 1 p.m. Thursday, March 28; at 10 a.m. Thursday, April 25 (public hearing); and at 1 p.m. Thursday, May 23. All meetings will be held in the Azure Room (Room 4A), Curtis State Office Building, 1000 S.W. Jackson, Topeka.

Lesa Roberts, Director Health Occupations Credentialing

Doc. No. 027479

State of Kansas

State Corporation Commission

Notice of Hearing

The State Corporation Commission, pursuant to K.S.A. 55-703, has directed that an investigation be instituted to determine the reasonable market demand for gas produced from the fields listed below for the period extending from April 1, 2002 through September 30, 2002, both inclusive; to determine the deliverability and acreage attributable to each of the wells therein; and to fix gas production percentages, quotas and allowables for wells within said fields for said proration period:

- Hugoton gas field in Kearny, Finney, Grant, Haskell, Morton, Stevens, Seward, Stanton, Hamilton, Wichita and Gray counties
- Panoma-Council Grove gas field in Finney, Grant, Hamilton, Haskell, Kearny, Morton, Stanton, Stevens, Wichita and Seward counties
- Glick (Mississippi) gas pool in Barber, Comanche and Kiowa counties
- Greenwood gas field in Morton County

A hearing will be conducted, if necessary, under the terms of the commission's order dated December 10, 2001, at 10 a.m. Thursday, March 28, at the State Corporation Commission's office, Room 2078, Finney State Office Building, 130 S. Market, Wichita.

All transporters of gas produced from said fields are hereby notified to furnish to the State Corporation Commission their nominations from said fields for the calendar months included in said proration period as provided in the above-cited commission order.

Further information may be obtained by contacting John McCannon, Assistant General Counsel, State Corporation Commission, Conservation Division, Room 2078, Finney State Office Building, 130 S. Market, Wichita, 67202, (316) 337-6200.

Jeffrey S. Wagaman Executive Director

Doc. No. 027482

State of Kansas

Department of Administration Division of Facilities Management

Notice of Commencement of Negotiations for Engineering Services

Notice is hereby given of the commencement of negotiations for engineering consulting services as necessary to prepare bid-ready plans, specifications and construction cost estimates (all describing construction of three Capitol Area Complex tunnel alignments totaling approximately 3,000 lineal feet of double barrel concrete pedestrian/utility tunnels, with inside dimensions of 12' wide by approximately 8' high per each barrel) for the Division of Facilities Management. Consulting services shall include, but not be limited to, the following:

- Review and refinement of tunnel alignments;
- Survey for alignments, utility locations, easements and relocations;
- Evaluation and design for Life Safety Codes compliance;
- Evaluation and design for ADA compliance and alternative methods of construction and equipment;
- Evaluation and design for AASHTO Code Compliance those portions of tunnel alignments foreseeable under traffic loadings.

The successful firm must have professional engineers/architects registered in the State of Kansas. Project engineer and architect "registered design professionals" must demonstrate a minimum five years' experience relevant to the project, prepare and seal the project documents.

For information regarding the scope of services, contact Bruce W. Baugh, P.E., Projects Coordinator, Division of Facilities Management, Room 653, Landon State Office Building, 900 S.W. Jackson, Topeka, (785) 296-2399 or (785) 633-9443.

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. 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. February 8.

Joe M. Fritton, P.E. Director, Division of Facilities Management

Doc. No. 027502

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-02-15/18
Pending Permits for Confined Feeding Facilities

Name and Address of Applicant	Legal Description	Receiving Water
BG Feeders c/o Greg Shamburg Route 1, Box 108 Glen Elder, KS 67446	SW/4 of Section 20, T7S, R7W, Mitchell County	Solomon River Basin

Kansas Permit No. A-SOMC-B001

This is a permit renewal and expansion for an existing facility from 800 head (800 animal units) to 999 head (999 animal units) of cattle. The facility was previously permitted for 900 head (900 animal units) of cattle. The expansion represents an increased stocking density for the existing pens. No new construction is proposed.

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

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

Name and Address of Applicant	Legal Description	Receiving Water
Wagners Dairy c/o Don Wagner 1468 Indian Road Clay Center, KS 67432	NW/4 of Section 28, T8S, R2E, Clay County	Lower Republican River Basin

Kansas Permit No. A-LRCY-M003

This is a permit renewal and expansion for a maximum of 110 head of dairy milking cows (154 animal units), 75 head of calves weighing less than 700 pounds (37.5 animal units) and 35 head of dry cows weighing greater than 700 pounds (35 animal units), for a total of 220 head (226.5 animal units) of dairy livestock. The expansion consists of three existing freestall barns into the permit that were built during the last permit cycle.

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

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

Name and Address of Applicant	Legal Description	Receiving Water
Laryl Seth 1805 K Ave. White City, KS 66872	NE/4 of Section 17, T15S, R7E, Morris County	Neosho River Basin

Kansas Permit No. A-NEMR-S015

This is a permit renewal for an existing facility for 28 head of swine weighing more than 55 pounds (11.2 animal units) and 520 head of swine weighing less than 55 pounds (52 animal units), for a total of 548 head (63.2 animal units) of swine.

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

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

Name and Address of Applicant	Legal Description	Receiving Water
Lakin Feed Yard, Inc. P.O. Box 1026 Lakin, KS 67860	S/2 of Section 29, T25S, R36W, Kearny County	Upper Arkansas River Basin

Kansas Permit No. A-UAKE-C003 Federal Permit No. KS0039365

This is an expansion permit for an existing facility from 12,000 head (12,000 animal units) of cattle to 15,000 head (15,000 animal units) of cattle.

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

Public Notice No. KS-02-022/026

Name and Address of Applicant	Waterway	Type of Discharge
Lawrence, City of City Hall, Box 708 Lawrence, KS 66044	Kansas River	Treated Domestic Wastewater

Kansas Permit No. M-KS31-IO01

Federal Permit No. KS0038644

Legal: NW¼, S32, T12S, R20E, Douglas County

Facility Description: The proposed action is to modify and reissue an existing permit for operation of an existing wastewater treatment facility treating primarily domestic wastewater. The permit's modification is the addition of lime slurry treatment in an existing lagoon. The lime slurry is pumped from the city's water treatment plant. The proposed additional limits for the lime slurry treatment lagoon discharge includes total suspended solids and pH, and monitoring for total residual chlorine. 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
Duke Energy Leavenworth, LLC P.O. Box 1642 Houston, T 77251	Missouri River and Kansas River via Various Tributaries	Process Wastewater & Stormwater Runoff

Facility Name: Leavenworth Energy Facility

Kansas Permit No. I-MO12-PO09

Federal Permit No. KS0096504

Legal: SW¼, S13, T9S, R21E, Leavenworth County

Facility Description: The proposed action is to issue a new permit for the discharge of process wastewater and stormwater runoff. Using natural gas as fuel, the facility has two combustion turbine generators (CTG) and one steam turbine generator (STG) to generate a total nominal capacity of 640 MW. The proposed permit includes limits

for free available chlorine, total suspended solids, oil and grease, whole effluent toxicity and pH. Monitoring for sulfate, chloride, total residual chlorine, heavy metals, temperature, ammonia 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
El Paso Merchant Energy - Petroleum Company 1100 E. 21st St. Wichita, KS 67214	Arkansas River via Chisholm Creek via Storm Sewer	Stormwater Runoff & Treated Groundwater

Facility Name: El Paso Merchant Energy-Petroleum Wichita Terminal
 Kansas Permit No. I-AR94-PO78 Federal Permit No. KS0092118
 Legal: SE¼, S4, T27S, R1E, Sedgwick County

Facility Description: The proposed action is to reissue a permit for the discharge of treated groundwater and stormwater runoff. This facility is a bulk distribution terminal, a petroleum product storage facility, and an asphalt blending operation at a former petroleum refinery. Refinery operations at the site were discontinued in July 1993. The facility now discharges stormwater runoff from the site and treated groundwater from a groundwater remediation system. The proposed permit includes limits for arsenic, benzene, cis-1,2 dichloroethene, dichloromethane, ethylbenzene, toluene, total xylene, trichloroethylene, total lead, oil and grease, vinyl chloride and pH. Monitoring for effluent flow also will be required. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

Name and Address of Applicant	Waterway	Type of Discharge
Lawrence, City of Director of Utilities P.O. Box 708 Lawrence, KS 66044	Kansas River	Process Wastewater

Facility Name: Kaw River Water Treatment Plant
 Kansas Permit No. I-KS31-PO16 Federal Permit No. KS0088234
 Legal: NE¼, S25, T12S, R19E and SE, S30, T12S, R20E, Douglas County

Facility Description: The proposed action is to reissue a permit for the discharge of process wastewater. This facility is a water treatment plant with a design capacity of 17.5 MGD. Wastewater and residuals generated from the treatment processes consist of presedimentation and presettling basins underflows, lime treatment sedimentation basins discharges, filter backwash water and filter-to-waste water. The lime slurry is pumped to the Lawrence Municipal Treatment Plant for treatment prior to disposal. The proposed permit includes limits for total residual chlorine. Monitoring for pH also will be required. Included in this permit is a schedule of compliance requiring the permittee to make necessary improvements to achieve compliance with their 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.

Name and Address of Applicant	Waterway	Type of Discharge
N. R. Hamm Quarry, Inc. P.O. Box 17 Perry, KS 66073	Kansas River via Mud Creek	Treated Washwater, Pit Dewatering & Stormwater Runoff

Facility Name: Ousdahl Quarry #70
 Kansas Permit No. I-KS89-PO01 Federal Permit No. KS0096326
 Legal: SW¼, S36, T11S, R19E, Jefferson 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.

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 February 23 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate Kansas permit number (KS-AG-02-15/18, KS-02-022/026) 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

State of Kansas

**Office of the State Bank Commissioner
Division of Consumer and
Mortgage Lending**

Notice of Administrative Interpretations

Pursuant to K.S.A. 16a-6-104 (f), the following is an annual publication of all administrative interpretations of the Kansas Consumer Credit Code that are currently in effect.

**Administrative Interpretation No. 1001—
December 1, 1992
Call or Demand Notes**

A request has been made to the Consumer Credit Commissioner for an Administrative Interpretation concerning the inclusion of a demand feature in a non-real estate consumer installment loan agreement.

A demand or call provision is an acceleration clause which allows a lender to call monies due under the instrument at the will of the creditor.

The Kansas Uniform Consumer Credit Code section K.S.A. 16a-5-109 permits creditors to accelerate an agreement if:

- (1) the consumer fails to make a payment as required by the agreement; or
- (2) the prospect of payment, performance, or realization of collateral is significantly impaired; the burden of establishing the prospect of significant impairment is on the creditor.

Notwithstanding subsection (1) a creditor may not accelerate an agreement only for failure to make a required payment unless the consumer has been given the notice of right to cure as provided by K.S.A. 16a-5-110 and K.S.A. 16a-5-111.

The calling or demanding of payment in full following 24 months of a 48 month contract, for example, would trigger the consumer's right to finance the balloon payment at the same rate and terms as the original installment note (K.S.A. 16a-3-308).

Demand notes will be allowed only when the agreements are "interest only" in which the consumer is required only to pay interest and not pay principal. Demand provisions in these types of transactions is entirely understandable, given the need of the creditor eventually to recover its principal.

**Administrative Interpretation No. 1002—
January 27, 1993; Amended October 13, 1999
Refund of Credit Insurance Premiums**

The purpose of this Administrative Interpretation is to clarify the requirements of K.S.A. 16a-4-108(3) in regard to the notices to be provided to consumers who may be eligible for a refund of credit insurance premiums.

Section K.S.A. 16a-4-108(3) states "... (3) Except as provided in subsection (2), the creditor shall promptly make or cause to be made an appropriate refund or credit to the consumer with respect to any separate charge made to him for insurance if (a) the insurance is not provided or is provided for a shorter term than that for which the charge to the consumer for insurance was computed; or

(b) the insurance terminates prior to the end of the term for which it was written because of prepayment in full or otherwise . . ."

The phrase "promptly make or cause to be made" does not have a definition in the code and apparently has been misunderstood by creditors. For purposes of K.S.A. 16a-4-108(3), 30 days shall be considered a reasonable time within which to "promptly make or cause to be made" a refund or credit to the consumer.

This interpretation outlines the Administrator's opinion of the appropriate format for notices to be sent to consumers in order to comply with the above quoted statute. The notices are required of creditors who have become an assignee of a consumer credit transaction which has separate prepaid charges for credit insurance which have been retained by the original creditor.

A creditor who accepts such a consumer credit transaction from an original creditor should notify the consumer within ten calendar days that they have been assigned the consumer credit transaction. If credit insurance was purchased, a notice in the following form will be deemed by the Administrator to satisfy the requirements of K.S.A. 16a-4-108:

"YOU HAVE PURCHASED CREDIT LIFE AND/OR DISABILITY INSURANCE IN CONNECTION WITH THE ABOVE-STATED CONSUMER CREDIT TRANSACTION."

"PLEASE BE ADVISED THAT IF YOU PAY THE CONSUMER CREDIT TRANSACTION IN FULL BEFORE THE END OF THE TERM FOR WHICH IT WAS WRITTEN, YOU MAY BE ENTITLED TO A REFUND OR CREDIT FOR CREDIT INSURANCE PREMIUMS PAID."

"TO OBTAIN YOUR REFUND, YOU MUST CONTACT THE ORIGINAL CREDITOR."

"IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT THE OFFICE OF THE STATE BANK COMMISSIONER, DIVISION OF CONSUMER AND MORTGAGE LENDING AT 700 SW JACKSON, SUITE 300, TOPEKA, KANSAS 66603."

Upon prepayment of any consumer credit transaction described above, an additional notice must be made to the consumer with a copy sent to the original creditor. The notice should include the following:

1. DATE OF CONSUMER CREDIT TRANSACTION REPAYMENT.
2. NAME OF CONSUMER AND CONSUMER CREDIT TRANSACTION NUMBER.
3. A STATEMENT INDICATING THAT A POTENTIAL REFUND MAY BE DUE TO THE CONSUMER.
4. THE ORIGINAL CREDITOR'S NAME AND CURRENT ADDRESS.
5. A STATEMENT THAT THE ORIGINAL CREDITOR IS INITIALLY RESPONSIBLE FOR MAKING THE REFUND OF THE UNEARNED PREMIUM.
6. A STATEMENT INDICATING THE ORIGINAL CREDITOR MUST RETAIN WRITTEN PROOF OF THE REFUND.
7. A STATEMENT DIRECTING THE CONSUMER TO CONTACT THE OFFICE OF THE STATE BANK COMMISSIONER DIVISION OF CONSUMER AND MORTGAGE LENDING WITHIN THIRTY (30) DAYS IF THEY HAVE FAILED TO RECEIVE THEIR REFUND.

A sample notice is available upon request.

Creditors will be considered to have substantially complied with K.S.A. 16a-4-108 by providing to consumers the information outlined above. Failure by a creditor to

comply with K.S.A. 16a-4-108(3) may result in action by the Administrator, including the possible imposition of a fine.

SAMPLE NOTICES

A. INITIAL NOTICE

DATE OF NOTICE

RE: Loan Number

You have purchased credit life insurance in connection with the above stated loan.

Please be advised that if you pay the loan in full before the end of the term for which it was written, you may be entitled to a refund or credit for credit insurance premiums paid.

To obtain your refund, you must contact the original creditor.

If you have any questions, please contact the Office of the State Bank Commissioner, Division of Consumer and Mortgage Lending at 700 SW Jackson, Suite 300, Topeka, Kansas 66603.

B. NOTIFICATION OF POTENTIAL REFUND ON CREDIT INSURANCE DUE TO PREPAYMENT

DATE OF NOTICE

TO: BORROWER

RE: Loan Number

Date of Loan Prepayment

This is notification that there may be a refund or credit due to the above-named consumer for credit insurance premiums paid.

Because the loan identified above has been prepaid in full, there may be a refund due for credit insurance premiums that have already been paid for the full term of the loan.

According to Kansas law, a consumer shall receive a refund or a credit for any insurance premiums paid when the insurance terminates prior to the end of the term for which it was written because of prepayment of the loan. (See K.S.A. 16a-4-108)

Upon prepayment in full, the consumer must contact the dealer/originator of the loan and request payment of any funds due for credit insurance premiums paid. The dealer/originator of the loan may be contacted at the following address:

For examination purposes, the originator of the credit insurance must keep written proof that a refund has been properly made, and thus all obligations under law regarding this matter have been satisfied.

If the consumer does not receive a refund or credit due within thirty (30) days of their request, please contact the Office of the State Bank Commissioner, Division of Consumer and Mortgage Lending, at 700 SW Jackson, Suite 300, Topeka, Kansas 66603.

**Administrative Interpretation No. 1003—
July 14, 1994; Amended October 13, 1999
Clarification of Charges on Discretionary
Overdrafts by Financial Institutions**

This administrative interpretation is given to clarify whether overdraft charges imposed by financial institutions constitute a finance charge and subsequently are subject to the Kansas Uniform Consumer Credit Code (Code). This interpretation applies only to discretionary overdrafts allowed by the financial institution where

there is not a prearranged agreement to extend credit by paying checks drawn on a customer's checking account where the checking account contains less funds than the amount of the check or checks presented for payment.

The definition of an overdraft does not clearly come under the definition of consumer loan as defined in K.S.A. 16a-1-301(17). Comments included in the Code on that section indicate that a consumer loan usually includes ". . . all loans under \$25,000 made by professional lenders to individuals for personal, family or household purposes as long as they are payable in installments or a finance charge is imposed." Overdrafts could better be defined as "sale of services" as defined in K.S.A. 16a-1-301(40). Again, the Kansas Comments of the Code relating to the definition of "loan" provide a distinction between loans and sales, and state ". . . thus, forbearance of debt arising from sales or leases is not a loan transaction within this act . . ."

Kansas Regulation K.A.R. 75-6-26 requires creditors to disclose to consumers the information required by Truth-in-Lending Regulation Z, 12 CFR 226 et seq., including all appendices thereto as amended and in effect on September 1, 1999 (Reg Z) (authorized by and implementing K.S.A. 16a-1-301 and K.S.A. 16a-6-117). Reg Z, 226.4 (c) (3) ("charges excluded from the finance charge") states, "charges imposed by a financial institution for paying items that overdraw an account, unless the payment of such items and the imposition of the charge were previously agreed upon in writing." Official Staff Commentary on Reg Z further expresses the following opinion on 226.4 (c) (3), "a charge on an overdraft balance computed by applying a rate of interest to the amount of the overdraft is not a finance charge, even though the consumer agrees to the charge in the account agreement, unless the financial institution agrees in writing that it will pay such items."

Conclusions:

1. Discretionary overdrafts by a financial institution without a prearranged agreement to create an overdraft, although generally considered as extensions of credit, do not constitute a consumer loan as defined by the Code in K.S.A. 16a-1-301 (17).
2. Charges on overdrafts without a prearranged agreement, however calculated, do not constitute a finance charge as defined by the Code in K.S.A. 16a-1-301(22).
3. The Code is silent in regard to charges imposed on discretionary overdrafts by a financial institution. When the Code is silent, Reg Z is used for reference. Reg Z in paragraph 226.4(c) (3) specifically excludes charges on discretionary overdrafts from the definition of "Finance Charge."

Therefore, it is the interpretation of this office, based on the facts, interpretations and conclusions stated above, that transactions involving financial institutions' imposition of charges on discretionary overdrafts are not subject to the Kansas Uniform Consumer Credit Code.

(continued)

**Amended Administrative Interpretation No. 1004—
August 7, 1997
Guaranteed Auto Protection (GAP)**

On October 20, 1994, Administrative Interpretation No. 1004 was issued to provide the guidelines that must be followed to exclude the cost of Guaranteed Auto Protection (GAP) from inclusion in finance charges. GAP is a financial product that provides contractual assurance there will be no deficiency balance against a consumer in the event physical damage insurance does not pay the consumer's debt in full when the consumer has experienced a total loss of the consumer's vehicle.

The Consumer Credit Commissioner has determined that with the amendments made to Section 226.4(d)(3) of Regulation Z on October 21, 1996, the charges for GAP products can continue to be excluded from the finance charge in Kansas provided the following conditions are met:

1. The GAP agreement must clearly disclose in writing:
 - a. that the coverage is not required by the creditor; and
 - b. the cost of the product.
2. The agreement must provide for the consumer's signature or initials indicating an affirmative written request for coverage after receiving the above disclosures.
3. The GAP agreement also must:
 - a. follow the loan if the loan is sold or assigned with no subrogation rights against the consumer;
 - b. have a 30 day unconditional consumer right to cancel with a full refund of the purchase price of the agreement, provided no loss has occurred under the agreement;
 - c. provide credit for the consumer's physical damage insurance deductible, up to a maximum amount of not less than \$500, when calculating the amount of any deficiency;
 - d. provide coverage for all physical damage claims that constitute a total loss under the physical damage insurance coverage; and
 - e. include as the only reason for non-payment the consumer's failure to maintain physical damage insurance coverage on the vehicle.
4. Each creditor or such other entity acting on the creditor's behalf shall notify the Consumer Credit Commissioner of its intent to offer this product in Kansas. This notification shall include a copy of each type of GAP agreement that will be used. Any changes to such agreements must be submitted to the Commissioner prior to its implementation.
5. Each creditor or such other entity acting on the creditor's behalf shall maintain such records that will:
 - a. clearly identify the purchaser of this product;
 - b. identify the number of contracts written and cost paid by the consumer; and
 - c. identify the total dollar amount and number of claims paid.

These records shall be provided to the Commissioner upon written request. Individual contract records shall be maintained for a period of not less than three years following the expiration of the GAP agreement. Records regarding company performance shall be maintained indefinitely.

The price charged for GAP shall be subject to the principles of unconscionability expressed in K.S.A. 16a-5-108.

Additionally, there must be a reasonable expectation that the condition will exist where the loan balance will exceed the fair market value of the vehicle at some point in time during the life of the loan to offer GAP to the consumer.

The Commissioner continues to find value in this GAP product and is willing to allow exclusion of its cost from the finance charge provided the requirements of this interpretation are met. Failure to meet these requirements will require that the cost for the product be included in the finance charge and disclosed accordingly.

**Administrative Interpretation No. 1005—
December 13, 1994**

**The Sale of Credit Insurance After the Consummation
of a Closed-End Consumer Credit Transaction or
Open-End Consumer Line of Credit**

The question has arisen whether written authorization by the consumer is required on the post-loan sale of credit insurance on consumer credit transactions. The requirement to obtain specific affirmative written indication of the consumer's desire to purchase such insurance as required in K.S.A. 16a-2-501(2)(b) is intended if the insurance is written in connection with the extension of credit. The term "extension of credit" is not a defined term in the Kansas Uniform Consumer Credit Code, so it is the interpretation by the Commissioner that it specifically relates to the period of time when the loan is contemplated and approved by the creditor and ends upon the consummation or opening of a consumer credit transaction. The Official Staff Commentary on Regulation Z, Truth-in-Lending in section 226.4(b)(7) and (8) 2. states, "Insurance written in connection with a transaction. Insurance sold after consummation in closed-end credit transactions or after the opening of a plan in open-end credit transactions is not 'written in connection with' the credit transaction if the insurance is written because of the consumer's default (for example, by failing to obtain or maintain required property insurance) or because the consumer requests insurance after consummation or the opening of a plan (although credit-sale disclosures may be required for the insurance sold after consummation if it is financed)."

Although disclosures are required by Regulation Z if the premium is financed in an open end credit transaction by adding the monthly premium to the balance on which a finance charge is assessed, the written authorization by the consumer is a separate action from disclosure by the creditor and not required in this instance.

Conclusion: Written authorization by the consumer on the sale of credit insurance after consummation of a closed-end or opening of an open-end consumer credit transaction is not required if it fits the circumstances set forth above. Disclosure of finance charges in connection with the financing of the credit insurance premium is required.

**Administrative Interpretation No. 1007—
September 1, 1998; Amended October 13, 1999
Interest Rates on Mortgage Loans**

This administrative interpretation will modify the previous policy of this agency regarding the Kansas Uniform

Consumer Credit Code (the "Code"), specifically K.S.A. 16a-2-401(7) and (8), and the maximum permissible interest rate for first mortgage loans made subject to the Code and subordinate mortgage loans.

A first mortgage loan is only subject to the Code if the parties so agree in writing pursuant to K.S.A. 16a-1-109. K.S.A. 16a-2-401(7) provides that the interest rate of these first mortgage loans is governed by K.S.A. 16-207(b) *unless made subject hereto by agreement*.

It is the opinion of the Acting Consumer Credit Commissioner that for purposes of K.S.A. 16a-2-401(7) and (8), a promissory note or other loan document signed by a borrower, in connection with a first or subordinate mortgage loan as described above, which discloses an interest rate not exceeding the interest rate ceilings established by K.S.A. 16a-2-401(1) or (2), constitutes an "agreement" by the parties that the loan is made subject to the provisions of K.S.A. 16a-2-401, including the interest rate ceilings.

This administrative interpretation applies to mortgage loans made before July 1, 1999, the effective date of 1999 Substitute Senate Bill 301. Code references in this interpretation refer to the Code prior to the effective date of 1999 Substitute Senate Bill 301.

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**Administrative Interpretation No. 1008—
October 13, 1999; Amended November 30, 2000
Notice for High Loan-to-Value Mortgages**

A notice in substantially the following form should be used in order to satisfy the notice requirement set forth in K.S.A. 16a-3-207, as amended, regarding high loan-to-value mortgage loans:

[date]

[name of consumer(s)]
[address of consumer(s)]

Dear [name of consumer(s)]:

You have applied for a loan which will be secured by a mortgage on your home. We are required by the Kansas Uniform Consumer Credit Code to provide you with the following information not less than three days prior to the time you receive the loan funds.

An appraisal is attached (or will be provided to you as soon as available) which estimates that the value of your home may be less than the amount of the loan for which you have been approved (plus any existing mortgage loans you have). If the value of your home is less than the combined amount of all mortgage loans on your home, then you don't have any "equity" in your home. This means, if you were to sell your home, that the sale proceeds may not be enough to repay your mortgage loans. The amount of equity you have in your home depends on how much you pay down your mortgage loans, and whether the value of your home increases or decreases.

Under Kansas law, most "unsecured" creditors, such as a credit card lender, cannot obtain a court-ordered lien on your home if you default, which would allow them to foreclose. However, if you give a creditor a mortgage on your home, then the creditor can foreclose on your home if you do not repay the loan. For example, if you refinance unsecured credit card debt with a second mortgage loan, then the second mortgage lender could foreclose on your home if you default. Foreclosure would force you to move, and your home would be sold. The sale proceeds would be paid to the lender.

You may want to consider credit counseling, which could help you in budgeting and developing a plan to pay off your current debts. Credit counseling is available at little or no cost from non-profit and for-profit entities. Consumer Credit Counseling Service is a nationwide non-profit provider with locations across Kansas. You can call 1-800-388-2227 for a referral to a Kansas office which can assist you in person or by phone.

If you have additional questions regarding consumer credit matters, contact the Deputy Commissioner of Consumer and Mortgage Lending for Kansas at 1-877-387-8523 (toll free) to obtain additional information.

If, within three days after receipt of this notice, you decide not to take the mortgage loan you have applied for, then you are entitled to a refund of any application fee or other amounts you have paid to the lender. However, you are not entitled to a refund of any out-of-pocket costs that the lender pays to a third party to process your loan application.

[name of lender]

*The undersigned consumer(s) was
provided this notice at least three days
prior to receiving the loan funds.*

[signature of consumer(s)]

The three-day time period in K.S.A. 16a-3-207, as amended, must be calculated in accordance with K.S.A. 60-206.

For the purpose of K.S.A. 16a-3-207, as amended, a loan is determined to be made at the time the loan proceeds are disbursed.

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**Administrative Interpretation No. 1009—
October 13, 1999; Amended November 30, 2000;
Calculation of the 8% Cap on Prepaid Finance Charges
in K.S.A. 16a-2-401(6)**

This interpretation is given in order to clarify K.S.A. 16a-2-401 regarding charges to be included when calculating the 8% cap on prepaid finance charges for consumer loans secured by an interest in real estate. The listed examples contained in this interpretation should not be strictly construed. They are not all-exclusive nor all-inclusive, as the type of charge being levied depends on the factors described below.

For consumer loans secured by real estate, state law imposes an 8% cap on prepaid finance charges, with a maximum of 5% of those charges allowed to be retained by the lender. A prepaid finance charge is any finance charge paid separately in cash or by check before or at consummation of a transaction, or withheld from the proceeds of the credit at any time. However, finance charges are not "prepaid" merely because they are precomputed, regardless of whether a portion of the charge will be rebated to the consumer upon prepayment.

K.A.R. 75-6-26 defines "finance charge" to have the same meaning as "finance charge" under Regulation Z, with one major exception. Except for appraisals, which can be payable to the lender or a related party, the Code limits costs in real estate transactions to bona fide and reasonable fees that are paid to *unrelated third parties*. Regulation Z, on the other hand, allows some real estate

(continued)

transaction costs to be paid to the creditor or to a related party and still be excluded from the finance charge.

In calculating the cap on prepaid finance charges, a lender should first determine which charges constitute "finance charges" under Regulation Z. All of those items are included in the 8% cap. Next, the lender must look at the remaining charges which do not constitute finance charges under Regulation Z and determine to whom the fee was paid. Other than appraisal fees, if the fee was paid to the lender or a related party, then pursuant to state law, they also must be included in the cap.

A. Common examples of items that ARE included in the 8% cap, either because they are finance charges under Regulation Z, or because they are finance charges under state law are:

1. Administrative fees
2. Assignment fees
3. Broker's fees/Finder's fees
4. Buyer's points
5. Closing fees, unless paid to a third party
6. Credit investigation fees
7. Credit report review fees, unless secured by real estate and paid to a third party
8. Documentation preparation fees, unless paid to a third party
9. Lender's inspection fees
10. Loan fees
11. Loan guarantee insurance premiums, if such insurance is required by the creditor
12. Processing fees
13. Service fees
14. Underwriting fees
15. Origination fees
16. Flood insurance monitoring fees (ongoing monitoring over the life of the loan)
17. Tax service fees (ongoing monitoring over the life of the loan)

B. Common examples of items that are NOT included in the 8% cap, because they are not finance charges under Regulation Z or under state law include:

Even if retained by the lender or a related party:

1. Application fees, if they are charged to all borrowers
2. Appraisal fees

Only if they are paid to a third party not related to the lender:

3. Closing agent fees, if the lender does not require use of the closing agent or retain a portion of the charge
4. Courier fees
5. Credit report fees
6. Document preparation fees
7. Flood insurance determination fees, if imposed as part of the initial credit decision and performed prior to closing
8. Notary fees
9. Pest inspection fees
10. Recording fees to government entities
11. Survey fees
12. Tax service fees, if imposed as part of the initial credit decision

13. Title examination or title insurance fees

**Administrative Interpretation No. 1010—
October 13, 1999; Amended November 30, 2000
Prompt Crediting of Payments; Date of Receipt**

This interpretation is given in order to clarify the difference between K.S.A. 16a-2-104 and Truth in Lending, Regulation Z, 12 CFR Section 226.

The language of K.S.A. 16a-2-104 and Regulation Z, Section 226.10, is substantially similar. However, Section 226.10 of Regulation Z applies only to open-end credit transactions. K.S.A. 16a-2-104 was adopted to apply to all consumer credit transactions. Its application is not limited to open-end credit transactions.

The creditor is to credit the payment as of the date of receipt. The Administrator interprets the "date of receipt" as used in K.S.A. 16a-2-104 to mean the date that the payment instrument or other means of completing the payment reached the creditor. For example:

1. Payment by check is received on the date the creditor receives the check, not when the funds are collected.
2. In a voluntary payroll deduction plan in which funds are deposited in the creditor's asset account, payment is received on the date when it is debited to the asset account, (rather than on the date of the deposit), provided the consumer retains use of the funds until the contractual payment date.
3. If the consumer elects to have payment made by a third-party payor such as a financial institution, through a preauthorized payment or telephone bill-payment arrangement, payment is received when the creditor gets the third-party payor's check or other transfer medium, such as an electronic fund transfer.
4. If the consumer elects to make payment in a type of night deposit or drop box and such payment is made after the creditor's business hours, on a national holiday, or weekend, the payment is considered received the morning of the next business day.
5. Setting a cut-off hour for receipt of payments would be a "reasonable requirement" under the statute. A creditor may specify that payments must be received by a certain cut-off hour in order to be credited as being received that day, so long as the creditor specifies that requirement in writing to the consumer. The statute states that reasonable requirements may be imposed if a creditor specifies the requirements "in a writing delivered to the consumer". It is the interpretation of the Administrator that this language requires a written notice to each consumer whose consumer credit transaction would be subject to the requirement. Simply posting a notice in the lobby, for example would not satisfy the statutory requirement.

Franklin Nelson
State Bank Commissioner

Doc. No. 027478

State of Kansas

Kansas State University

Notice to Bidders

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

Monday, February 4, 2002

2122

Research Microscope

William H. Sesler
Director of Purchasing

Doc. No. 027496

(Published in the Kansas Register January 24, 2002.)

Summary Notice of Bond Sale
Unified School District No. 233
Johnson County, Kansas (Olathe)
\$39,240,000

General Obligation School Bonds
Series 2002A

(General obligation bonds payable from
unlimited ad valorem taxes)

Bids to be Received

Subject to the notice of bond sale and preliminary official statement dated January 17, 2002, written bids will be received by the business manager of Unified School District No. 233, Johnson County, Kansas (the issuer), on behalf of the governing body at the district office, administrative center, 14160 Black Bob Road, P.O. BOX 2000, Olathe, KS 66063, until 11 a.m. Thursday, February 7, 2002, for the purchase of \$39,240,000 principal amount of General Obligation School Bonds, Series 2002A. The interest rate specified for each maturity must be equal to or greater than the interest rate for the next preceding maturity, and the difference between the highest and lowest rates may not exceed 2 percent. No bid of less than the principal amount of the bonds, less a discount not to exceed 0.625 percent thereof, 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 February 15, 2002, and will become due on September 1 in the years as follows:

Table with 2 columns: Year, Amount. Rows: 2003 (\$3,355,000), 2004 (3,440,000), 2005 (3,535,000)

Table with 2 columns: Year, Amount. Rows: 2006 (3,650,000), 2007 (3,785,000), 2008 (3,935,000), 2009 (4,105,000), 2010 (4,280,000), 2011 (4,475,000), 2012 (4,680,000)

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

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on March 1 and September 1 in each year, beginning March 1, 2003.

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Municipal Bond Insurance

Financial Guaranty Insurance Company has qualified the bonds for insurance, and the premium for such insurance will be paid by the issuer.

Good Faith Deposit

Each bid shall be accompanied by a cashier's or certified check or a financial surety bond in the amount of \$784,800 (2 percent of the principal amount of the bonds).

Delivery

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

Assessed Valuation and Indebtedness

The total assessed valuation of taxable tangible property for the issuer for the year 2001 (except for motor vehicles, which are 2000 valuation) is \$1,408,319,967. The total general obligation indebtedness of the issuer as of the date of the bonds, including the bonds being sold, is \$238,518,876.

Approval of Bonds

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

Additional Information

Additional information regarding the bonds may be obtained from the issuer's business manager, (913) 780-7000, or from the financial advisor, Kirkpatrick Pettis, 4435 Main St., Suite 950, Kansas City, MO 64111, (816) 360-2270.

Dated January 17, 2002.

Unified School District No. 233
Johnson County, Kansas
By Jay Hastert, Business Manager

Doc. No. 027494

(Published in the Kansas Register January 24, 2002.)

Summary Notice of Bond Sale
City of Sedgwick, Kansas
\$653,794
General Obligation Improvement Bonds
Series 2002 A

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

Details of the Sale

Subject to the terms and conditions of the complete official notice of bond sale dated as of January 21, 2002, of the City of Sedgwick, Kansas, in connection with the city's General Obligation Improvement Bonds, Series 2002 A, hereinafter described, sealed, telefacsimile and electronic bids for the purchase of the bonds shall be received at the office of the city clerk at City Hall, 511 N. Commercial, Sedgwick, KS 67135, until 4:30 p.m. Monday, February 4, 2002. All bids shall be disclosed publicly and tabulated or compared on said date at 7:30 p.m. at City Hall, 511 N. Commercial, Sedgwick, KS 67135, and shall thereafter be immediately considered and acted upon by the city.

No oral or auction bids for the bonds shall be considered, and no bids for less than 100 percent of the total principal amount of the bonds and accrued interest to the date of delivery shall be considered.

Sealed and telefacsimile bids shall be accepted only on the official bid form that has been prepared for the public bidding on these bonds, which may be obtained from the city clerk or the city's financial advisor. Sealed bids may be submitted by mail or delivered in person. Bids also may be submitted by telefacsimile at (316) 772-5592, or electronically through Thomson Financial Municipals Group BiDCOMP/PARITY Electronic Bid Submission System (PARITY), but only if the city or city's financial advisor is in possession of the required good faith deposit or evidence of surety bond. All bids must be received at the place and not later than the date and time hereinbefore specified. Neither the city, its bond counsel, its financial advisor, nor any officer or employee of the city shall be deemed to have any liability whatsoever in connection with the failure of any electronic or telefacsimile equipment or any failure, misdirection or error in the means of transmission or other occurrence resulting in disqualification or failure by the city to receive a bid. To the extent any instructions or directions set forth in PARITY conflict with the official notice of bond sale, the terms of the official notice of bond sale shall control. For further information about PARITY, potential bidders may contact PARITY at 395 Hudson St., New York, NY 10014, (212) 806-8304. Each bid shall be accompanied by a good faith deposit in the form of a certified or cashier's check drawn on a bank located within the United States and made payable to the order of the city, or in the form of a financial surety bond payable to the order of the city and meeting requirements therefor as set forth in the official notice of bond sale, and shall be in an amount equal to 2 percent of the principal amount of the bonds.

Details of the Bonds

The bonds to be sold are in the aggregate principal amount of \$653,794, and shall bear a dated date of Feb-

ruary 1, 2002. The bonds shall be issued as fully registered bonds in the denomination of \$5,000, or any integral multiple thereof not exceeding the principal amount of the bonds maturing in any year, except for one bond in the denomination of \$3,794 maturing September 1, 2003. The bonds shall bear interest, payable as hereinafter set forth, at the rates specified in even multiples of 1/8th or 1/20th of 1 percent by the successful bidder for the bonds.

Interest on the bonds shall be payable semiannually on March 1 and September 1 of each year, commencing March 1, 2003, and the bonds shall mature serially on September 1 in each of the years and principal amounts as follows:

Maturity Schedule	
Principal Amount	Maturity Date
\$33,794	2003
55,000	2004
60,000	2005
65,000	2006
65,000	2007
70,000	2008
70,000	2009
75,000	2010
80,000	2011
80,000	2012

Redemption of Bonds

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

Payment of Principal and Interest

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

Book-Entry Option

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

Security for the Bonds

The bonds and the interest thereon constitute general obligations of the city, and the full faith, credit and resources of the city will be pledged to the payment thereof. The bonds shall be payable as to both the principal of and the interest thereon, in part, from the collection of special assessment taxes that have been levied against certain real properties in the city. To the extent the proceeds of such special assessment taxes are insufficient, the city is obligated to levy ad valorem taxes without limitation as to rate or amount upon all of the taxable tangible property within the territorial limits of the city for the purpose of paying the bonds and the interest thereon.

Delivery of the Bonds

The bonds, duly printed, executed and registered, shall be furnished and delivered at the expense of the city to the successful bidder, or at its direction, on or about February 14, 2002, at such bank or trust company or other qualified depository in the contiguous United States, as may be specified by the successful bidder. Delivery elsewhere shall be made at the expense of the successful bidder.

Legal Opinion

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

Financial Matters

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

Assessed Tangible Valuation of Taxable Tangible Property	\$5,952,146.00
Taxable Value of Motor Vehicles	1,260,144.00
Assessed Tangible Valuation for Debt Limit Computation	<u>\$7,212,290.00</u>

K.S.A. 10-308 provides that the authorized and outstanding bonded indebtedness of any city shall not exceed 30 percent of the assessed valuation of the city. As of February 1, 2002, the city's gross outstanding debt, including the bonds, will be \$1,513,794, which excludes temporary notes outstanding in the amount of \$710,000, which will be retired out of the proceeds of the bonds herein offered for sale. The city's total indebtedness that is subject to debt limitation, as of February 1, 2002, will be \$490,802.40, which is 6.81 percent of the assessed valuation of the city.

Official Statement

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

Continuing Disclosure

Securities and Exchange Commission Rule 15c2-12 provides that brokers, dealers and municipal securities dealers must comply with certain requirements before acting as an underwriter in a primary offering of municipal securities with an aggregate principal amount of \$1,000,000 or more. The bonds described herein will be offered in a primary offering with an aggregate principal amount of less than \$1,000,000. Accordingly, in the opinion of bond counsel, the offering and sale of the bonds described herein does not

constitute an offering as defined by the rule, and the requirements of the rule do not apply to brokers, dealers and municipal securities dealers acting as underwriters in connection with the bonds described herein.

Additional Information

For additional information regarding the city, the bonds and the public sale, interested parties are invited to request copies of the complete official notice of bond sale and the official bid form and the city's preliminary official statement for the bonds, all of which may be obtained from the city clerk at the address and telephone number shown below or from the financial advisor, Steve Shogren, Claymore Securities, Inc., 250 N. Rock Road, Suite 150, Wichita, KS 67206, (316) 681-3123.

City of Sedgwick, Kansas
By Jaclyn L. Reimer
City Clerk
City Hall, 511 N. Commercial
Sedgwick, KS 67135
(316) 772-5151
Fax (316) 772-5592

Doc. No. 027498

(Published in the Kansas Register January 24, 2002.)

**Summary Notice of Bond Sale
City of Leavenworth, Kansas
\$7,080,000
General Obligation Bonds
Series 2002-A
and Series 2002-B**

(General obligation bonds payable from unlimited ad valorem taxes)

Bids

Subject to the official notice of bond sale and preliminary official statement dated January 24, 2002, sealed, facsimile and electronic bids will be received by the city clerk of the City of Leavenworth, Kansas (the issuer), in the case of sealed and facsimile bids, on behalf of the governing body of the city at City Hall, 100 N. Fifth St., Leavenworth, KS 66048, and in the case of electronic bids, through Dalcomp PARITY electronic bid submission system, until 11 a.m. Tuesday, February 5, 2002, for the purchase of \$7,080,000 aggregate principal amount of General Obligation Bonds, consisting of Series 2002-A Bonds in the aggregate principal amount of \$3,925,000 and Series 2002-B Bonds in the aggregate principal amount of \$3,155,000 (the Series 2002-A Bonds and the Series 2002-B Bonds are collectively referred to as the bonds). 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.

(continued)

Purchasers will not receive certificates representing their interest in bonds purchased. The bonds will be dated February 1, 2002, and will become due on September 1 in the years as follows:

\$3,925,000
Series 2002-A

Year	Principal Amount
2003	\$235,000
2004	235,000
2005	235,000
2006	235,000
2007	235,000
2008	235,000
2009	230,000
2010	230,000
2011	230,000
2012	225,000
2013	160,000
2014	160,000
2015	160,000
2016	160,000
2017	160,000
2018	160,000
2019	160,000
2020	160,000
2021	160,000
2022	160,000

\$3,155,000
Series 2002-B

Year	Principal Amount
2003	\$ 20,000
2004	35,000
2005	225,000
2006	235,000
2007	245,000
2008	255,000
2009	265,000
2010	280,000
2011	290,000
2012	305,000
2013	275,000
2014	295,000
2015	310,000
2016	15,000
2017	15,000
2018	15,000
2019	15,000
2020	20,000
2021	20,000
2022	20,000

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

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided. The interest on the Series 2002-A Bonds will be payable semiannually on March 1 and September

1 in each year, beginning September 1, 2002. The interest on the Series 2002-B Bonds will be payable semiannually on March 1 and September 1 in each year, beginning March 1, 2003.

Paying Agent and Bond Registrar

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

Good Faith Deposit

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States or a qualified financial surety bond in the amount of \$78,500 (2 percent of the principal amount of the Series 2002-A Bonds) and \$63,100 (2 percent of the principal amount of the Series 2002-B Bonds).

Optional Municipal Bond Insurance

The city will apply for municipal bond insurance relating to the bonds. If approved for municipal bond insurance, the bonds may be purchased with or without such insurance at the option of the successful bidder. The premium for such insurance and any additional rating fee will be paid for by the successful bidder. The city will pay for the cost of the rating from Moody's Investors Service.

Delivery

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

Assessed Valuation and Indebtedness

The total assessed valuation of taxable tangible property in the city for the year 2001 is \$166,599,190. The total general obligation indebtedness of the issuer, following the concurrent issuance of the bonds and the issuer's Temporary Notes, Series A2002, in the aggregate principal amount of \$1,210,000 (the notes), is \$36,975,000, which includes temporary notes outstanding in the principal amount of \$13,875,000, of which \$4,275,000 will be retired out of the proceeds of the bonds and notes.

Approval of Bonds

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

Additional Information

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

Dated January 24, 2002.

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

(Published in the Kansas Register January 24, 2002.)

Summary Notice of Bond Sale
Marshall County, Kansas
\$300,000

General Obligation Bonds
Series 2002A (Courthouse)

(General obligation bonds payable from
unlimited ad valorem taxes)

Sealed Bids

Subject to the official notice of bond sale and preliminary official statement dated January 14, 2002, sealed bids will be received by the county clerk of Marshall County, Kansas (the issuer), on behalf of the governing body of the county at the Marshall County Courthouse, 1201 Broadway St., Marysville, KS 66508, until 1:30 p.m. Monday, February 11, 2002, for the purchase of \$300,000 principal amount of General Obligation Bonds, Series 2002A (Courthouse). 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 be dated February 1, 2002, and will become due on November 1, in the years as follows:

Table with 2 columns: Year, Principal Amount. Rows for years 2003 through 2012, all with a principal amount of \$30,000.

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, 2003.

Paying Agent and Bond Registrar

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

Good Faith Deposit

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States or a qualified financial surety bond in the amount of \$6,000 (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 at such bank or trust company in the contiguous United States of America as may be specified by the suc-

cessful bidder 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 \$87,507,506. The total general obligation indebtedness of the issuer as of the date of the bonds, including the bonds being sold, is \$1,107,300, which includes temporary notes in the amount of \$322,300.

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, (785) 562-5361.

Dated January 14, 2002.

Marshall County, Kansas
Gayle Landoll, County Clerk
Marshall County Courthouse
1201 Broadway St.
Marysville, KS 66508

Doc. No. 027493

(Published in the Kansas Register January 24, 2002.)

Notice of Partial Redemption
City of Kansas City, Kansas
Water and Electric Light Plant
Revenue Bonds Series of 1976

Notice is hereby given by Security Bank of Kansas City, One Security Plaza, Kansas City, KS 66101 (the bond registrar and paying agent), that, pursuant to Section 2 of Ordinance No. 54728 of the City of Kansas City, Kansas, a total of \$1,540,000 principal amount of the bonds is being called for redemption on March 1, 2002, at the redemption price of 100 percent of the principal amount plus accrued interest thereon to the redemption date.

The certificate numbers of the bonds to be redeemed are as follows:

- *CUSIP Number 484800-JU-2, Due March 1, 2006
Bearer Bonds called in denomination of \$5,000 each
1966 1967 2244 2249 2532 2535 2552 2703
2757 2759 2857 2858 3041 3049 3050
3060 3061 3363 4081 4084 4796 4914

Registered Bonds called in the amounts indicated below
all with the prefix "R"

94\$850,000 95\$580,000

Instructions

- 1. Send or present your bond to:
Security Bank of Kansas City
c/o Valley View Financial Group Trust Company
5800 Foxridge Drive, Suite 400
Mission, KS 66202

(continued)

(Published in the Kansas Register January 24, 2002.)

**Notice of Partial Call for Redemption
City of Lakin, Kansas
General Obligation Electric Refunding Bonds
Series 1992, Dated March 15, 1992**

Notice is hereby given to the registered owners of the above-captioned bonds that pursuant to the provisions of Section 6 of Bond Resolution No. 92 of the City of Lakin, Kansas (the issuer), a portion of the bonds maturing September 1, 2006, and thereafter (the called bonds), have been called for redemption and payment on March 1, 2002 (the redemption date), at the principal office of the Kansas State Treasurer, Topeka, Kansas (the bond registrar and paying agent).

Maturity Date	Principal Amount	Interest Rate	Cusip No.
09-01-06	\$145,000*	6.60%	512750BR0
09-01-07	315,000	6.70%	512750BS8

*Partial Maturity

On the redemption date there shall become due and payable, upon the presentation and surrender of each such called bond, the redemption price thereof equal to 100 percent of the principal amount thereof together with interest accrued to the redemption date. Interest shall cease to accrue on the called bonds so called for redemption from and after the redemption date provided such funds for redemption are on deposit with the paying agent.

Neither the issuer nor the paying agent shall be responsible for the selection or use of the CUSIP identification numbers shown above or printed on any of the called bonds. Said CUSIP identification numbers are included solely for the convenience of the owners of the bonds.

Under the provisions of the Interest and Dividend Tax Compliance Act of 1983, as amended and codified at Section 3406(a)(I) of the Internal Revenue Code of 1986, paying agents making payments of interest or principal on corporate securities or making payments of principal on municipal securities may be obligated to withhold a 31 percent tax from remittances to individuals who have failed to furnish the paying agent with a valid taxpayer identification number. Registered owners of the bonds who wish to avoid the imposition of the tax should submit certified taxpayer identification numbers when presenting the called bonds for payment.

City of Lakin, Kansas
By Kansas State Treasurer
Topeka, Kansas

Doc. No. 027487

- Pursuant to the terms of the Internal Revenue Code, paying agents making payments of interest or principal on corporate securities or making payments of principal on municipal securities may be obligated to withhold a 30 percent tax for remittances to individuals who have failed to furnish the paying agent with a valid taxpayer identification number.
- *The CUSIP number is included solely for the convenience of the bondholders. Neither the issuer nor the paying agent shall be responsible for the selection or the use of the CUSIP number, nor is any representation made as to its correctness.
- Interest on the bonds herein called for redemption shall cease to accrue on and after March 1, 2002.

Dated January 24, 2002.

Security Bank of Kansas City
Corporate Trust Division

Doc. No. 027481

(Published in the Kansas Register January 24, 2002.)

**Notice of Redemption
City of Salina
Combined Water and Sewage System
Refunding Revenue Bond, Series 1978**

Notice is hereby given that, pursuant to Section 3 of Ordinance No. 8635 of the City of Salina, Kansas, Sunflower Bank, N.A., formerly known as First National Bank and Trust, Salina, as trustee and paying agent, will redeem on February 15, 2002, for the city, all of the principal amount of the Series 1978 Combined Water and Sewage System Refunding Revenue Bonds of the City of Salina at a price equal to the principal amount thereof plus accrued interest thereon to February 15, 2002, plus a premium of 0 percent.

Bonds to be redeemed are numbered 352, through and including number 894, and are in the following denominations:

352-355	\$1,000 each
356-892	\$5,000 each
893-894	\$1,000 each

On February 15, 2002, the bonds described above will be due and payable at:

Sunflower Bank, N.A.
Attn: Trust Department
2090 S. Ohio, P.O. Box 800
Salina, KS 67402-0800

Bonds should be surrendered and after February 15, 2002, interest on the aforesaid bonds will cease to accrue. Please furnish a properly completed W-9 or exemption certificate or equivalent when presenting your securities.

Dated January 16, 2002.

Sunflower Bank, N.A.
Trustee and Paying Agent

Doc. No. 027485

State of Kansas
State Corporation Commission
Permanent Administrative
Regulations

Article 3.—PRODUCTION AND CONSERVATION
OF OIL AND GAS

(Editor's Note: A portion of subsection (a) in K.A.R. 82-3-312 was published incorrectly in the January 10, 2002 Kansas Register. The entire regulation is being republished below.)

82-3-312. Gas allowables and drilling unit. In the absence of basic proration orders issued by the commission, the following provisions shall apply to all gas wells. (a) Standard daily allowable. The standard daily allowable for a gas well shall be limited to 50 percent of the well's actual open-flow potential. The actual open-flow potential used to determine the standard daily allowable shall be measured by the testing procedures specified in K.A.R. 82-3-303. All gas wells that are in compliance with the provisions of K.A.R. 82-3-304 shall be entitled to a minimum allowable of 250 mcf per day.

(b) Standard drilling unit. A standard drilling unit shall be 10 acres. Except as otherwise specified in K.A.R. 82-3-108(c), the well for that unit shall be located at least 330 feet from any lease or unit boundary.

(c) Acreage-attribution unit. Unless a well location exception is granted, each gas well located nearer than 330 feet to any lease or unit boundary line shall have acreage attributed to it by the establishment of an acreage-attribution unit. The width of each unit shall be defined as being twice the distance from the well to the nearest lease or unit boundary line. The length of the unit shall be defined to be the same as the width.

(d) Acreage attributable. When any gas well is located nearer than 330 feet to any lease or unit boundary line, the standard daily allowable or minimum allowable shall be reduced in the same proportion that the acreage attribution to the well bears to 10 acres.

(e) Exceptions may be granted, and adjustments to the allowables may be made by the commission to protect correlative rights, prevent waste, and give the full allowable where any of these conditions exists:

(1) Location exceptions have been granted for man-made structures or topographic features.

(2) No interference with the drainage of adjacent wells can be shown by competent evidence.

(3) Actual interference is less than the reduced allowable. (Authorized by K.S.A. 55-704; implementing K.S.A. 55-703; effective May 1, 1985; amended May 1, 1986; amended May 1, 1988; amended April 23, 1990; amended Aug. 29, 1997; amended June 1, 2001; amended Jan. 25, 2002.)

Jeffrey S. Wagaman
Executive Director

Doc. No. 027433

State of Kansas
Department of Corrections
Permanent Administrative
Regulations

Article 12.—CONDUCT AND PENALTIES

44-12-103. Tattoos, body piercing, and body markings. (a) Inmates shall not place on or remove from, or allow to be placed on or removed from their body any tattoo or body marking, nor shall they place on or remove from the body of another inmate any tattoo or body marking. Removal or alteration of tattoos or body markings shall be performed by a medical officer after written approval has been given by the warden.

(b) Inmates shall not pierce their own bodies or the body of another inmate. Inmates shall not allow their bodies to be pierced by another inmate. Any cosmetic piercing of an inmate's body shall be performed by a physician, dentist, or other medical personnel exempted from licensure requirements according to K.S.A. 65-1941 and amendments thereto, after written approval has been given by the warden. Cosmetic piercing shall be permitted only upon a showing of medical necessity certified by a physician or dentist.

(c) Violation of this regulation shall be a class II offense.

This amendment shall be effective on and after February 15, 2002. (Authorized by and implementing K.S.A. 75-5210; effective May 1, 1980; amended Feb. 15, 2002.)

44-12-105. Unsanitary practices. (a) No inmate shall throw trash of any kind upon the floors, sidewalks, or grounds of any facility. All rubbish shall be placed in the containers provided for that purpose.

(b) No inmate shall spit upon the floors, sidewalks, and grounds or within any facility building. No inmate shall collect, smear, or throw body wastes. No inmate shall urinate or defecate upon the floors, sidewalks, or grounds of any facility.

(c) Violation of this regulation shall be a class III offense.

This amendment shall be effective on and after February 15, 2002. (Authorized by and implementing K.S.A. 75-5210; effective May 1, 1980; amended April 20, 1992; amended Feb. 15, 2002.)

44-12-106. Hair standards and appearance. (a) Each inmate shall keep the inmate's hair neat and clean and follow reasonable health and safety standards. When working in food services, each inmate shall wear a cook's hat, or net, or both for sanitary purposes. Males working in food services shall not have facial hair in excess of one inch in length or shall wear beard nets, and shall keep this hair neat and clean.

(b) Violation of this regulation shall be a class III offense.

This amendment shall be effective on and after February 15, 2002. (Authorized by and implementing K.S.A. 75-5210; effective May 1, 1980; amended May 1, 1987; amended Feb. 15, 2002.)

(continued)

44-12-107. Use of safety devices. Each inmate shall use safety devices provided in accordance with the orders of the warden. Violation of this regulation shall be a class III offense.

This amendment shall be effective on and after February 15, 2002. (Authorized by and implementing K.S.A. 75-5210; effective May 1, 1980; amended Feb. 15, 2002.)

44-12-201. Registration and use of personal property. (a) It shall be the responsibility of each inmate to make certain that any items of personal property in the inmate's possession as designated by department of corrections internal management policy and procedure or orders of the warden are properly registered. Each inmate shall be required, upon demand, to produce any personal property registered in the inmate's name or issued to the inmate, unless previously reported lost according to proper procedure.

(b) Violation of this regulation shall be a class II offense.

This amendment shall be effective on and after February 15, 2002. (Authorized by and implementing K.S.A. 75-5210; effective May 1, 1980; amended May 1, 1981; amended April 20, 1992; amended Feb. 15, 2002.)

44-12-202. Radios, televisions, musical instruments, and other sound equipment. (a) All personal radios, televisions, and other electronic sound equipment shall be played only in accordance with the orders of the warden. The size, type, and capacity of this equipment shall be limited by internal management policies and procedures issued by the secretary of corrections. All such equipment, including all musical instruments, shall be possessed and used in accordance with the orders of the warden.

(b) Violation of this regulation shall be a class III offense.

This amendment shall be effective on and after February 15, 2002. (Authorized by and implementing K.S.A. 75-5210; effective May 1, 1980; amended May 1, 1981; amended May 1, 1985; amended April 20, 1992; amended Feb. 15, 2002.)

44-12-203. Theft. (a) Theft shall include any of the following acts done with intent to deprive the owner permanently of the possession, use, or benefit of the owner's property or services:

(1) Obtaining or exerting unauthorized control over property or services;

(2) obtaining, by deception, control over property or services;

(3) obtaining, by threat, control over property or services; or

(4) obtaining control over stolen property or services and knowing the property or services to have been stolen by another.

(b) Violation of this regulation shall be a class I offense.

This amendment shall be effective on and after February 15, 2002. (Authorized by and implementing K.S.A. 75-5210; effective May 1, 1980; amended Feb. 15, 2002.)

44-12-204. Taking without permission. (a) No inmate shall take without permission, regardless of the intent, articles of any kind from any other person or place,

nor shall the inmate obtain these articles by fraud or dishonesty.

(b) Violation of this regulation shall be a class II offense. Alternatively, violation of this regulation may be handled according to the summary disposition procedure set forth in K.A.R. 44-13-201b.

This amendment shall be effective on and after February 15, 2002. (Authorized by and implementing K.S.A. 75-5210; effective May 1, 1980; amended April 20, 1992; amended Feb. 15, 2002.)

44-12-205. Unauthorized dealing and trading. (a) Trading, borrowing, loaning, giving, receiving, selling, and buying goods, services, or any item with economic value between or among inmates without written permission of the warden or designee shall be prohibited.

(b) Violation of this regulation shall be a class II offense. Alternatively, violation of this regulation may be handled according to the summary disposition procedure set forth in K.A.R. 44-13-201b.

This amendment shall be effective on and after February 15, 2002. (Authorized by and implementing K.S.A. 75-5210; effective May 1, 1980; amended May 1, 1988; amended April 20, 1992; amended Feb. 15, 2002.)

44-12-210. Accounts. No inmate shall establish any checking or savings account outside the trust fund while confined in a correctional facility unless authorized by the warden. Violation of this regulation shall be a class II offense.

This amendment shall be effective on and after February 15, 2002. (Authorized by K.S.A. 75-5210; implementing K.S.A. 75-5210, 75-5251; effective May 1, 1980; amended May 1, 1981; amended Feb. 15, 2002.)

44-12-303. Lying. (a) Every inmate shall speak the truth. No inmate shall lie, misrepresent the facts, mislead, or give false or misleading information to an officer, employee, or any other person assigned to supervise inmates or others having a right to know. No inmate shall make any false allegations against any officer, employee, inmate, or other person.

(b) Violation of this regulation shall be a class II offense. Alternatively, violation of this regulation may be handled according to the summary disposition procedure set forth in K.A.R. 44-13-201b.

This amendment shall be effective on and after February 15, 2002. (Authorized by and implementing K.S.A. 75-5210; effective May 1, 1980; amended Feb. 15, 2002.)

44-12-305. Insubordination or disrespect to officers or other employees. (a) Each inmate shall be attentive and respectful towards employees, visitors, and officials. The showing of disrespect, directly or indirectly, or being argumentative in any manner shall be considered insubordination. This regulation shall exclude an initial exchange or discussion in a civilized tone for the purpose of clarification of the order if the exchange or discussion is not disrespectful or argumentative.

(b) Violation of this regulation shall be a class II offense. Alternatively, violation of this regulation may be handled according to the summary disposition procedure set forth in K.A.R. 44-13-201b.

This amendment shall be effective on and after February 15, 2002. (Authorized by and implementing K.S.A. 75-5210; effective May 1, 1980; amended Feb. 15, 2002.)

44-12-306. Threatening or intimidating any person. (a) An inmate shall not threaten or intimidate, either directly or indirectly, any person or organization.

This regulation shall specifically prohibit conditional threats or intimidation. Violation of this subsection shall be a class I offense.

(b) A civilized warning by the inmate that the inmate may properly use legal process to enforce rights or redress wrongs, including use of the inmate grievance procedure, shall not be considered a violation of this regulation.

This amendment shall be effective on and after February 15, 2002. (Authorized by and implementing K.S.A. 75-5210; effective May 1, 1980; amended May 1, 1984; amended May 1, 1986; amended Feb. 15, 2002.)

44-12-307. Avoiding an officer. No inmate shall run from or deliberately avoid any officer, supervisor, or employee if required, ordered, or requested to be present to talk with, be accounted for, be searched, or be questioned by the officer, supervisor, or employee. Violation of this regulation shall be a class I offense.

This amendment shall be effective on and after February 15, 2002. (Authorized by and implementing K.S.A. 75-5210; effective May 1, 1980; amended April 20, 1992; amended Feb. 15, 2002.)

44-12-309. Kitchen utensils and shop tools. (a) No inmates shall remove or have in possession any eating or cooking utensils or tools without proper authorization.

(b) Violation of this regulation shall be a class II offense. However, possession of utensils or tools may be considered possession of dangerous contraband and punishable as a class I offense. Alternatively, violation of this regulation may be handled according to the summary disposition procedure set forth in K.A.R. 44-13-201b.

This amendment shall be effective on and after February 15, 2002. (Authorized by and implementing K.S.A. 75-5210; effective May 1, 1980; amended April 20, 1992; amended Feb. 15, 2002.)

44-12-310. Misconduct in dining room. (a) All inmates shall enter and leave the dining room in accordance with the established procedure at each facility, and shall conduct themselves in an orderly manner while in the dining room.

(b) Violation of this regulation shall be a class II offense. Alternatively, violation of this regulation may be handled according to the summary disposition procedure set forth in K.A.R. 44-13-201b.

This amendment shall be effective on and after February 15, 2002. (Authorized by K.S.A. 75-5210; implementing K.S.A. 75-5210, 75-5251; effective May 1, 1980; amended Feb. 15, 2002.)

44-12-312. Use of stimulants, sedatives, unauthorized drugs, or narcotics, or the misuse or hoarding of authorized or prescribed medication. (a) No inmate shall take into the bodily system any kind of substance that is capable of producing intoxication, hallucination, stimulation, depression, dizziness, or other alteration of the in-

mate's state of consciousness or feeling, except approved foods, including coffee and tea, and legal drugs, including medication properly and legally prescribed or authorized for a specific inmate by an authorized licensed physician. Alcohol in any form shall be specifically declared not to be an approved food or drink unless it is a component of authorized or prescribed medication.

(b) Misuse or hoarding of any authorized or prescribed medication shall be prohibited.

(1) "Misuse of medication" shall mean any use other than that for which the medication was specifically authorized or prescribed.

(2) "Hoarding of medication" means having possession or control of or holding any quantity of authorized or prescribed medication greater than an amount or dosage that has been issued to the inmate by medical staff, or greater than the amount that should be remaining if the inmate has taken the medication in accordance with the prescription and instructions from medical staff. Approved over-the-counter medications shall be purchased and possessed only in reasonably consumable quantities.

(c) No inmate shall leave the infirmary or any area where medication is issued while in possession or control of any medication unless removal of the medication from this area has been authorized by medical staff.

(d) Violation of this regulation shall be a class I offense.

This amendment shall be effective on and after February 15, 2002. (Authorized by and implementing K.S.A. 75-5210; effective May 1, 1980; amended April 20, 1992; amended Feb. 15, 2002.)

44-12-313. Obscenity. (a) No inmate shall have in possession or under control any obscene writing, pictures, items, or devices. Each violation of this regulation shall be a class II offense unless the obscene material involves children under the age of 18 years, in which case violation of this regulation shall be a class I offense.

(b) The material shall be considered obscene if the average person applying contemporary community standards would find that the material, taken as a whole, meets the following conditions:

(1) Appeals to the prurient interest;

(2) has patently offensive representations or descriptions of either of the following:

(A) Ultimate sexual acts, normal or perverted, actual or simulated, including sexual intercourse, sodomy, homosexuality, and bestiality; or

(B) masturbation, excretory functions, sadomasochistic abuse, child pornography, or lewd exhibition of the genitals; and

(3) would not be considered by a reasonable person to have serious literary, educational, artistic, political, or scientific value.

This amendment shall be effective on and after February 15, 2002. (Authorized by and implementing K.S.A. 75-5210; effective May 1, 1980; amended April 20, 1992; amended Feb. 15, 2002.)

44-12-314. Sexual activity; aggravated sexual activity; sodomy; aggravated sodomy. (a) No inmate shall commit or induce others to commit an act of sexual in-

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tercourse or sodomy, even with the consent of both parties. Participation in such an act shall be prohibited.

(b) No inmate shall force or intimidate another person to engage in sexual intercourse or sodomy. No inmate shall solicit or arrange for the application of force or intimidation by another person in order to engage in sexual intercourse or sodomy with another person. No inmate shall participate in any scheme or arrangement to force or intimidate another person to engage in sexual intercourse or sodomy.

(c) (1) Sexual intercourse shall mean any penetration of the female sex organ by a finger, the male sex organ, or any object. Any penetration, however slight, shall be deemed sufficient to constitute sexual intercourse.

(2) Sodomy shall be defined as any of the following:

(A) Oral contact with or oral penetration of the female genitalia or oral contact with the male genitalia;

(B) anal penetration, however slight, of a male or female by any body part or object; or

(C) oral or anal copulation or sexual intercourse between a person and an animal.

(d) Violation of this regulation shall be a class I offense.

This amendment shall be effective on and after February 15, 2002. (Authorized by and implementing K.S.A. 75-5210, 75-5251; effective May 1, 1980; amended May 1, 1984; amended April 20, 1992; amended Feb. 15, 2002.)

44-12-318. Disruptive behavior. (a) No inmate shall start or get others to start, or perform or participate in, or help others to perform or participate in any disruptive behavior.

(b) Violation of this regulation shall be a class II offense. Alternatively, violation of this regulation may be handled according to the summary disposition procedure set forth in K.A.R. 44-13-201b.

This amendment shall be effective on and after February 15, 2002. (Authorized by K.S.A. 75-5210; implementing K.S.A. 75-5210, 75-5251; effective May 1, 1980; amended Feb. 15, 2002.)

44-12-320. This revocation shall be effective on and after February 15, 2002. (Authorized by K.S.A. 1979 Supp. 75-5210, 75-5210(f); effective May 1, 1980; revoked Feb. 15, 2002.)

44-12-321. Conduct regarding visitors or the public. (a) Each inmate shall treat visitors and members of the public in a respectful and helpful manner. Each inmate shall comply with the orders of the warden regarding contact with visitors and the public and shall maintain a dignified and respectful demeanor while in the presence of these individuals.

(b) Violation of this regulation shall be a class II offense.

This amendment shall be effective on and after February 15, 2002. (Authorized by and implementing K.S.A. 75-5210; effective May 1, 1980; amended April 20, 1992; amended Feb. 15, 2002.)

44-12-325. Inmate activity; limitations. (a) No proselytizing of religious faiths or beliefs shall be allowed in the facilities. "Proselytizing" shall be defined as an active effort to persuade one to convert to a religious belief without the person's prior consent. However, nothing in

this regulation shall prohibit one-to-one conversation about religious matters. Violation of this subsection shall be a class III offense.

(b) Inmates shall not serve in the capacity of clergy or religious instructors at any time except for purposes of K.A.R. 44-7-113, on recommendation of chaplain and the approval of the warden. Violation of this subsection shall be a class III offense.

(c) Inmates shall not develop, organize, promote, or assist any unsanctioned prison group and shall not engage in any activity calculated to incite a demonstration by any unsanctioned prison group. Inmates shall not possess any item associated or identified with any unsanctioned prison group. "Unsanctioned prison group" shall mean any ongoing formal or informal organization, association, or group of three or more persons with a common name or identifying sign or symbol, but without specific approval by the warden. Violation of this subsection shall be a class I offense.

This amendment shall be effective on and after February 15, 2002. (Authorized by and implementing K.S.A. 75-5210; effective May 1, 1980; amended May 1, 1981; amended April 20, 1992; amended Feb. 15, 2002.)

44-12-326. This revocation shall be effective on and after February 15, 2002. (Authorized by and implementing K.S.A. 1990 Supp. 75-5210; effective, T-84-32, Nov. 23, 1983; effective May 1, 1984; amended April 20, 1992; revoked Feb. 15, 2002.)

44-12-327. Interference with restraints. (a) No inmate shall interfere with or assist other inmates in interfering in any way with handcuffs or other restraints that have been, or are being, applied to the inmate by an officer or employee. An inmate shall not remove or attempt to remove that inmate or another inmate from handcuffs or other restraints without approval of an officer or employee.

(b) Violation of this regulation shall be a class I offense.

This amendment shall be effective on and after February 15, 2002. (Authorized by and implementing K.S.A. 75-5210; effective May 1, 1988; amended Feb. 15, 2002.)

44-12-328. Undue familiarity. (a) No inmate shall solicit, encourage, establish, or participate in any type of personal relationship with any staff member, contract personnel, volunteer, or employee of any other organization in charge of the inmate. A personal relationship shall be defined as any relationship involving unnecessary familiarity by the inmate toward any such individual. Any contact between an inmate and staff member other than a polite exchange of remarks or casual conversation shall be limited to that contact necessary to allow any such individual to carry out official duties and provide authorized assistance to the inmate in a professional manner.

(b) Violation of this regulation shall be a class I offense.

This amendment shall be effective on and after February 15, 2002. (Authorized by and implementing K.S.A. 75-5210; effective April 20, 1992; amended Feb. 15, 2002.)

44-12-401. Work performance. (a) No inmate shall intentionally interfere with, delay, or disrupt work in progress, or sabotage the work, machinery, systems, or prod-

ucts, nor shall any inmate assist or participate in these actions. Violation of this subsection shall be a class I offense.

(b) Each inmate shall perform work assigned in the manner prescribed and according to the directives of the inmate's supervisor or other authorized official. Intentional failure to report to or depart from work at the prescribed time and without unnecessary delay en route shall be prohibited. Violation of this subsection shall be a class II offense. Alternatively, violation of this subsection may be handled according to the summary disposition procedure set forth in K.A.R. 44-13-201b.

(c) No inmate shall slow the work progress through carelessness or neglect. Violation of this subsection shall be a class II offense. Alternatively, violation of this subsection may be handled according to the summary disposition procedure set forth in K.A.R. 44-13-201b.

(d) No inmate shall be tardy for work. Violation of this subsection shall be a class III offense.

(e) "Work," as used in this regulation, shall include any work assignment, educational, vocational, treatment, or training program to which an inmate has been assigned.

This amendment shall be effective on and after February 15, 2002. (Authorized by and implementing K.S.A. 75-5210; effective May 1, 1980; amended May 1, 1988; amended April 20, 1992; amended Feb. 15, 2002.)

44-12-501. Answering calls or passes. (a) Each inmate shall respond promptly to all calls made for the inmate and shall move from place to place as required by the orders of the facility. No inmate shall destroy a pass issued to that inmate. Each inmate shall present a pass to the proper person at the time and place indicated on the pass.

(b) Violation of this regulation shall be a class III offense.

This amendment shall be effective on and after February 15, 2002. (Authorized by and implementing K.S.A. 75-5210; effective May 1, 1980; amended April 20, 1992; amended Feb. 15, 2002.)

44-12-503. Restricted area and unauthorized presence or out-of-place in assigned domicile. (a) Restricted area. Each inmate shall be aware of all restricted areas. No inmate shall enter a restricted area without a direct order by a correctional employee authorized to render this order or unless expressly permitted in writing by the warden. Violation of this subsection shall be a class II offense. Alternatively, violation of this subsection may be handled according to the summary disposition procedure set forth in K.A.R. 44-13-201b.

(b) Unauthorized presence. No inmate shall be present in any area without authorization. If a pass is required, the inmate shall show the pass when required to do so. Specific permission or authorization, whether verbal or written, shall be required for an inmate to be present at any location at any time. Violation of this subsection shall be a class III offense.

(c) Out-of-place in assigned domicile. An inmate shall not roam about in the housing unit and shall not be any place in the housing unit without permission of the unit team. This subsection shall apply to conditions where the

inmate's presence generally in the living unit itself is otherwise authorized. Violation of this subsection shall be a class III offense.

This amendment shall be effective on or after February 15, 2002. (Authorized by and implementing K.S.A. 75-5210; effective May 1, 1980; amended April 20, 1992; amended Feb. 15, 2002.)

44-12-504. Interference with cell operation and visibility. (a) No inmate shall block or otherwise interfere with the operation of the cell opening and closing mechanism in any way, including food passage ports or slots. No inmate shall cover the inmate's cell, including food passage ports or slots, so as to block visibility into the cell, except as allowed by the warden's orders.

(b) Violation of this regulation shall be a class I offense.

This amendment shall be effective on and after February 15, 2002. (Authorized by and implementing K.S.A. 75-5210; effective May 1, 1980; amended May 1, 1987; amended Feb. 15, 2002.)

44-12-505b. Medical restriction. In order not to aggravate any injury, illness, or other medical condition, no inmate shall participate in any work or recreational activities, or partake of food items, in violation of a documented medical restriction that the inmate has received. Violation of this regulation shall be a class III offense.

This amendment shall be effective on and after February 15, 2002. (Authorized by and implementing K.S.A. 75-5210; effective April 20, 1992; amended Feb. 15, 2002.)

44-12-601. Mail. (a) Definitions.

(1) (A) "Legal mail" means mail affecting the inmate's right to access to the courts or legal counsel. This term shall include letters between the inmate and any lawyer, a judge, a clerk of a court, or any intern or employee of legal services for prisoners.

(B) "Official mail" means any mail to an official of the state or federal government who has authority to control, or to obtain or conduct an investigation of, the custody or conditions of confinement of the inmate.

(C) "Privileged mail" means any mail between the inmate and the inmate's doctor.

(2) (A) "Censor" means to remove or change any part or all of the correspondence or literature.

(B) "Inspect" means to open, shake out, look through, feel, or otherwise check for contraband without reading or censoring.

(C) "Read" means to read the contents of correspondence or literature to ascertain the content.

(b) Each inmate shall comply with the mail procedures and restrictions established by the order of the warden of the facility. Failure to comply with mail procedures or restrictions, or circumventing or attempting to circumvent mail procedures or restrictions by any means, shall be prohibited. Any delivery of mail through an employee, volunteer, teacher, or any other person who is not authorized to perform functions related to the established mail handling system shall be prohibited.

(c) Contraband. Items identified as contraband shall be dealt with as provided in subsections (i) and (k) and then either returned to the sender at the inmate's expense or destroyed, at the inmate's option. Items illegal under

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Kansas or U.S. law shall be seized and held as evidence for other law enforcement officers.

(d) Direct communication with officials. Outgoing official or legal mail sent by any inmate shall not be opened. However, if any inmate threatens or terrorizes any person through this mail, subsequent mail, including official or legal mail, from the inmate to the person threatened or terrorized may, at the request of that person, be read and censored for a time period and to the extent necessary to remedy the abuse.

(e) Incoming mail clearly identified as legal, official, or privileged mail shall be opened only in the inmate's presence. This mail shall be inspected for contraband but shall not be read or censored. All incoming mail shall identify the inmate recipient by name and inmate identification number.

(f) Violation of mail regulations of the department of corrections, orders of the warden, or the laws of Kansas or the United States may result in an investigation. Additional mail restrictions that are sufficient to prevent the continuation or reoccurrence of the violation may be placed upon the offender.

(g) Incoming or outgoing legal, official, or privileged mail shall not be censored or read without the authorization of the warden, based upon a documented previous abuse of the right or other good cause.

(h) All funds sent to inmates shall be in the form of a money order, a cashier's check, or a certified check.

(i) Any incoming or outgoing mail other than legal, official, or privileged mail may be inspected or read at any time. This mail may be censored only when there is reasonable belief in any of the following:

(1) There is a threat to institutional safety, order, or security.

(2) There is a threat to the safety and security of public officials or the general public.

(3) The mail is being used in furtherance of illegal activities.

(4) The mail is correspondence between inmates or parolees that has not been authorized according to subsection (j). Correspondence between inmates or parolees may be inspected or read at any time.

(j) Offenders sentenced to the custody of the Kansas department of corrections shall not correspond with any person who is in the custody of or under the supervision of any state, federal, county, community corrections, or municipal law enforcement agency unless either of these conditions is met:

(1) The proposed correspondents are members of the same immediate family or are parties in the same legal action, or one of the persons is a party and the other person is a witness in the same legal action.

(2) Permission for the correspondence is granted due to exceptional circumstances. Verification and approval of offender correspondence shall be conducted pursuant to the internal policies and procedures of the department of corrections.

(k) If any communication to or from an inmate is censored, all of the following procedures shall be conducted:

(1) Each inmate shall be given a written notice of the censorship and the reason for censorship without disclosing the censored material.

(2) Each inmate shall be given the name and address of the sender of incoming mail or the addressee of outgoing mail and the date the item was received in the mail room. It shall be the responsibility of the inmate to contact the sender of censored incoming mail or the addressee of censored outgoing mail, if the inmate so desires.

(3) The author or addressee of the censored correspondence shall be given a reasonable opportunity to protest that decision.

(4) Protests shall be referred to a prison official other than the person who originally disapproved the correspondence.

(l) Except for material ordered through approved special purchase orders, incoming bulk-rate mail shall not be delivered.

(m) Any outgoing first-class letters may be sent to as many people and to whomever the inmate chooses, subject to the restrictions in this regulation.

(n) Outgoing inmate mail shall bear the full conviction name, inmate number, and address of the sender, and the name and address of the intended recipient. No other words, drawings, or messages shall be placed on the outside of the envelope or package by an inmate except words describing the mail as being legal, official, privileged, or intended to aid postal officials in delivery of the item. Outgoing inmate mail shall be stamped by the institution to indicate that it was mailed from an institution operated by the department of corrections and that it has not been censored.

(o)(1) Stationery shall be available for purchase from the inmate canteen.

(2) Indigent inmates as defined by the internal management policies and procedures of the department of corrections shall receive reasonable amounts of free writing paper, envelopes, and postage for first-class domestic mail weighing one ounce or less, not to exceed four letters per month.

(3) All postage for legal and official mail shall be paid by the inmate, unless the inmate is indigent as defined by the internal management policies and procedures of the department of corrections. The cost of postage for legal or official mail paid by the facility on behalf of an indigent inmate shall be deducted from the inmate's funds, if available. To prevent abuses of this provision, restrictions on free legal or official mailings may be imposed by the warden.

(4) The facility shall not pay postage for inmate groups or organizations.

(p) Inmates shall not correspond with any person who has filed a written objection to the correspondence with the warden of the facility.

(1) The inmate shall be notified of the objection in writing when it is received, but shall not be required to be informed of the exact contents of the objection.

(2) In the instance of unwanted correspondence to a minor, the objection shall be filed by the parent or guardian of the minor.

(3) Orders shall be developed by the warden of each facility to prevent further correspondence from being sent to those who have filed an objection.

(4) This regulation shall not prevent an inmate from writing to the inmate's natural or adoptive child, unless

the child was the victim of the crime for which the inmate is incarcerated and the person having legal custody of the child files a written objection with the warden, and the inmate has not obtained a court order permitting this written communication with the child.

(q) Publications.

(1) Any inmate may receive books, newspapers, and periodicals except for those inmates assigned to the reception and diagnostic unit for evaluation purposes. All books, newspapers, and periodicals shall be purchased through special purchase orders. Only books, newspapers, and periodicals received directly from a publisher or a vendor shall be accepted. However, an inmate shall be permitted to receive printed material, including newspaper and magazine clippings, if the clippings are included as part of a first-class letter that does not exceed one ounce in total weight.

(2) The procedures for censorship of mail listed in subsection (k) of this regulation shall be used for censorship of publications.

(3) Publications that are obscene as described in K.A.R. 44-12-313, or otherwise illegal, in whole or in part, or meeting in whole or in part the test for censorship of mail in subsection (i) of this regulation, shall not be allowed into the facility.

(4) Inmates shall have the option of having censored publications in their entirety either mailed out of the facility at their own expense or discarded.

(5) On transfer between institutions or facilities, the inmate shall arrange change of address for newspapers and periodicals. Newspapers and periodicals shall not be forwarded for more than 30 days after the date of transfer.

(r) Violation of this regulation shall be a class II offense.

This amendment shall be effective on and after February 15, 2002. (Authorized by K.S.A. 75-5210, 75-5251; implementing K.S.A. 75-5210, 75-5251, 75-5256; effective May 1, 1980; amended May 1, 1981; amended May 1, 1984; amended May 1, 1986; amended May 1, 1988; amended April 20, 1992; amended Jan. 3, 1995; amended April 17, 1998; amended Feb. 15, 2002.)

44-12-602. Posting notices. No inmate may post or distribute any written communications without the written approval of the warden or designee. Violation of this regulation shall be a class II offense.

This amendment shall be effective on and after February 15, 2002. (Authorized by and implementing K.S.A. 75-5210; effective May 1, 1980; amended April 20, 1992; amended Feb. 15, 2002.)

44-12-702. Legal assistance by inmates. In accordance with applicable rules of the facility, an inmate may give, but shall not charge for, assistance in legal matters to another inmate if the assistance is requested by the other inmate. Violation of this regulation shall be a class II offense.

This amendment shall be effective on and after February 15, 2002. (Authorized by K.S.A. 75-5210; implementing K.S.A. 75-5210, 75-5251; effective May 1, 1980; amended Feb. 15, 2002.)

44-12-801. Bulletin boards. (a) No inmate shall remove any item from any bulletin board. Each inmate shall

be held responsible for compliance with orders published by posting on the bulletin boards. Bulletin boards shall be used by and shall be under the exclusive control of the warden or designee.

(b) Violation of this regulation shall be a class II offense.

This amendment shall be effective on and after February 15, 2002. (Authorized by K.S.A. 75-5210; implementing K.S.A. 75-5210, 75-5251; effective May 1, 1980; amended Feb. 15, 2002.)

44-12-902. Less dangerous contraband. (a) Less dangerous contraband shall be deemed either of the following:

(1) Any item, or any ingredient or part of or instructions for creation of the item, that is moderately dangerous in the facility environment and is not issued by the department of corrections, sold through the facility canteen, or specifically authorized or permitted by order of the warden for use or possession in designated areas of the facility; or

(2) any item that, although authorized, is misused in a way that causes some danger to persons or property.

(b) All contraband shall be confiscated, and may be ordered forfeited by the inmate at the discretion of the disciplinary hearing officer.

(c) No inmate shall possess, hold, sell, transfer, receive, control, distribute, or solicit any less dangerous or any other type of contraband. Violation of this subsection shall be a class II offense.

(d) No inmate shall possess papers, bottles, containers, trash, or any other items in excess of those limits established by regulation, internal management policies and procedures, and facility general orders. The possession of excess items described in this subsection shall be considered nuisance contraband and shall be a class III offense.

(e) Alternatively, violation of this regulation may be handled according to the summary disposition procedure set forth in K.A.R. 44-13-201b.

This amendment shall be effective on and after February 15, 2002. (Authorized by and implementing K.S.A. 75-5210, 75-5251; effective May 1, 1980; amended April 20, 1992; amended Feb. 15, 2002.)

44-12-1002. Violation of published orders. Violation of any published orders of the warden of the facility shall be an offense of the class stated in the order itself. If no class is stated, the violation shall be a class III offense.

This amendment shall be effective on and after February 15, 2002. (Authorized by and implementing K.S.A. 75-5210, 75-5251; effective May 1, 1980; amended May 1, 1981; amended April 20, 1992; amended Feb. 15, 2002.)

44-12-1306. Use of restitution. (a) When restitution is used in the disciplinary process, the following requirements and limitations shall apply:

(1) The amount of and manner of payment of restitution imposed may be appealed in the same manner and to the same extent as those for any other appeal of sentence in the disciplinary process.

(2) The appropriateness and amount of restitution ordered shall be determined by consideration of the factors set forth in K.A.R. 44-12-1307.

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(3) No inmate shall be required to continue payment on any restitution imposed under these regulations while released from incarceration. Upon any subsequent readmission of the inmate to a facility, any restitution owed may be collected. No portion of the inmate's gate money gratuity as authorized by K.S.A. 75-5211, and amendments thereto, shall be used toward the payment of this restitution.

(4) Restitution shall continue to be paid out of money earned by the inmate in the work release program, the private nonprison employment program, or any other gainful employment industries program. Restitution payment shall be limited to a reasonable amount and, if appropriate, shall be made in installments.

(5) The inmate shall be given notice, not later than the beginning of the disciplinary hearing, of the basis for seeking restitution, and shall be given an opportunity at stage C of the hearing to present evidence regarding the appropriate amount of restitution. The hearing officer shall limit the evidence to a reasonable amount and extent that is appropriate to the nature of the administrative hearing, the level of the offense, and the extent of possible impact on the inmate's resources.

(b) If restitution is paid to the state, the money shall be deposited in the state general fund. If restitution is paid

to an inmate, the money shall be transferred by the clerk from the account of the inmate payer to the account of the inmate payee after the conclusion of the entire disciplinary process, including any appeal. If restitution is paid to any other person, the hearing officer shall determine how payment is to be made, and the warden or designee shall review the payment arrangements for approval, conferring with the facility business manager if appropriate.

This amendment shall be effective on and after February 15, 2002. (Authorized by and implementing K.S.A. 75-5210, 75-5251; effective May 1, 1981; amended May 1, 1987; amended April 20, 1992; amended Feb. 15, 2002.)

44-12-1307. Fines and restitution, imposition and collection; limits. Fines shall be fairly and appropriately used. Fines shall not be used in a way that disrupts family support payments, tax payments, or court-ordered restitution payments.

This amendment shall be effective on and after February 15, 2002. (Authorized by and implementing K.S.A. 75-5210, 75-5251; effective May 1, 1984; amended May 1, 1985; amended April 20, 1992; amended Feb. 15, 2002.)

Charles E. Simmons
Secretary of Corrections

Doc. No. 027484

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*.

AGENCY 1: DEPARTMENT OF ADMINISTRATION

Reg. No.	Action	Register
1-5-8	Amended	V. 20, p. 730
1-5-9	Amended	V. 20, p. 730
1-5-19b	Amended	V. 20, p. 730
1-5-19c	Amended	V. 20, p. 730
1-5-20	Amended	V. 20, p. 731
1-18-1a	Amended	V. 20, p. 1602
1-45-1	Amended	V. 20, p. 1602
1-45-7	Amended	V. 20, p. 1603
1-45-7a	New	V. 20, p. 1603

AGENCY 4: DEPARTMENT OF AGRICULTURE

Reg. No.	Action	Register
4-3-47	Amended	V. 20, p. 861
4-3-49	Amended	V. 20, p. 861
4-3-51	New	V. 20, p. 861
4-10-2j	Amended	V. 20, p. 431
4-10-5	Amended	V. 20, p. 430
4-10-5a	New	V. 20, p. 431

AGENCY 5: DEPARTMENT OF AGRICULTURE—DIVISION OF WATER RESOURCES

Reg. No.	Action	Register
5-25-4	Amended	V. 20, p. 294

AGENCY 7: SECRETARY OF STATE

Reg. No.	Action	Register
7-17-1 through 7-17-24	New	V. 20, p. 1524-1528
7-19-1 through 7-19-7	Revoked	V. 20, p. 1528
7-24-2	Amended	V. 20, p. 323
7-25-1	Amended	V. 20, p. 325
7-26-1	Amended	V. 20, p. 325
7-26-2	Amended	V. 20, p. 325
7-28-1	Amended	V. 20, p. 325
7-29-2	Amended	V. 20, p. 325
7-36-4	Amended	V. 20, p. 326
7-38-1	Amended	V. 20, p. 326
7-39-1	Amended	V. 20, p. 1566
7-41-1 through 7-41-13	New	V. 20, p. 1021-1023

AGENCY 9: ANIMAL HEALTH DEPARTMENT

Reg. No.	Action	Register
9-7-19	New (T)	V. 20, p. 934
9-10-33	New	V. 20, p. 1393
9-10-33a	New	V. 20, p. 1393
9-18-1	Amended (T)	V. 20, p. 1567
9-22-4	New (T)	V. 20, p. 1567
9-22-5	New (T)	V. 20, p. 1568
9-29-12 through 9-29-15	New	V. 21, p. 26, 27

AGENCY 16: ATTORNEY GENERAL

Reg. No.	Action	Register
16-7-1 through 16-7-9	Revoked	V. 20, p. 1920

AGENCY 17: STATE BANK COMMISSIONER

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17-11-14	Amended	V. 21, p. 18
17-11-18	Amended	V. 21, p. 18
17-11-19	Amended	V. 21, p. 18
17-11-21	Amended	V. 21, p. 18
17-16-2	Amended	V. 21, p. 19
17-23-1	Amended	V. 21, p. 19

17-23-3	Amended	V. 21, p. 21
17-23-6	Amended	V. 21, p. 21
17-23-8	Amended	V. 21, p. 21
17-23-9	Amended	V. 21, p. 22
17-23-11	Amended	V. 21, p. 23
17-23-14	Amended	V. 21, p. 25
17-23-15	Revoked	V. 21, p. 26
17-24-2	Amended	V. 20, p. 1847

AGENCY 20: CRIME VICTIMS COMPENSATION BOARD

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20-8-1 through 20-8-4	Revoked	V. 20, p. 1921
20-10-1	Revoked	V. 20, p. 1921
20-10-2	Revoked	V. 20, p. 1921
20-11-1	Revoked	V. 20, p. 1921
20-11-2	Revoked	V. 20, p. 1921
20-13-2	Revoked	V. 20, p. 1921
20-13-3	Revoked	V. 20, p. 1921

AGENCY 22: STATE FIRE MARSHAL

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AGENCY 23: DEPARTMENT OF WILDLIFE AND PARKS

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23-8-27	Revoked	V. 20, p. 1061

AGENCY 26: DEPARTMENT ON AGING

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26-11-1	New (T)	V. 20, p. 1895
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26-11-3	New (T)	V. 20, p. 1895

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28-10-15 through 28-10-35	Revoked	V. 20, p. 322
28-10-37	Revoked	V. 20, p. 322
28-10-38	Revoked	V. 20, p. 322
28-10-39	Revoked	V. 20, p. 322

28-10-75		
through		
28-10-88	Revoked	V. 20, p. 322
28-10-100		
through		
28-10-108	Revoked	V. 20, p. 322
28-15-35	Amended	V. 20, p. 725
28-15-36	Amended	V. 20, p. 728
28-15-36a	Amended	V. 20, p. 728
28-15-37	Amended	V. 20, p. 729
28-16-28b		
through		
28-16-28e	Amended	V. 20, p. 1264-1270
28-16-30		
through		
28-16-36	Amended	V. 20, p. 1277-1279
28-16-57	Revoked	V. 20, p. 322
28-16-58	Amended	V. 20, p. 1279
28-16-60	Amended	V. 20, p. 1280
28-16-76		
through		
28-16-79	Revoked	V. 20, p. 322
28-16-82	Revoked	V. 20, p. 322
28-17-6	Amended	V. 20, p. 1523
28-19-79	Revoked	V. 20, p. 492
28-19-202	Amended	V. 20, p. 322
28-19-719	New	V. 20, p. 492
28-34-1a	Amended	V. 20, p. 1755
28-34-6a	Amended	V. 20, p. 106
28-34-9a	Amended	V. 20, p. 107
28-34-21	Revoked	V. 20, p. 323
28-34-26	Revoked	V. 20, p. 323
28-34-27	Revoked	V. 20, p. 323
28-34-28	Revoked	V. 20, p. 323
28-34-30	Revoked	V. 20, p. 323
28-34-32b	Amended	V. 20, p. 107
28-34-50	Amended	V. 20, p. 453
28-34-51	Amended	V. 20, p. 454
28-34-52	Revoked	V. 20, p. 455
28-34-52a	New	V. 20, p. 455
28-34-52b	New	V. 20, p. 455
28-34-53	Amended	V. 20, p. 456
28-34-54	Amended	V. 20, p. 456
28-34-55	Revoked	V. 20, p. 457
28-34-55a	New	V. 20, p. 457
28-34-56	Revoked	V. 20, p. 457
28-34-56a	New	V. 20, p. 457
28-34-57	Amended	V. 20, p. 457
28-34-58	Revoked	V. 20, p. 458
28-34-58a	New	V. 20, p. 458
28-34-59	Revoked	V. 20, p. 459
28-34-59a	New	V. 20, p. 459
28-34-60	Revoked	V. 20, p. 459
28-34-60a	New	V. 20, p. 459
28-34-61	Revoked	V. 20, p. 460
28-34-61a	New	V. 20, p. 460
28-34-62a	Amended	V. 20, p. 460
28-34-75		
through		
28-34-93	Revoked	V. 20, p. 323
28-34-94a	Revoked	V. 20, p. 323
28-36-30	Amended (T)	V. 20, p. 1122
28-36-30	Amended	V. 20, p. 1675
28-36-60	New (T)	V. 20, p. 1122
28-36-60	New	V. 20, p. 1675
28-36-120	New (T)	V. 20, p. 1122
28-36-120	New	V. 20, p. 1675
28-39-144	Amended	V. 20, p. 1756
28-39-155	Amended	V. 20, p. 1758
28-39-410	Revoked	V. 20, p. 323
28-59-1		
through		
28-59-5	Amended	V. 20, p. 295, 296
28-59-5a	Amended	V. 20, p. 297
28-59-6	Amended	V. 20, p. 297
28-59-7	Amended	V. 20, p. 298
28-59-8	Amended	V. 20, p. 298
28-61-1		
through		
28-61-10	Amended	V. 20, p. 298-303
28-61-11	New	V. 20, p. 304

AGENCY 30: SOCIAL AND REHABILITATION SERVICES

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30-4-64	Amended	V. 20, p. 490
30-5-58	Amended	V. 20, p. 1023

30-5-64	Amended	V. 20, p. 1393
30-5-76	Amended	V. 20, p. 1846
30-5-92	Amended	V. 20, p. 1029
30-5-94	Amended	V. 20, p. 1030
30-5-100	Amended	V. 20, p. 1846
30-5-108	Amended	V. 20, p. 491
30-6-89	New	V. 20, p. 1394
30-64-20	Amended	V. 21, p. 80
30-64-22	Amended	V. 21, p. 80
30-64-23	Amended	V. 21, p. 81
30-64-30	Amended	V. 21, p. 81
30-64-32	Amended	V. 21, p. 82
30-64-34	Revoked	V. 21, p. 82

AGENCY 40: KANSAS INSURANCE DEPARTMENT

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40-1-13	Revoked	V. 20, p. 946
40-1-30	Revoked	V. 20, p. 723
40-1-37	Amended	V. 20, p. 1343
40-1-42	Amended	V. 20, p. 723
40-1-43	Amended	V. 20, p. 723
40-1-43	Amended (T)	V. 20, p. 1896
40-1-46	New	V. 20, p. 573
40-1-48	New	V. 20, p. 1868
40-3-29	Revoked	V. 20, p. 946
40-4-35	Amended	V. 20, p. 1307
40-4-41	Amended	V. 20, p. 946
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through		
40-4-41g	Amended	V. 20, p. 949-953
40-4-41h	New	V. 20, p. 953
40-4-41i	New	V. 20, p. 954
40-4-41j	New	V. 20, p. 954
40-5-106	Revoked	V. 20, p. 1161
40-5-111	Revoked	V. 20, p. 1161
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40-9-100	Amended	V. 20, p. 954
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44-14-102	Revoked	V. 21, p. 83
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44-14-202	Revoked	V. 21, p. 83
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through		
44-14-318	Revoked	V. 21, p. 83
44-15-101	Amended	V. 21, p. 84
44-15-101a	Amended	V. 21, p. 84
44-15-102	Amended	V. 21, p. 85
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44-16-103	Revoked	V. 21, p. 86
44-16-104	Revoked	V. 21, p. 86
44-16-105	Amended	V. 21, p. 86
44-16-106	Revoked	V. 21, p. 86
44-16-107	Revoked	V. 21, p. 86
44-16-108	Revoked	V. 21, p. 86

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50-1-3	Amended	V. 20, p. 138
50-1-4	Amended	V. 20, p. 138
50-2-1	Amended	V. 20, p. 139
50-2-3	Amended	V. 20, p. 139
50-2-9	Revoked	V. 20, p. 140
50-2-12	Amended	V. 20, p. 140
50-2-17	Amended	V. 20, p. 140
50-2-18	Amended	V. 20, p. 140
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50-2-21	Amended	V. 20, p. 141
50-2-26	Amended	V. 20, p. 143
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through		
50-3-5	Amended	V. 20, p. 143-145
50-4-2	Amended	V. 20, p. 146

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51-9-7	Amended	V. 20, p. 1755

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60-3-111	Amended	V. 20, p. 1522
60-4-101	Amended	V. 20, p. 449
60-7-102	Amended	V. 20, p. 449
60-7-108	Amended	V. 20, p. 449
60-8-101	Amended	V. 20, p. 449
60-9-105	Amended	V. 20, p. 449
60-9-106	Amended	V. 20, p. 450
60-11-119	Amended	V. 20, p. 451
60-12-106	Amended	V. 20, p. 1522
60-13-101	Amended	V. 20, p. 451
60-13-112	Amended	V. 20, p. 1523
60-16-104	Amended	V. 20, p. 451

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Reg. No.	Action	Register
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AGENCY 66: BOARD OF TECHNICAL PROFESSIONS

Reg. No.	Action	Register
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66-6-4	Amended	V. 20, p. 1647
66-10-1	Amended	V. 20, p. 103
66-10-4	Amended	V. 20, p. 103
66-10-11	Amended	V. 20, p. 104
66-10-12	Amended	V. 20, p. 1648
66-10-13	Amended	V. 20, p. 1648
66-14-5	Amended	V. 20 pp. 1649
66-14-10	Amended	V. 20, p. 104

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74-4-4	Amended	V. 20, p. 1650
74-4-8	Amended	V. 20, p. 1650
74-5-2	Amended	V. 20, p. 1651
74-5-202	Amended	V. 20, p. 1652
74-5-205	Amended	V. 20, p. 1652
74-5-302	Amended	V. 20, p. 1652
75-5-404a	Amended	V. 20, p. 1652
74-7-3	New	V. 20, p. 1652
74-11-6	Amended	V. 20, p. 1653
74-11-7	Amended	V. 20, p. 1653
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through		
74-11-14	Revoked	V. 20, p. 1653
74-11-15	New	V. 20, p. 1653
74-12-1	Amended	V. 20, p. 1654

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AGENCY 80: KANSAS PUBLIC EMPLOYEES RETIREMENT SYSTEM

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through		
80-5-22	New	V. 20, p. 1649, 1650
80-9-1	New	V. 20, p. 1650
80-9-2	New	V. 20, p. 1650

AGENCY 81: OFFICE OF THE SECURITIES COMMISSIONER

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81-3-2	Amended	V. 20, p. 1606
81-3-3	Revoked	V. 20, p. 1606
81-3-5	New	V. 20, p. 1606
81-4-3	Revoked	V. 20, p. 1607
81-5-7	Amended	V. 20, p. 1607

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AGENCY 92: DEPARTMENT OF REVENUE

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92-53-1 through 92-53-7 Revoked V. 20, p. 1131

92-54-1 through 92-54-5 Revoked V. 20, p. 1131

AGENCY 93: DEPARTMENT OF REVENUE—DIVISION OF PROPERTY VALUATION

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AGENCY 102: BEHAVIORAL SCIENCES REGULATORY BOARD

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AGENCY 109: BOARD OF EMERGENCY MEDICAL SERVICES

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109-10-1 Amended V. 20, p. 1677
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111-4-1885	New	V. 20, p. 1902-1906
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111-5-24	Amended	V. 20, p. 428
111-5-27	Amended	V. 20, p. 429
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111-7-134	Amended	V. 20, p. 429
111-7-152	Amended	V. 20, p. 49
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111-7-162	New	V. 20, p. 577
111-7-159	Amended	V. 20, p. 1101
111-7-162	Amended	V. 20, p. 944
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111-7-170	New	V. 20, p. 1101-1103
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111-8-126	New	V. 20, p. 1573-1579
111-9-111	New	V. 20, p. 1406
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111-9-113	New	V. 20, p. 1906

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112-10-6	Amended	V. 20, p. 1728
112-11-20	Amended	V. 20, p. 945

112-17-4	Amended	V. 20, p. 1729
112-18-11	Amended	V. 20, p. 1922

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115-2-4	Amended	V. 20, p. 1499
115-3-1	Amended	V. 20, p. 766
115-3-2	Amended	V. 20, p. 767
115-4-1	Revoked	V. 20, p. 767
115-4-2	New	V. 20, p. 767
115-4-3	Revoked	V. 20, p. 768
115-4-4	New	V. 20, p. 768
115-4-5	Revoked	V. 20, p. 769
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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
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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
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115-18-9	Amended	V. 20, p. 1504
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115-20-2	Amended	V. 20, p. 1063
115-21-1	Amended	V. 20, p. 1803
115-21-2	Amended	V. 20, p. 1804
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115-21-4	New	V. 20, p. 1804
115-22-1	New	V. 20, p. 1804

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117-6-4	New	V. 20, p. 863
117-7-1	Amended	V. 20, p. 863
117-8-1	Amended	V. 20, p. 1020

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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
125-1-1		
through		
125-1-9	New	V. 20, p. 1891-1893