

# Kansas Register

Ron Thornburgh, Secretary of State

Vol. 21, No. 49    December 5, 2002    Pages 2009-2032

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## State of Kansas

### Legislature Interim Committee Schedule

The following committee meetings have been scheduled during the period of December 9-22. Requests for accommodation to participate in committee meetings should be made at least two working days in advance of the meeting by contacting Legislative Administrative Services at (785) 296-2391 or TTY (785) 296-8430. When available, agendas can be found at <http://skyways.lib.ks.us/ksleg/KLRD/klrd.html>.

Date	Room	Time	Committee	Agenda
December 11	123-S	8:00 a.m.	Legislative Coordinating Council	Legislative matters.
December 11	531-N	9:00 a.m.	Health Care Stabilization Fund Oversight	Overview of activities of the Health Care Stabilization Fund Board of Governors; status report on the fund; report on claims involving faculty and residents; discussion of malpractice insurance availability issues; direction for committee report.
December 16	519-S	9:00 a.m.	Legislative Post Audit	Agenda not available.
December 18	531-N	10:00 a.m.	Joint Committee on Information Technology	Agenda not available.
December 19	Office of the State Board of Regents	9:30 a.m.	Legislative Educational Planning Committee	<b>19th:</b> Joint meeting with the State Board of Regents and Bob Kustra, new president of the Midwest Higher Education Commission.
December 20	514-S	9:00 a.m.		<b>20th:</b> Instructions to staff for bill drafts and report.

Jeff Russell  
Director of Legislative  
Administrative Services

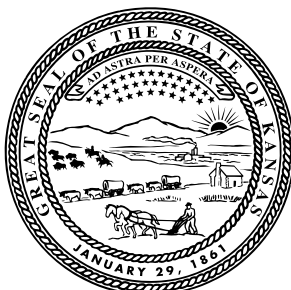
Doc. No. 028704

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## State of Kansas

## Secretary of State

## Code Mortgage Rate for December

Pursuant to the provisions of K.S.A. 2001 Supp. 16a-1-301, Section 11, the code mortgage rate during the period of December 1, 2002 through December 31, 2002, is 12 percent.

Ron Thornburgh  
Secretary of State

Doc. No. 028687

## State of Kansas

## Secretary of State

## Usury Rate for December

Pursuant to the provisions of K.S.A. 2001 Supp. 16-207, the maximum effective rate of interest per annum for notes secured by all real estate mortgages and contracts for deed for real estate (except where the note or contract for deed permits adjustment of the interest rate, the term of the loan or the amortization schedule) executed during the period of December 1, 2002 through December 31, 2002, is 7.43 percent.

Ron Thornburgh  
Secretary of State

Doc. No. 028686

## State of Kansas

**Department of Administration  
Division of Facilities Management**

**Notice to Consulting Architects and Engineers**

The Kansas Department of Administration is inviting all consulting firms that are interested in providing architectural and engineering services for capital improvement projects to prequalify themselves with the Division of Facilities Management (formerly Division of Architectural Services), a division of the Department of Administration. Architectural work shall include landscape architecture.

In order to prequalify, the firm must have an architect or engineer registered with the State Board of Technical Professions in any discipline in which the firm is seeking work; i.e., a structural engineer must seal the structural drawings with his or her Kansas engineering seal.

In addition to the above, the statutes require that firms annually submit a statement of qualifications and performance data. In this regard, a completed federal SF 254 form must be submitted to Gary Grimes, Division of Facilities Management, Room 152, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612-1311, by 5 p.m. February 14. For further information, contact Gary Grimes at (785) 368-7471, fax (785) 296-8898.

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

Doc. No. 028690

## State of Kansas

## Kansas Insurance Department

**Notice of Postponement of Hearing on  
Proposed Administrative Regulation**

A notice of hearing on **K.A.R. 40-4-35** was published in the October 31, 2002 Kansas Register for a public hearing that was to be conducted at 9:30 a.m. Monday, December 30, in the third floor conference room at the Kansas Insurance Department, 420 S.W. 9th, Topeka, to consider the adoption of proposed changes in the existing regulation. The regulation is being withdrawn and the hearing will be postponed until further notice.

Kathleen Sebelius  
Kansas Insurance Commissioner

Doc. No. 028706

## State of Kansas

**Department of Administration  
Division of Facilities Management**

**Notice of Commencement of  
Negotiations for Architectural Services**

Notice is hereby given of the commencement of negotiations for architectural services for a study to determine the feasibility and costs to build a new building of 21,000 square feet or more to relocate all Kansas Department of Human Resources (KDHR) personnel (except the Division of Workers Compensation) from leased facilities in Topeka to a site adjacent to the KDHR building at 401 S.W. Topeka Blvd., Topeka.

The study would include a space study to determine square footage needs, layout and parking lot design, purchase of additional properties and overall project costs. Also included would be a feasibility study to relocate KDHR information services from 1309 S.W. Topeka Blvd. to the new location. Budget for the study is \$167,838. This project is for a study only, but the successful firm may be retained for design and construction administration services if the project should go forward.

For information regarding the scope of services, contact Ron King, KDHR facilities specialist, (785) 296-2123.

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 Facilities Management, Room 152, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612, (785) 368-7471. 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. December 20.

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

Doc. No. 028707

## State of Kansas

**Department of Revenue  
Division of Property Valuation**

**Notice of Hearing**

K.S.A. 79-505 requires the director of property of valuation to adopt rules and regulations or appraisal directives prescribing appropriate standards for the performance of appraisals in connection with ad valorem taxation in Kansas.

The director of property valuation will conduct a public hearing at 1 p.m. Tuesday, January 7, in the director's conference room, Division of Property Valuation, fourth floor, Docking State Office Building, 915 S.W. Harrison, Topeka, on an appraisal directive concerning the processing of real estate sales validation questionnaires prescribed by K.S.A. 79-1437c. The appraisal directive is available on the division's Web site at <http://ksrevenue.org/pvddirtoc.htm>, or copies may be obtained by contacting the Division of Property Valuation at (785) 296-2365.

Stephen S. Richards  
Secretary of Revenue

Doc. No. 028694

## 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 services for replacement of the air conditioning condenser, air handler coil, piping, controls and modifications to the drain pan and the mechanical room duct work at the Kansas Department of Human Resources building located at 203 W. 10th, Salina.

For information regarding the scope of services, contact Ron King, KDHR facilities specialist, (785) 296-2123.

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 Facilities Management, Room 152, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612, (785) 368-7471. 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. December 20.

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

Doc. No. 028708

## State of Kansas

**Persian Gulf War Advisory Board**

**Notice of Meeting**

The Persian Gulf War Advisory Board will meet at 1 p.m. Monday, December 9, in Room 423-S, State Capitol, 300 S.W. 10th Ave., Topeka. The public is invited to attend. For more information, contact the Kansas Commission on Veterans' Affairs at (785) 296-3976.

Stoney Wages  
Executive Director

Doc. No. 028700

## 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:

**Friday, December 13, 2002**

**05691**

Department of Health and Environment—Xerox Printer Maintenance, Printer Cartridges and Maintenance Kits

**Monday, December 16, 2002**

**05696**

Pittsburg State University—Refuse Collection Services

**05703**

Department of Transportation—Highway Arrow Boards, Various Locations

**05704**

University of Kansas—Innerspring Mattresses

**Tuesday, December 17, 2002**

**05693**

Statewide—Carbonless Paper

**05705**

Department of Transportation—4-Wheel Drive Loaders, Various Locations

**Wednesday, December 18, 2002**

**A-9559**

Department of Wildlife and Parks—New Water and Electrical Service, Kansa Campground, Pomona State Park, Osage County

**A-9561**

Department of Wildlife and Parks—Utility System Improvements, Blackjack Campground, Eisenhower State Park, Osage County

John T. Houlihan  
Director of Purchases

Doc. No. 028701

State of Kansas

Secretary of State

Executive Appointments

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

**Justice of the Kansas Supreme Court**

**Marla J. Luckert**, 3708 S.W. Stutley Road, Topeka, 66610. Effective November 20, 2002. Fulfills a vacancy created by the resignation of the Honorable Fred Six.

**Ellsworth County Commissioner,  
District 1**

**Lavel A. Heitschmidt**, Ellsworth County Courthouse, 210 N. Kansas, Ellsworth, 67439. Term expires when a successor is elected and qualifies according to law. Succeeds Bobby Heitschmidt, deceased.

**Marshall County Clerk**

**Sonya L. Stohs**, Marshall County Courthouse, 1201 Broadway, Marysville, 66508. Term expires when a successor is elected and qualifies according to law. Succeeds Gayle Landoll, resigned.

**Kansas Council on Developmental Disabilities**

**Maria Martinez**, 707 E. 6th, Hays, 67601. Term expires August 31, 2003. Succeeds Thomas Rose, resigned.

**North Central Kansas Regional Library System**

**Betty Barker**, Route 1, Box 252, Council Grove, 66846. Term expires June 30, 2006. Reappointed.

**Laurie S. McLaughlin**, 2123 Union Road, Chapman, 67431. Term expires June 30, 2006. Reappointed.

**Kansas Sunflower Commission**

(Established pursuant to 2002 Session Laws of Kansas, Chapter 93.)

**Steven L. Baccus**, 707 N. Third Ave., Minneapolis, 67467. Term expires March 31, 2005.

**Jerome R. Bolding**, 14135 E. Meeker Road, Garden City, 67846. Term expires March 31, 2006.

**Jeff Deeds**, 1416 Arcade, Goodland, 67735. Term expires March 31, 2006.

**Duane Frasier**, HC 1, Box 235, Sharon Springs, 67758. Term expires March 31, 2006.

**Gail Hermes**, Rural Route, Box 114, Centralia, 66415. Term expires March 31, 2007.

**Keith McNickle**, 235 N.E. 15th Ave., Stafford, 67578. Term expires March 31, 2005.

**Lance T. Russell**, 474 240th Ave., Hays, 67601. Term expires March 31, 2005.

**Gary Schellhorn**, 521 Skiddy West Road, Junction City, 66441. Term expires March 31, 2007.

**Randy Small**, Route 1, Box 213a, Neodesha, 66757. Term expires March 31, 2007.

Ron Thornburgh  
Secretary of State

Doc. No. 028695

State of Kansas

Kansas Development Finance Authority

Notice of Hearing

A public hearing will be conducted at 9 a.m. Thursday, December 19, 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. 000553—Maximum Principal Amount: \$60,937.50.** Owner/Operator: Scott D. and Lacy J. Deters. Description: Acquisition of 75 acres of agricultural land and related improvements and equipment to be used by the owner/operator for farming purposes. The project is located at the South Half of the Northwest Quarter of Section 35, Township 4, Range 12, Nemaha County, Kansas, approximately .75 mile west of Corning on county-maintained Highway 9.

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

All individuals who appear at the hearing will be given an opportunity to express their views, and all written comments previously filed with the Authority at its offices at 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. 028705

## State of Kansas

**Social and Rehabilitation Services****Public Notice**

The State of Kansas will submit by December 31 an annual program report for the Temporary Assistance to Needy Families (TANF) block grant. TANF provides assistance to needy families with children and provides parents with job preparation, work and support services to enable them to leave the program and become self-sufficient. The annual program report describes the services available to Kansas TANF recipients, the amount of funds spent and the number of persons served.

Copies of the report are available by contacting the Department of Social and Rehabilitation Services at (785) 296-3028. Comments on the report should be directed to Diane Dykstra, Department of Social and Rehabilitation Services, Room 681-West, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612, by December 20. Comments also may be faxed to (785) 296-0146 or e-mailed to [idd@srskansas.org](mailto:idd@srskansas.org).

Janet Schalansky  
Secretary of Social and  
Rehabilitation Services

Doc. No. 028691

## State of Kansas

**Social and Rehabilitation Services****Notice of Hearing on Proposed  
Administrative Regulations**

A public hearing will be conducted at 10 a.m. Tuesday, February 4, in the basement auditorium of the 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 15-days after publication in the Kansas Register. 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 11 a.m. Friday, February 7, 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 4.—PUBLIC ASSISTANCE PROGRAM**

**30-4-96. Funeral assistance (FA) program.** This regulation is being revoked. Funding for the program no longer exists in the SRS budget.

Economic Impact: None.

**30-6-106. General requirements for consideration of resources, including real property, personal property and income.** This regulation is being amended regarding the provisions that permit a property and income allowance when one spouse enters an institutional living arrangement and the other spouse remains in the community. The provisions have been clarified to note that if a greater property allowance is required to increase the income allowance provided to the community spouse, a fair hearing officer shall take into account the income generating value of the current property allowance as well as the additional property allowance requested. The property provided shall be invested so that the income is maximized, including through a single premium annuity.

Economic Impact: This change is not expected to result in any substantive economic impact as it reflects current policy interpretations.

Janet Schalansky  
Secretary of Social and  
Rehabilitation Services

Doc. No. 028702

## State of Kansas

**Social and Rehabilitation Services****Public Notice**

Federal law requires that a specified percentage of recipients of Temporary Assistance for Needy Families (TANF) be engaged in work or work activities. In determining if a state meets its minimum work participation requirement, a state is allowed a credit for reducing the size of its TANF caseload.

The Department of Social and Rehabilitation Services has prepared a report on its caseload reduction estimates and the methodology used to arrive at the estimates. Copies of this report are available by contacting the Department of Social and Rehabilitation Services at (785) 296-3349. Comments on the estimates and/or methodology should be directed to Phil Anderson, Department of Social and Rehabilitation Services, Room 681-West, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612. Comments also may be faxed to (785) 296-6960 or e-mailed to [pca@srskansas.org](mailto:pca@srskansas.org).

Janet Schalansky  
Secretary of Social and  
Rehabilitation Services

Doc. No. 028692

State of Kansas

**State Fair Board**

**Notice of Meeting**

The Kansas State Fair Board will meet at 10 a.m. Tuesday, December 17, at the White House on the fairgrounds in Hutchinson. For further information, contact Deana Novak at (620) 669-3612.

Mary Alice Lair  
President

Doc. No. 028696

(Published in the Kansas Register December 5, 2002.)

**Summary Notice of Bond Sale**  
**City of Spring Hill, Kansas**  
**\$6,135,000**  
**General Obligation Bonds, Series 2003A**  
**(General obligation bonds payable from**  
**unlimited ad valorem taxes)**

**Bids**

Subject to the notice of bond sale dated December 4, 2002, bids will be received by the finance director of the City of Spring Hill, Kansas, on behalf of the governing body at City Hall, 302 N. Jefferson, Spring Hill, KS 66083, until 11 a.m. December 12, 2002, for the purchase of \$6,135,000 principal amount of General Obligation Bonds, Series 2003A. No bid of less than the entire par value of the bonds, except a discount of not greater than .75 percent of the par value of the bonds, and accrued interest 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 January 1, 2003, and will become due September 1 in the years as follows:

<b>Maturity</b> <b>September 1</b>	<b>Principal</b> <b>Amount</b>
2004	\$115,000
2005	115,000
2006	120,000
2007	125,000
2008	125,000
2009	130,000
2010	135,000
2011	140,000
2012	145,000
2013	150,000
2014	155,000
2015	160,000
2016	170,000
2017	175,000
2018	180,000
2019	190,000
2020	200,000
2021	205,000
2022	215,000
2023	230,000
2024	240,000
2025	250,000
2026	260,000

2027	275,000
2028	290,000
2029	300,000
2030	315,000
2031	330,000
2032	350,000
2033	345,000

The bonds will bear interest from that date at rates to be determined when the bonds are sold as provided, which interest will be payable semiannually on March 1 and September 1 in each year, beginning March 1, 2003. A bidder may elect to have all or a portion of the bonds scheduled to mature in consecutive years issued as term bonds subject to the requirements set forth in the notice of sale.

**Paying Agent and Bond Registrar**

Kansas State Treasurer, Topeka, Kansas.

**Good Faith Deposit**

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States or a financial surety bond in a form that complies with the requirements set forth in the notice of sale in the amount of \$122,700 (2 percent of the principal amount of the bonds).

**Delivery**

The city will pay for preparation of the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about January 2, 2003, at the offices of the Depository Trust Company, New York, New York.

**Assessed Valuation and Indebtedness**

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 2002 is \$31,206,958. The total applicable general obligation indebtedness of the city as of the date of the bonds, including the bonds being sold, is \$2,501,000.

**Approval of Bonds**

The bonds will be sold subject to the legal opinion of Logan Riley Carson & Kaup, L.C., Overland Park, Kansas, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the city and delivered to the successful bidder when the bonds are delivered.

**Additional Information**

Additional information regarding the Bonds may be obtained from the finance director, (913) 592- 3664; from the city's financial advisor, Kirkpatrick Pettis, Kansas City, Missouri, Attention: Marty Nohe, (816) 360-2270; or from bond counsel, Logan Riley Carson & Kaup, L.C., 9200 Indian Creek Parkway, Suite 230, Overland Park, KS 66210, (913) 661-0399.

Dated December 5, 2002.

City of Spring Hill, Kansas  
By Pam Jackson  
Finance Director  
302 N. Jefferson  
Spring Hill, KS 66083

Doc. No. 028698

**State of Kansas**  
**Department of Transportation**  
**Request for Comments**

The Kansas Department of Transportation requests comments on the amendment of the Statewide Transportation Improvement Program (STIP) FY 03-05 by adding the following projects:

**Project K-8801-03**, Statewide Kansas Youth Leadership Summit.

**Project K-8801-04**, Statewide Kansas Youth Leadership Summit.

The amendment of the STIP requires a 30-day public comment period. To receive more information on any of these projects or to make comments on the STIP amendment, contact the Kansas Department of Transportation, Office of Engineering Support, 7th Floor, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612-1568, (785) 296-7916, fax (785) 296-0723.

This information is available in alternative accessible formats. To obtain an alternative format, contact the KDOT Bureau of Transportation Information, (785) 296-3585 (Voice/TTY).

The comment period regarding the STIP amendment will conclude January 6.

E. Dean Carlson  
 Secretary of Transportation

Doc. No. 028709

(Published in the Kansas Register December 5, 2002.)

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

**\$4,305,000\***

**General Obligation Refunding Bonds**

**Series 2003-A**

**\$10,270,000\***

**General Obligation Sales Tax Refunding Bonds**

**Series 2003-B**

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

**Bids**

Subject to the notice of sale and preliminary official statement, sealed, facsimile and electronic bids for the purchase of General Obligation Refunding Bonds, Series 2003-A, and General Obligation Sales Tax Refunding Bonds, Series 2003-B (the Series 2003-A Bonds and the Series 2003-B Bonds are collectively referred to herein as the bonds), of the City of Lawrence, Kansas, will be received (1) in the case of sealed bids, by the city's finance director at the address hereinafter set forth; (2) in the case of facsimile bids, by the city's financial advisor, Springsted Incorporated, at (651) 223-3046; and (3) in the case of electronic bids, through the *PARITY* electronic bid submission system, until 11 a.m. local time for the Series 2003-A Bonds and until 11:30 a.m. local time for the Series 2003-B Bonds, on Tuesday, December 17, 2002, at which time such bids will be publicly read. No bid of less than

the entire principal amount of a series of the bonds and accrued interest 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 shall initially be registered in the name of Cede & Co., as nominee of the Depository Trust Company, New York, New York, to which payment of principal of and interest on the bonds will be made. Individual purchases of bonds will be made in book-entry form only. Purchasers will not receive certificates representing their interest in bonds purchased. The bonds will be dated January 1, 2003, and will become due on the stated maturities as follows, subject to redemption as set forth in the preliminary official statement:

**Series 2003-A Bonds**

<b>Maturity</b>	<b>Principal Amount*</b>
09/01/04	\$870,000
09/01/05	855,000
09/01/06	200,000
09/01/07	210,000
09/01/08	210,000
09/01/09	215,000
09/01/10	225,000
09/01/11	230,000
09/01/12	240,000
09/01/13	250,000
09/01/14	260,000
09/01/15	265,000
09/01/16	275,000

**Series 2003-B Bonds**

<b>Maturity</b>	<b>Principal Amount*</b>
09/01/05	\$1,150,000
09/01/06	1,180,000
09/01/07	670,000
09/01/08	695,000
09/01/09	715,000
09/01/10	740,000
09/01/11	770,000
09/01/12	795,000
09/01/13	830,000
09/01/14	870,000
09/01/15	905,000
09/01/16	950,000

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

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

**Redemption Prior to Maturity**

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



**Good Faith Deposit**

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

**Pre-Bid Revisions**

The city reserves the right to issue a supplemental notice of bond sale not later than 48 hours prior to the sale date via the MUNIFACTS News Service, which may (i) modify the principal amount of one or both series of the bonds, (ii) withdraw one or both series of the bonds from the sale, and/or (iii) modify such other terms of this notice as the city determines.

**Adjustment of Issue Size**

The city reserves the right on the date of the award to, in its sole discretion, increase or decrease the total principal amount of a series of the bonds and/or to increase or decrease individual principal maturities, depending on the interest rates bid and the issue price specified, in order to properly structure the escrow account for the bonds to be refunded.

**Delivery**

The city will pay for the preparation of the bonds. The city will deliver the bonds in book-entry form only through the facilities of the Depository Trust Company, New York, New York, on or about January 13, 2002.

**Assessed Valuation and Indebtedness**

The equalized assessed tangible valuation for computation of bonded debt limitations is \$658,841,127. The total general obligation bonded indebtedness of the city as of the date of the bonds, including the bonds, but excluding the bonds to be refunded with the proceeds of the bonds, is \$89,560,000.

**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 city 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 or the city's director of finance at (785) 832-3000; from the city's financial advisor, Springsted Incorporated, 85 E. 7th Place, Suite 100, St. Paul, MN 55101, (651) 223-3000; or from bond counsel, Gilmore & Bell, P.C., 2405 Grand Blvd., Suite 1100, Kansas City, MO 64108, (816) 221-1000.

Dated November 19, 2002.

City of Lawrence, Kansas  
By A. Ed Mullins  
Director of Finance  
Lawrence City Hall  
6 E. 6th St.  
Lawrence, KS 66044  
Fax (785) 832-3231 or  
(785) 832-3405

\* Preliminary; subject to change.

Doc. No. 028703

**State of Kansas****Kansas, Inc.****Notice of Meeting**

The Kansas, Inc. Board of Directors will meet at 10 a.m. Wednesday, December 11, in Suite 100, 632 S.W. Van Buren, Topeka. The meeting is open to the public. For further information, call (785) 296-1460.

Charles R. Ranson  
President

Doc. No. 028699

**State of Kansas****Department of Agriculture****Notice of Board Conference Call Meeting**

The Governor's Agricultural Advisory Board will conduct a conference call meeting at 7:30 a.m. Tuesday, December 10. An agenda will be made available prior to December 10 by contacting Ginger Patterson at (785) 296-3902. This conference is open to the public and will include time for public comment. To participate, individuals should contact the Department of Agriculture prior to the meeting at (785) 296-3902.

Jamie Clover Adams  
Secretary of Agriculture

Doc. No. 028688

**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-02-305**  
**Application(s) for New or Expansion of**  
**Existing Swine Facilities**

Name and Address of Applicant	Owner of Property Where Facility Will Be Located
Keesecker Agri-Business, Inc. 2069 Prairie Road Washington, KS 66968	Keesecker Agri-Business, Inc. 2069 Prairie Road Washington, KS 66968

(continued)

**Legal Description**

NE/4 of Section 21, T02S,  
R03E, Washington County

Kansas Permit No. A-BBWS-S043

This is an application for new construction/expansion and downsizing at an existing facility. The facility is reducing its proposed capacity from 10,800 head [1,080 animal units (a.u.)] of swine weighing less than 55 pounds to 9,990 head (999 a.u.) of swine weighing less than 55 pounds. The facility also is adding a second lagoon for wastewater storage and is adding additional wastewater to the system in the form of freshwater pit recharge. This is a downsizing of the number of animals and a modification of the water pollution control system. A new or modified permit will not be issued without additional public notice.

**Receiving Water**

Big Blue River Basin

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. 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**

Heritage Cattle Company,  
Inc.  
3725 W. Road E  
Garden City, KS 67846

**Legal Description**

SW/4 of Section 9,  
T26S, R33W, Finney  
County

**Receiving Water**

Upper Arkansas  
River Basin

Kansas Permit No. A-UAFI-C023

Federal Permit No. KS0094285

This is a renewal permit for an existing facility for 2,660 head (2,660 animal units) of beef cattle.

Soil sampling and analysis shall be conducted on soils from fields determined by the department to be located in a sensitive groundwater area and that have received manure or wastewater within the five-year permit cycle.

Permeability tests shall be conducted on the earthen wastewater retention structure(s) that are altered by clean out and/or reconstruction and on all new construction. Permeability tests shall be completed after the soil liner(s) have been compacted and prior to placing the earthen wastewater retention structure(s) into service.

Dewatering equipment shall be obtained within six months after issuance of the permit through purchase, rental or custom application agreement. Written verification of the acquisition of the equipment shall be submitted to the department.

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. 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**

Kaufman Hog Farm  
2813 Kanza Road  
Durham, KS 67438

**Legal Description**

SE/4 of Section 10,  
T18S, R02E, Marion  
County

**Receiving Water**

Neosho River  
Basin

Kansas Permit No. A-NEMN-S022

This is a new permit for an existing facility for a maximum of 507 head of swine weighing greater than 55 pounds [202.8 animal units (a.u.)] and 416 head of swine weighing less than 55 pounds (41.6 a.u.), for a total of 923 head (244.4 a.u.) 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. 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**

Keith Cattle Company  
c/o Brian Keith  
3505 Road L  
Allen, KS 66833

**Legal Description**

SE/4 of Section 10,  
T16S, R11E, Lyon  
County

**Receiving Water**

Marais des  
Cygnes River  
Basin

Kansas Permit No. A-MCLY-C005

Federal Permit No. KS0097144

This is a new permit for an expanding facility for 2,040 head (1,020 animal units) of beef cattle weighing less than 700 pounds, 75 head (75 animal units) of beef cattle weighing greater than 700 pounds and 6 head (12 animal units) of horses, for a total of 1107 animal units.

Permeability tests shall be conducted on the earthen wastewater retention structure(s). Permeability tests shall be completed after the soil liner(s) have been compacted and prior to placing the earthen wastewater retention structure(s) into service.

Dewatering equipment shall be obtained within six months after issuance of the permit through purchase, rental or custom application agreement. Written verification of the acquisition of the equipment shall be submitted to the department.

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. The manure/

**Public Notice No. KS-AG-02-306/311**

**Pending Permits for Confined Feeding Facilities**

**Name and Address of Applicant**

Greg Allen  
Route 1, Box 24  
Centralia, KS 66425

**Legal Description**

NW/4 of Section 09,  
T04S, R12E,  
Nemaha County

**Receiving Water**

Missouri River  
Basin

Kansas Permit No. A-MONM-S034

This is a revision of a current permit and name change for an existing facility by reducing the number of swine from 300 head (120 animal units) of swine greater than 55 pounds to 150 head (60 animal units) of swine greater than 55 pounds, and including 150 head (150 animal units) of cattle greater than 700 pounds and adding 10 breeding dogs (1 animal unit), for a new total of (211 animal units).

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

**Name and Address of Applicant**

Cattle Empire LLC, Yard #2  
Paul Brown, President  
Route 1, Box 109A  
Sublette, KS 67880

**Legal Description**

All of Section 25,  
T28S, R34W,  
Haskell County

**Receiving Water**

Cimarron River  
Basin

Kansas Permit No. A-CIHS-C007

Federal Permit No. KS0088391

This is a modification to the permit for an existing facility for 84,500 head (84,500 animal units) of beef cattle. The modification is the addition of a truckwash that drains to lagoon #1.

Permeability tests shall be conducted on the earthen wastewater retention structures that are altered by clean out and/or reconstruction, and all new construction. Permeability tests shall be completed on lagoons 1, 2, 3 and 5 within six months of permit issuance. Permeability tests shall be completed after the soil liner(s) have been compacted and prior to placing the earthen wastewater retention structure(s) into service.

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. 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**

Cheney Feed Yard  
12500 S. Kansas Road  
Scott City, KS 67871

**Legal Description**

W/2 of Section 24,  
T20S, R33W, Scott  
County

**Receiving Water**

Upper Arkansas  
River Basin

Kansas Permit No. A-UASC-C026

Federal Permit No. KS0097063

This is a new permit for an existing facility for 1,500 head (1,500 animal units) of beef cattle.

Permeability tests shall be conducted on the earthen wastewater retention structures that are altered by clean out and/or reconstruction (lagoon #1), and on all new construction. Permeability tests shall be completed within six months of permit issuance.

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-02-173/178**

Name and Address of Applicant	Waterway	Type of Discharge
Glen Elder City of P.O. Box 55 Glen Elder, KS 67446	Solomon River via Limestone Creek	Treated Domestic Wastewater

Kansas Permit No. M-SO18-OO01      Federal Permit No. KS0020982  
 Legal: NE¼, NE¼, S24 and NW¼, SW¼, S26, T6S, R9W, Mitchell County

Facility Description: The proposed action is to modify and reissue a permit for operation of an existing wastewater treatment facility treating primarily domestic wastewater. The purpose of the modification is to provide for the construction of a third cell to the existing lagoon system. The proposed permit includes limits for biochemical oxygen demand, total suspended solids, fecal coliform and pH. Monitoring of ammonia also will be required. Included in this permit is a schedule of compliance requiring the permittee to make necessary improvements to achieve compliance with its 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
Kechi, City of P.O. Box 88 Kechi, KS 67067	Little Arkansas River via Middle Fork of Chisolm Creek	Treated Domestic Wastewater

Kansas Permit No. M-LA09-OO01      Federal Permit No. KS0049727  
 Legal: SW¼, SE¼, NE¼, S14, T26S, R1E, Sedgwick County

Facility Description: The proposed action is to reissue an existing permit for operation of an existing wastewater treatment facility treating primarily domestic wastewater. The proposed permit includes limits for biochemical oxygen demand, total suspended solids and pH. Monitoring for ammonia and 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
Melvorn, City of P.O. Box 116 Melvorn, KS 66510	Marais des Cygnes River via Long Creek	Treated Domestic Wastewater

Kansas Permit No. M-MC23-OO01      Federal Permit No. KS0046027  
 Legal: SE¼, SE¼, SW¼, S3, T18S, R16E, Osage County

Facility Description: The proposed action is to modify and reissue a permit for operation of an existing wastewater treatment facility treating primarily domestic wastewater. The purpose of the modification is to provide for the addition of a third cell to the existing lagoon system. The proposed permit includes limits for biochemical oxygen demand, total suspended solids and pH. Monitoring of ammonia and fecal coliform 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 technology based.

Name and Address of Applicant	Waterway	Type of Discharge
Norwich, City of P.O. Box 235 Norwich, KS 67118	Sand Creek via Unnamed Tributary	Treated Domestic Wastewater

Kansas Permit No. M-AR67-OO01      Federal Permit No. KS0030643  
 Legal: SW¼, SE¼, SW¼, S2, T30S, R5W, Kingman County

Facility Description: The proposed action is to reissue an existing permit for operation of an existing wastewater treatment facility treating primarily domestic wastewater. The proposed permit includes limits for biochemical oxygen demand, total suspended solids, ammonia, fecal coliform, total residual chlorine and pH. Monitoring for total

phosphorus, Kjeldahl nitrogen, nitrate, nitrite and effluent flow also will be required. Included in this permit is a schedule of compliance requiring the permittee to make necessary improvements to achieve compliance with its 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
Wilsey, City of 409 Lyndon St. Wilsey, KS 66873	Elm Creek via Unnamed Tributary	Treated Domestic Wastewater

Kansas Permit No. M-NE69-OO01      Federal Permit No. KS0089907  
 Legal: NW¼, NE¼, SW¼, S28, T16S, R7E, Morris County

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

Name and Address of Applicant	Waterway	Type of Discharge
Nies Real Estate 9415 E. Harry St., #102 Wichita, KS 67207	Arkansas River via Spring Creek	Treated Domestic Wastewater

Facility Name: Stonegate Park Mobile Home Park  
 Facility Location: 4415 S. Greenwich Road, Derby, KS 67037  
 Kansas Permit No. C-AR29-OO01      Federal Permit No. KS0119351  
 Legal: N½, SE¼, S16, T28S, R2E, Sedgwick County

Facility Description: The proposed action is to reissue an existing permit for operation of an existing wastewater treatment facility treating primarily domestic wastewater. The proposed permit includes limits for biochemical oxygen demand, total suspended solids and pH. Monitoring for ammonia and fecal coliform also will be required. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are technology based.

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 Glenda Newquist for agricultural permits or applications, or to the permit clerk for all other permits, at the Kansas Department of Health and Environment, Division of Environment, Bureau of Water, 1000 S.W. Jackson, Suite 420, Topeka, 66612-1367.

All comments regarding the draft permit or application notice postmarked or received on or before January 4 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate Kansas permit number (KS-AG-02-305/311, KS-02-173/178) 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). Me-

(continued)

dia 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>.

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

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

Clyde D. Graeber  
Secretary of Health  
and Environment

Doc. No. 028697

**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. 12-1675(b)(c)(d), 75-4201(l) and 75-4209(a)(1)(B).

**Effective 12-2-02 through 12-8-02**

Term	Rate
1-89 days	1.26%
3 months	1.15%
6 months	1.25%
1 year	1.52%
18 months	1.83%
2 years	2.03%

Derl S. Treff  
Director of Investments

Doc. No. 028685

**State of Kansas**  
**Department of Agriculture**  
**Permanent Administrative**  
**Regulations**

**Article 7.—MILK AND DAIRY PRODUCTS**

**4-7-2. Health of herd.** (a) All ungraded raw milk shall be from herds, and additions to herds, that meet the requirements of sec. (D)(1) of "milk for manufacturing purposes and its production and processing," as adopted by reference in K.A.R. 4-7-213.

(b) Milk and cream from cows affected with mastitis or containing any residue from drugs used in the treatment of mastitis shall not be sold. (Authorized by K.S.A. 2001 Supp. 65-772 and K.S.A. 2001 Supp. 65-775, as amended by L. 2002, Ch. 181, § 16; implementing K.S.A. 2001 Supp. 65-773; effective Jan. 1, 1966; amended Jan. 14, 1991; amended Oct. 21, 1991; amended Dec. 20, 2002.)

**4-7-3. Production requirements.** Each business owner or operator and each person subject to the Kansas dairy law shall ensure that the requirements in this regulation are met. (a) Milk barn. The milk barn shall be kept clean, dry, well lighted, well ventilated, and well drained. The floor shall be constructed so that it is easily cleanable. No swine, fowl, or horses shall be permitted in the milk barn.

(b) Milk room. A clean, sanitary, well-constructed building or room that is free from sources of contamination and is properly equipped to wash, sanitize, and store bottles and equipment shall be provided. The building or room shall be constructed in a manner preventing the entrance of dust, dirt, flies, and other pests or contamination. The building or room shall be well lighted and well ventilated.

(c) Utensils. All utensils used in handling milk or cream shall be easily cleanable, free of rust, and in good repair. These utensils shall be made from smooth, nonabsorbent, noncorrodible, nontoxic material. All milk pails shall be of the seamless, hooded type.

(d) Toilet. A sanitary toilet conveniently located and properly constructed shall be provided. The toilet shall be operated and maintained so that all waste is inaccessible to flies and does not pollute the surface soil or contaminate any water supply.

(e) Water supply. The water supply shall be easily accessible, adequate, and compliant with all applicable sanitary and quality standards. (Authorized by K.S.A. 2001 Supp. 65-772; effective Jan. 1, 1966; amended Dec. 20, 2002.)

**4-7-4. Handling requirements.** (a) Cooling. All milk shall be cooled to 45° F or less within one hour after milking and shall be maintained at these temperatures until delivery to the consumer.

(b) Containers. All containers shall be stored in a sanitary place and manner and protected from possible contamination. All bottles, cans, and other multiuse containers shall be thoroughly washed and sanitized before each usage. (Authorized by K.S.A. 2001 Supp. 65-772 and 65-775, as amended by L. 2002, Ch. 181, § 16; implementing

K.S.A. 2001 Supp. 65-773; effective Jan. 1, 1966; amended Jan. 14, 1991; amended Dec. 20, 2002.)

**4-7-6. Bacterial and coliform count.** (a) Raw milk shall not have a bacterial plate count exceeding 100,000 per milliliter.

(b) Raw cream shall not have a bacterial plate count exceeding 200,000 per milliliter. (Authorized by K.S.A. 2001 Supp. 65-772; effective Jan. 1, 1966; amended Dec. 20, 2002.)

**4-7-213. Adoption by reference.** The United States department of agriculture's recommended requirements titled "milk for manufacturing purposes and its production and processing," effective November 12, 1996, are hereby adopted by reference, except for the following:

(a) Subpart A;

(b) subpart B, section B2, paragraphs (a), (b), (c), (d), (e), (f), (h), (i), (k), (l)(1) and (2), (m), (r), (s), (t), (u), and (x);

(c) subpart C, section C12, paragraph (b)(2);

(d) subpart D, section D9; and

(e) subpart F.

Copies of the pertinent portions of these requirements may be obtained from the office of the Kansas secretary of agriculture. (Authorized by K.S.A. 2001 Supp. 65-772 and 65-775, as amended by L. 2002, Ch. 181, § 16; implementing K.S.A. 2001 Supp. 65-773, 65-775, as amended by L. 2002, Ch. 181, § 16, and 74-568; effective, E-81-24, Aug. 27, 1981; effective May 1, 1981; amended May 1, 1986; amended, T-87-21, Aug. 21, 1986; amended May 1, 1987; amended Jan. 14, 1991; amended Feb. 27, 1998; amended Feb. 11, 2000; amended Dec. 20, 2002.)

**4-7-213a.** (Authorized by K.S.A. 65-720n, 75-1401; implementing K.S.A. 65-701, 65-720n; effective, T-4-10-30-97, Oct. 30, 1997; effective Feb. 27, 1998; revoked Dec. 20, 2002.)

**4-7-214. Additional definitions.** Whenever the following terms are used in the United States department of agriculture's recommended requirements regarding "milk for manufacturing purposes and its production and processing," adopted by reference in K.A.R. 4-7-213, the terms shall have the meanings assigned in this regulation: (a) All references to "the act" or "act" shall mean K.S.A. 65-771 et seq., and amendments thereto.

(b) All references to "Brucellosis test" shall mean any and all requirements of the Kansas department of animal health pertaining to brucellosis.

(c) All references to any "form" shall mean a form supplied by the Kansas secretary of agriculture.

(d) All references made to an "inspector" shall mean the individual who inspects for compliance with the Kansas dairy law.

(e) All references to "official methods" shall mean the "official methods of analysis of AOAC international," adopted by reference in K.A.R. 4-7-716.

(f) All references to "regulatory agency" shall mean the Kansas department of agriculture.

(g) All references to "standard methods" shall mean the edition of "standard methods for the examination of dairy products," adopted by reference in K.A.R. 4-7-716.

(h) All references to equipment, whenever "3-A sanitary standards," "3-A standards," "3-A suggested methods," and "3-A accepted practices" are used shall mean that the equipment referred to in that context is 3-A sanitary standards-approved before use in producing manufacturing-grade milk. (Authorized by K.S.A. 2001 Supp. 65-772 and K.S.A. 2001 Supp. 65-775, as amended by L. 2002, Ch. 181, § 16; implementing K.S.A. 2001 Supp. 65-773, K.S.A. 2001 Supp. 65-775, as amended by L. 2002, Ch. 181, § 16, and K.S.A. 2001 Supp. 74-568; effective, E-81-24, Aug. 27, 1981; effective May 1, 1981; amended Jan. 14, 1991; amended Feb. 11, 2000; amended Dec. 20, 2002.)

**4-7-216. Enforcement.** Each producer whose manufacturing-grade milk tests positive for drug residues shall be subject to stop-sale orders as follows:

(a) The first occurrence of drug residue in manufacturing-grade milk within a 12-month period shall result in a two-day stop sale.

(b) The second occurrence of drug residue in manufacturing-grade milk within a 12-month period shall result in a four-day stop sale.

(c) The third occurrence of drug residue in manufacturing-grade milk within a 12-month period shall result in a second four-day stop sale.

(d) The fourth or any subsequent occurrence of drug residue in manufacturing-grade milk shall result in a stop-sale order prohibiting the sale, processing, movement, or use of equipment or product until the secretary determines that the producer will prevent the recurrence of drug residue in manufacturing-grade milk. (Authorized by K.S.A. 2001 Supp. 65-775, as amended by L. 2002, Ch. 181, § 16; implementing K.S.A. 2001 Supp. 65-785 and 74-568; effective Feb. 11, 2000; amended Dec. 20, 2002.)

**4-7-408.** (Authorized by K.S.A. 75-1401; effective Jan. 1, 1972; revoked Dec. 20, 2002.)

**4-7-507. Special dietary frozen desserts.** (a) The term "special dietary frozen desserts" shall mean frozen dairy desserts for special dietary purposes that are made in semblance of ice cream or ice milk and that contain sweetening ingredients other than nutritive carbohydrate sweeteners.

(b) Special dietary frozen desserts shall be labeled to meet the requirements of the Kansas food, drug, and cosmetic act, code of federal regulations, title 21. (Authorized by and implementing K.S.A. 2001 Supp. 65-772; effective Jan. 1, 1966; amended May 1, 1984; amended Dec. 20, 2002.)

**4-7-510. Adoption by reference.** Except for 21 C.F.R. 135.160, pertaining to water ices, 21 C.F.R. Part 135, revised on April 1, 2001, titled "frozen desserts," is hereby adopted by reference. Copies of these federal regulations, or pertinent portions of the regulations, may be obtained from the office of the Kansas secretary of agriculture. (Authorized by and implementing K.S.A. 2001 Supp. 65-772; effective May 1, 1984; amended March 26, 1990; amended Oct. 21, 1991; amended Dec. 20, 2002.)

**4-7-511.** (Authorized by K.S.A. 75-1401 and K.S.A. 65-720a as amended by L. 1989, Ch. 190, Sec. 1; imple-

(continued)

menting K.S.A. 65-720a as amended by L. 1989, Ch. 190, Sec. 1; effective March 26, 1990; revoked Dec. 20, 2002.)

**4-7-512.** (Authorized by K.S.A. 75-1401 and K.S.A. 65-720a as amended by L. 1989, Ch. 190, Sec. 1; implementing K.S.A. 65-720a as amended by L. 1989, Ch. 190, Sec. 1; effective March 26, 1990; revoked Dec. 20, 2002.)

**4-7-513.** (Authorized by K.S.A. 75-1401, K.S.A. 1990 Supp. 65-720a and 65-720n; implementing K.S.A. 1990 Supp. 65-720a and 65-720n; effective March 26, 1990; amended Oct. 21, 1991; revoked Dec. 20, 2002.)

**4-7-530. Adoption by reference.** (a) The following sections of 7 C.F.R. Part 58, revised on January 1, 2001, are hereby adopted by reference:

- (1) All of section 58.126;
- (2) all of sections 58.132 through 58.138; and
- (3) all of sections 58.605 through 58.654, except sections 58.646, 58.648, and 58.653.

(b) Copies of these federal regulations, or pertinent portions of the regulations, may be obtained from the office of the Kansas secretary of agriculture. (Authorized by and implementing K.S.A. 2001 Supp. 65-772 and 65-775, as amended by L. 2002, Ch. 181, § 16; effective Oct. 21, 1991; amended Dec. 20, 2002.)

**4-7-531. Additional definitions.** (a) Notwithstanding any language to the contrary, all references to any "standard of identity" in 7 C.F.R. 58.605, as adopted by reference in K.A.R. 4-7-530, shall mean the corresponding standard of identity established by K.A.R. 4-7-510.

(b) All references to "standard methods for the examination of dairy products" in the regulations adopted by reference in K.A.R. 4-7-530 shall mean the edition of the "standards for examination of dairy products" adopted by reference in K.A.R. 4-7-716.

(c) All references to "official methods of analysis of the association of analytical chemists" in the regulations adopted by reference in K.A.R. 4-7-530 shall mean the edition of the "official methods of analysis of AOAC international" adopted by reference in K.A.R. 4-7-716. (Authorized by and implementing K.S.A. 2001 Supp. 65-772 and 65-775, as amended by L. 2002, Ch. 181, § 16; effective Oct. 21, 1991; amended Dec. 20, 2002.)

**4-7-532. Examination of frozen dairy desserts and frozen dairy dessert mixes.** (a) A sample of any frozen dairy dessert or frozen dairy dessert mix may be taken by the Kansas secretary of agriculture as often as the secretary deems necessary to prevent the introduction of or to remove any adulterated, misbranded, or unclean frozen dairy desserts or frozen dairy dessert mixes from the marketplace.

(b) Samples shall be taken at least annually at each business or location owned or operated by any person required to obtain a license to operate a dairy manufacturing plant. (Authorized by K.S.A. 2001 Supp. 65-772 and 65-775, as amended by L. 2002, Ch. 181, § 16; implementing K.S.A. 2001 Supp. 65-773 and 65-775, as amended by L. 2002, Ch. 181, § 16; effective Oct. 21, 1991; amended Dec. 20, 2002.)

**4-7-533. Coliform and bacteria standards for frozen dairy desserts and frozen dairy dessert mixes.** (a) A

frozen dairy dessert product shall not contain more than 50,000 bacteria per gram as determined by the standard plate count and shall not contain more than 10 coliform organisms per gram in three out of the last five samples.

(b) A frozen dairy dessert mix shall not contain more than 20,000 bacteria per gram as determined by the standard plate count and shall not contain more than 10 coliform organisms per gram in three out of the last five samples. (Authorized by K.S.A. 2001 Supp. 65-772 and 65-775, as amended by L. 2002, Ch. 181, § 16; implementing K.S.A. 2001 Supp. 65-773 and 65-775, as amended by L. 2002, Ch. 181, § 16; effective Oct. 21, 1991; amended Dec. 20, 2002.)

**4-7-715. Enforcement.** K.A.R. 4-7-715 through K.A.R. 4-7-722 shall be enforced by the Kansas secretary of agriculture in accordance with the corresponding provisions contained in the "grade 'A' pasteurized milk ordinance" adopted by reference in K.A.R. 4-7-716, a copy of which shall be on file in the office of the Kansas secretary of agriculture. (Authorized by and implementing K.S.A. 2001 Supp. 65-772; effective July 1, 1970; amended May 1, 1980; amended May 1, 1983; amended Jan. 14, 1991; amended Dec. 20, 2002.)

**4-7-716. Adoption by reference.** (a) Except for sections 1(Z), 2, 9, 15, 16, 17, and 18, the "grade 'A' pasteurized milk ordinance," 1999 revision, including appendices, as published in public health service/food and drug administration publication no. 299 and amended by the national conference on interstate milk shipments, document IMS-a-43, dated October 2, 2001 is adopted by reference.

(b) The "methods of making sanitation ratings of milk shippers," including appendices, published by the U.S. department of health and human services, public health service, and food and drug administration as the corrected edition of the 1999 revision, dated October 10, 2000, is adopted by reference.

(c) The 1999 revision of the "procedures governing the cooperative state-public health service/food and drug administration program of the national conference on interstate milk shipments," including appendices, is adopted by reference.

(d) The 16th edition of the "standard methods for the examination of dairy products," dated 1992 and published by the American public health association, is adopted by reference.

(e) The 17th edition of the "official methods of analysis of AOAC international," volumes I and II, including appendices, dated 2000 and published by the association of official analytical chemists, is adopted by reference.

(f) The 1995 revision of the "evaluation of milk laboratories," published by the U.S. department of health and human services, public health service, and food and drug administration, is adopted by reference.

(g) The 1995 revision of the "grade 'A' condensed and dry milk ordinance," including appendices, published by the U.S. department of health and human services, public health service, and food and drug administration, is adopted by reference.

(h) Copies of the pertinent portions of the material adopted by reference shall be available from the Kansas secretary of agriculture.

(i) Each citation in the materials adopted by reference in this regulation shall refer to the publication in effect on January 1, 2002. (Authorized by and implementing K.S.A. 2001 Supp. 65-772 and K.S.A. 2001 Supp. 65-775, as amended by L. 2002, Ch. 181, § 16; effective May 1, 1980; amended May 1, 1983; amended May 1, 1986; amended Dec. 26, 1988; amended Jan. 14, 1991; amended Oct. 21, 1991; amended July 1, 1992; amended Aug. 22, 1994; amended Dec. 20, 2002.)

**4-7-717. Additional definitions.** (a) All references to "this ordinance" in the "grade 'A' pasteurized milk ordinance" adopted by reference in K.A.R. 4-7-716 shall mean K.A.R. 4-7-716.

(b) All references to "regulatory agency" in the "grade 'A' pasteurized milk ordinance" adopted by reference in K.A.R. 4-7-716 shall mean the department.

(c) All references to "jurisdiction" in the "grade 'A' pasteurized milk ordinance" adopted by reference in K.A.R. 4-7-716 shall mean the state of Kansas.

(d) "Cottage cheese" means the product defined in 21 C.F.R. 133.128 as revised on April 1, 2001. Grading of this product shall be optional.

(e) "Dry curd cottage cheese" means the product defined in 21 C.F.R. 133.129 as revised on April 1, 2001. Grading of this product shall be optional.

(f) "Low-fat cottage cheese" and "reduced-fat cottage cheese" mean the product defined in 21 C.F.R. 133.131 as revised on April 1, 2001. Grading of this product shall be optional.

(g) All references to the "standard methods for the examination of dairy products of the American public health association" in the "grade 'A' pasteurized milk ordinance" adopted by reference in K.A.R. 4-7-716 shall mean the publication adopted by reference in K.A.R. 4-7-716(d).

(h) All references to the "official method of analysis of AOAC international" in the "grade 'A' pasteurized milk ordinance" adopted by reference in K.A.R. 4-7-716 shall mean the publication adopted by reference in K.A.R. 4-7-716(e).

(i) Whenever reference is made in the "grade 'A' pasteurized milk ordinance," as adopted by reference in K.A.R. 4-7-716, to the requirements or responsibilities of a "vendor," the reference shall obligate the processor of milk. (Authorized by and implementing K.S.A. 2001 Supp. 65-772 and 65-775, as amended by L. 2002, Ch. 181, § 16; effective May 1, 1980; amended Jan. 14, 1991; amended Oct. 21, 1991; amended Dec. 20, 2002.)

**4-7-718. Insertions.** Each reference to the proper legal jurisdiction in the "grade 'A' pasteurized milk ordinance" adopted by reference in K.A.R. 4-7-716 shall be completed by insertion of the word "Kansas" or the phrase "state of Kansas," whichever the context requires. (Authorized by and implementing K.S.A. 2001 Supp. 65-772 and 65-775, as amended by L. 2002, Ch. 181, § 16; effective May 1, 1980; amended Jan. 14, 1991; amended Dec. 20, 2002.)

**4-7-719. Additions.** (a) In item 10p appearing in section 7 of the "grade 'A' pasteurized milk ordinance" adopted by reference in K.A.R. 4-7-716, the following lan-

guage shall be inserted after the last sentence in the first paragraph: "However, cottage cheese, cheese dressings, or cheese ingredients may be transported by other methods which protect the product from contamination."

(b) In item 18p appearing in section 7 of the "grade 'A' pasteurized milk ordinance" adopted by reference in K.A.R. 4-7-716, the following language shall be inserted after the last sentence in the first paragraph: "However, cottage cheese, dry curd cottage cheese, and reduced-fat or low-fat cottage cheese may be transported in sealed containers in a protected sanitary manner from one plant to another for creaming or packaging." (Authorized by and implementing K.S.A. 2001 Supp. 65-772 and 65-775, as amended by L. 2002, Ch. 181, § 16; effective May 1, 1980; amended Jan. 14, 1991; amended March 2, 1992; amended Aug. 22, 1994; amended Dec. 20, 2002.)

**4-7-720.** (Authorized by and implementing K.S.A. 65-737a as amended by L. 1990, Ch. 220, Sec. 3; effective Jan. 14, 1991; revoked Dec. 20, 2002.)

**4-7-721.** (Authorized by and implementing K.S.A. 65-737a as amended by L. 1990, Ch. 220, Sec. 3; effective Jan. 14, 1991; revoked Dec. 20, 2002.)

**4-7-722.** (Authorized by and implementing K.S.A. 1990 Supp. 65-720n and 65-737a; effective Jan. 14, 1991; amended Oct. 21, 1991; revoked Dec. 20, 2002.)

**4-7-802.** (Authorized by K.S.A. 75-1401 and K.S.A. 65-745 as amended by Sec. 3 of 1990 SB 419; implementing K.S.A. 65-745 as amended by Sec. 5 of 1990 SB 419; effective, T-83-25, Oct. 1, 1982; effective May 1, 1983; amended, T-4-7-2-90, July 2, 1990; amended Oct. 29, 1990; revoked Dec. 20, 2002.)

**4-7-804. Schedule of fees for non-regulatory laboratory work.** (a) Each person for whom a test is performed by the dairy laboratory of the Kansas department of agriculture for non-regulatory purposes shall pay the department \$5.00 for each of the following tests:

- (1) Standard plate count for raw or pasteurized milk or milk products;
- (2) coliform plate count with confirmation for raw or pasteurized milk or milk products;
- (3) direct microscopic somatic cell count for raw milk products;
- (4) B-lactam analysis with confirmation for raw and pasteurized milk or milk products;
- (5) dairy water coliform bacteria and heterotrophic plate count;
- (6) empty container sterility analysis;
- (7) thermometer calibration at two temperature points;
- (8) added water analysis in raw milk; and
- (9) butterfat analysis for raw or retail milk or milk products.

(b) Each person for whom a test is performed by the dairy laboratory of the Kansas department of agriculture for non-regulatory purposes shall pay the department \$10.00 for each of the following tests:

- (1) Electronic somatic cell count;
- (2) inhibitor analysis other than a B-lactam analysis; and

(continued)

(3) aflatoxin analysis.

(c) Any non-regulatory laboratory test may be refused to be performed by the secretary, at the secretary's discretion. (Authorized by and implementing K.S.A. 2001 Supp. 65-777; effective Dec. 20, 2002.)

**4-7-900. Civil penalty; complaint.** A document titled a "complaint" shall initiate a proceeding for the assessment of a civil penalty. The complaint shall include the following:

(a) A general statement citing the section of the act authorizing the assessment of a civil penalty;

(b) a specific reference to each provision of the act or implementing regulation that the respondent is alleged to have violated;

(c) a concise statement of the factual basis for each alleged violation;

(d) the amount of the civil penalty that is proposed to be assessed;

(e) notice of the respondent's right to request a prehearing conference; and

(f) notice of the respondent's right to request a hearing on any material fact contained in the complaint or on the appropriateness of the amount of the proposed civil penalty. (Authorized by K.S.A. 2001 Supp. 65-772; implementing K.S.A. 2001 Supp. 65-788; effective Jan. 22, 1990; amended Dec. 12, 1994; amended Dec. 20, 2002.)

**4-7-901. Answer to the complaint.** (a) A party responding to a complaint may file a written answer. The answer shall clearly and directly admit or deny each of the factual allegations contained in the complaint. If the respondent has no knowledge of a particular factual allegation and states this, the allegation shall be deemed denied. The answer shall also state any facts or arguments that are alleged to constitute a defense and any facts that the respondent disputes and intends to place at issue.

(b) The respondent may request a prehearing conference before the presiding officer, before the actual hearing. The presiding officer may require the parties to exchange evidence or brief the legal issues. The presiding officer may impose other procedural requirements in conjunction with a prehearing conference. (Authorized by K.S.A. 2001 Supp. 65-772; implementing K.S.A. 2001 Supp. 65-788; effective Jan. 22, 1990; amended Dec. 12, 1994; amended Dec. 20, 2002.)

**4-7-902. Amount of proposed civil penalty.** (a) A separate civil penalty shall be assessed for each violation of article 7 of chapter 65 of the Kansas statutes annotated, and amendments thereto, that results from each independent act or failure to act by any dairy manufacturing plant or agent or employee of the plant or agent. In determining whether a given violation is independent of and substantially distinguishable from any other violation for the purpose of assessing separate civil penalties, consideration shall be given to whether each violation requires an element of proof not required by another violation. If several violations require the same elements of proof and are not distinguishable, assessment of separate civil penalties shall be within the discretion of the secretary or the secretary's authorized representative.

(b) A penalty of up to \$300 may be assessed by the secretary if a violation ultimately could result in harm or danger to the public health or is a repeat violation identified in subsection (c) of this regulation.

(c) For the second occurrence and for each subsequent occurrence of a violation for which a civil penalty has been assessed within a three-year period, the civil penalty assessed shall be the maximum amount allowed by law. (Authorized by K.S.A. 2001 Supp. 65-772; implementing K.S.A. 2001 Supp. 65-788; effective Jan. 22, 1990; amended Dec. 20, 2002.)

**4-7-903. Criteria to determine dollar amount of proposed civil penalty.** In determining the amount of any proposed civil penalty, the gravity of the violation shall be considered by the secretary or the secretary's designee. Factors to be considered may include the following:

(a) The potential of the act to injure or endanger the health of any consumer, or the general public;

(b) the severity of actual or potential injuries;

(c) the respondent's history of compliance with K.S.A. 65-789, amendments thereto, and the regulations adopted thereunder;

(d) any action taken by the respondent to remedy the specific violation or to mitigate any adverse health effects or environmental effects that were the result of the violation; and

(e) any misrepresentation or fraud associated with the violation. (Authorized by K.S.A. 2001 Supp. 65-772; implementing K.S.A. 2001 Supp. 65-788; effective Jan. 20, 1990; amended Oct. 29, 1990; amended Dec. 20, 2002.)

**4-7-904. Informal settlement.** (a) The respondent may request a settlement conference at any time during an administrative proceeding.

(b) If a settlement is reached, the parties shall reduce the settlement to writing and present the proposed written consent agreement to the secretary in the form of a consent order. (Authorized by K.S.A. 2001 Supp. 65-772; implementing K.S.A. 2001 Supp. 65-788; effective Jan. 22, 1990; amended Dec. 12, 1994; amended Dec. 20, 2002.)

**4-7-905.** (Authorized by K.S.A. 75-1401 and 65-720n; implementing K.S.A. 65-770; effective Jan. 22, 1990; amended Dec. 12, 1994; revoked Dec. 20, 2002.)

**4-7-1000. Milk hauler license.** (a) Each milk hauler shall sample, weigh, handle, and transport milk or cream samples in accordance with the "standard methods for examination of dairy products," the "official methods of analysis of AOAC international," and the provisions of the "grade 'A' pasteurized milk ordinance" adopted by reference in K.A.R. 4-7-716.

(b) Before the initial issuance of the milk hauler license, each applicant shall pass a written examination on the proper procedures for sampling, testing, and weighing milk or cream, and on the state laws and regulations pertaining to milk and dairy products.

(c) Each milk hauler license shall be renewed when the applicant pays the required fees and attends renewal training provided by the secretary at least once during any three consecutive licensing periods. (Authorized by



K.S.A. 2001 Supp. 65-772 and 65-775, as amended by L. 2002, Ch. 181, § 16; implementing K.S.A. 2001 Supp. 65-778; effective Jan. 14, 1991; amended Dec. 20, 2002.)

implementing K.S.A. 65-704 as amended by L. 1990, Ch. 219, Sec. 4; effective Jan. 14, 1991; revoked Dec. 20, 2002.)

Jamie Clover Adams  
Secretary of Agriculture

**4-7-1001.** (Authorized by L. 1990, Ch. 219, Sec. 17;

Doc. No. 028693

**INDEX TO ADMINISTRATIVE REGULATIONS**

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1-9-4	Amended	V. 21, p. 768
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4-25-1	Amended	V. 21, p. 1750
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4-25-18	New	V. 21, p. 232-235

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44-16-102	Amended	V. 21, p. 86
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

**AGENCY 45: KANSAS PAROLE BOARD**

Reg. No.	Action	Register
45-1-1	Revoked	V. 21, p. 1894
45-4-4	through	
45-4-7	Revoked	V. 21, p. 1894
45-4-9	Revoked	V. 21, p. 1894
45-6-1	Revoked	V. 21, p. 1894
45-6-2	Revoked	V. 21, p. 1894
45-6-3	Revoked	V. 21, p. 1894
45-6-5	Revoked	V. 21, p. 1894
45-7-1	through	
45-7-5	Revoked	V. 21, p. 1894
45-9-1	through	
45-9-4	Revoked	V. 21, p. 1894
45-10-1	Revoked	V. 21, p. 1894
45-11-1	Revoked	V. 21, p. 1895
45-14-1	Revoked	V. 21, p. 1895
45-16-2	Revoked	V. 21, p. 1895
45-16-3	Revoked	V. 21, p. 1895
45-16-4	Revoked	V. 21, p. 1895
45-100-1	New	V. 21, p. 1895
45-200-1	New	V. 21, p. 1895
45-200-2	New	V. 21, p. 1896
45-300-1	New	V. 21, p. 1896
45-300-2	New	V. 21, p. 1896
45-400-1	through	
45-400-4	New	V. 21, p. 1896, 1897
45-500-1	through	
45-500-4	New	V. 21, p. 1897, 1898
45-600-1	New	V. 21, p. 1899
45-700-1	New (T)	V. 21, p. 1328
45-700-1	New	V. 21, p. 1900
45-700-2	New (T)	V. 21, p. 1328
45-700-2	New	V. 21, p. 1900
45-800-1	New	V. 21, p. 1900

**AGENCY 51: DEPARTMENT OF HUMAN RESOURCES—DIVISION OF WORKERS COMPENSATION**

Reg. No.	Action	Register
51-2-6	New	V. 21, p. 864
51-3-1	through	
51-3-4	Amended	V. 21, p. 864-865
51-9-12	through	
51-9-14	Revoked	V. 21, p. 865
51-9-15	New	V. 21, p. 1224
51-9-16	New	V. 21, p. 1271
51-10-6	Revoked	V. 21, p. 865
51-17-1	Revoked	V. 21, p. 865
51-24-1	Amended	V. 21, p. 865
51-24-3	Amended	V. 21, p. 865
51-24-4	Amended	V. 21, p. 866

**AGENCY 60: BOARD OF NURSING**

Reg. No.	Action	Register
60-2-101	Amended	V. 21, p. 840
60-3-106	Amended	V. 21, p. 840

60-3-110	Amended	V. 21, p. 1764
60-3-112	Amended	V. 21, p. 1764
60-4-103	Amended	V. 21, p. 841
60-9-105	Amended	V. 21, p. 1765
69-9-107	Amended	V. 21, p. 1765
60-11-116	Amended	V. 21, p. 316
60-11-121	Amended	V. 21, p. 1767
60-13-103	Amended	V. 21, p. 316
60-13-110	Amended	V. 21, p. 317
60-16-101	Amended	V. 21, p. 841
60-16-103	Amended	V. 21, p. 842
60-16-104	Amended	V. 21, p. 842

**AGENCY 63: BOARD OF MORTUARY ARTS**

Reg. No.	Action	Register
63-1-23	New	V. 21, p. 659
63-3-22	New	V. 21, p. 659
63-3-23	New	V. 21, p. 659
63-4-1	Amended	V. 21, p. 659
63-7-1	through	
63-7-8	New	V. 21, p. 660-662

**AGENCY 65: BOARD OF EXAMINERS IN OPTOMETRY**

Reg. No.	Action	Register
65-4-3	Amended	V. 21, p. 183

**AGENCY 66: BOARD OF TECHNICAL PROFESSIONS**

Reg. No.	Action	Register
66-8-4	Amended	V. 21, p. 1789
66-9-5	Amended	V. 21, p. 1789
66-10-1	Amended	V. 21, p. 1789
66-10-9	Amended	V. 21, p. 1789
66-10-10b	New	V. 21, p. 1789
66-10-13	Amended	V. 21, p. 1790
66-11-1a	New	V. 21, p. 1790
66-11-1b	New	V. 21, p. 1790
66-11-5	New	V. 21, p. 1790
66-14-6	Amended	V. 21, p. 1790

**AGENCY 68: BOARD OF PHARMACY**

Reg. No.	Action	Register
68-1-1a	Amended	V. 21, p. 746
68-1-1e	Revoked	V. 21, p. 308
68-1-2a	Amended	V. 21, p. 746
68-1-3	Revoked	V. 21, p. 308
68-1-3a	Amended	V. 21, p. 746
68-2-5	Amended	V. 21, p. 308
68-9-1	Amended	V. 21, p. 308

**AGENCY 74: BOARD OF ACCOUNTANCY**

Reg. No.	Action	Register
74-4-7	Amended	V. 21, p. 1867
74-4-8	Amended	V. 21, p. 1867
74-4-9	Amended	V. 21, p. 1901
74-5-101	Amended	V. 21, p. 1868
74-5-102	Amended	V. 21, p. 1868
74-5-202	Amended	V. 21, p. 1869
74-5-302	Amended	V. 21, p. 1869
74-5-401	Amended	V. 21, p. 1869
74-5-406	Amended	V. 21, p. 1869
74-7-4	New	V. 21, p. 1870
74-11-6	Amended	V. 21, p. 1870
74-11-7	Amended	V. 21, p. 1870

**AGENCY 82: STATE CORPORATION COMMISSION**

Reg. No.	Action	Register
82-3-105	Amended (T)	V. 21, p. 1175
82-3-105	Amended	V. 21, p. 1750
82-3-113	Amended (T)	V. 21, p. 1175
82-3-113	Amended	V. 21, p. 1750
82-3-114	Amended (T)	V. 21, p. 1176
82-3-114	Amended	V. 21, p. 1751
82-3-117	Amended (T)	V. 21, p. 1176
82-3-117	Amended	V. 21, p. 1751
82-3-120	Amended (T)	V. 21, p. 1176
82-3-120	Amended	V. 21, p. 1751
82-3-311	Amended (T)	V. 21, p. 1178
82-3-311	Amended	V. 21, p. 1753
82-3-312	Amended	V. 21, p. 117
82-3-400	Amended	V. 21, p. 383
82-3-401	Amended	V. 21, p. 383
82-3-401a	Revoked	V. 21, p. 384

82-3-401b	Revoked	V. 21, p. 384
82-3-402	through	
82-3-410	Amended	V. 21, p. 384-389
82-3-411	New	V. 21, p. 389
82-3-412	New	V. 21, p. 390
82-3-1000	through	
82-3-1012	New (T)	V. 21, p. 1178-1188
82-3-1000	through	
82-3-1012	New	V. 21, p. 1753-1763
82-4-22	Amended (T)	V. 21, p. 1329
82-4-22	Amended	V. 21, p. 1702

**AGENCY 86: REAL ESTATE COMMISSION**

Reg. No.	Action	Register
86-1-19	New	V. 21, p. 1814
86-3-15	Amended	V. 21, p. 1814

**AGENCY 88: BOARD OF REGENTS**

Reg. No.	Action	Register
88-5-1	through	
88-5-4	Revoked	V. 21, p. 1705
88-6-1	Revoked	V. 21, p. 1705
88-6-2	Revoked	V. 21, p. 1705
88-6-3	Revoked	V. 21, p. 1705
88-16-1a	Revoked (T)	V. 21, p. 501
88-16-1a	Revoked	V. 21, p. 1166
88-16-1b	New (T)	V. 21, p. 501
88-16-1b	New	V. 21, p. 1166
88-24-1	New	V. 21, p. 1705
88-24-2	New	V. 21, p. 1705

**AGENCY 91: DEPARTMENT OF EDUCATION**

Reg. No.	Action	Register
91-1-146a	through	
91-1-146e	Revoked	V. 21, p. 178
91-1-205	Amended	V. 21, p. 1583
91-1-206	Amended	V. 21, p. 178
91-1-215	through	
91-1-219	New	V. 21, p. 178-180
91-10-1a*	Revoked	V. 21, p. 1705
91-10-2*	Revoked	V. 21, p. 1705

**(\*By Board of Regents)**

91-32-1	through	
91-32-9	Revoked	V. 21, p. 1867

**AGENCY 92: DEPARTMENT OF REVENUE**

Reg. No.	Action	Register
92-1-1	Revoked	V. 21, p. 332
92-1-2	Revoked	V. 21, p. 332
92-1-3	Revoked	V. 21, p. 332
92-5-4	Revoked	V. 21, p. 312
92-5-5	through	
92-5-10	Amended	V. 21, p. 312, 313
92-5-11	Revoked	V. 21, p. 313
92-5-12	Amended	V. 21, p. 313
92-5-13	Amended	V. 21, p. 313
92-8-20	Revoked	V. 21, p. 332
92-9-1	Amended	V. 21, p. 332
92-9-3	Amended	V. 21, p. 332
92-9-4	Amended	V. 21, p. 332
92-9-5	Amended	V. 21, p. 332
92-9-7	Revoked	V. 21, p. 332

92-11-1	through	
92-11-16	Revoked	V. 21, p. 332, 333
92-12-4	Amended	V. 21, p. 586
92-12-11	Amended	V. 21, p. 586
92-12-29	Revoked	V. 21, p. 586
92-12-47	Amended	V. 21, p. 586
92-12-56	Revoked	V. 21, p. 587
92-12-58	Amended	V. 21, p. 587
92-12-67	Amended	V. 21, p. 587
92-12-68	Revoked	V. 21, p. 587
92-12-105	Amended	V. 21, p. 587
92-12-106	Amended	V. 21, p. 587

*(continued)*

92-12a-1 through 92-12a-23	Revoked	V. 21, p. 333, 334
92-14-4 through 92-14-9	Amended	V. 21, p. 334, 335
92-15-3	Amended	V. 21, p. 335
92-15-4	Amended	V. 21, p. 335
92-15-8	Amended	V. 21, p. 335
92-17-1 through 92-17-6	Amended	V. 21, p. 313, 314
92-18-1 through 92-18-7	Revoked	V. 21, p. 1307
92-19-2	Revoked	V. 21, p. 1311
92-19-2a	New	V. 21, p. 1311
92-19-5	Revoked	V. 21, p. 1997
92-19-5a	New	V. 21, p. 1997
92-19-6	Revoked	V. 21, p. 1312
92-19-6a	New	V. 21, p. 1312
92-19-22	Revoked	V. 21, p. 1998
92-19-22a	New	V. 21, p. 1998
92-19-22b	New	V. 21, p. 1999
92-19-23	Revoked	V. 21, p. 2000
92-19-23a	New	V. 21, p. 2000
92-19-35a	New	V. 21, p. 1312
92-19-50	Revoked	V. 21, p. 2000
92-19-55	Revoked	V. 21, p. 1313
92-19-55a	New	V. 21, p. 1313
92-19-57	Amended	V. 21, p. 2000
92-19-61	Revoked	V. 21, p. 1315
92-19-61a	New	V. 21, p. 1315
92-19-81	New	V. 21, p. 2001
92-19-82	New	V. 21, p. 1316
92-20-11	Revoked	V. 21, p. 1318
92-22-4	Amended	V. 21, p. 450
92-22-19	Revoked	V. 21, p. 450
92-22-22	Revoked	V. 21, p. 450
92-22-23	Amended	V. 21, p. 450
92-22-24	Revoked	V. 21, p. 450
92-22-25	Amended	V. 21, p. 450
92-22-33	New	V. 21, p. 450
92-22-34	New	V. 21, p. 450
92-23-10	Amended	V. 21, p. 180
92-23-15	Amended	V. 21, p. 180
92-23-16	Amended	V. 21, p. 180
92-23-17 through 92-23-23	New	V. 21, p. 181
92-23-25	New	V. 21, p. 181
92-23-30	New	V. 21, p. 181
92-23-31	New	V. 21, p. 182
92-23-38	Amended	V. 21, p. 182
92-23-38a	Amended	V. 21, p. 182
92-23-40	Amended	V. 21, p. 182
92-24-9 through 92-24-15	Amended	V. 21, p. 314, 315
92-24-18	Amended	V. 21, p. 315
92-24-22	Amended	V. 21, p. 316
92-24-24	Amended	V. 21, p. 316
92-56-1 through 92-56-5	Amended	V. 21, p. 1057-1059

**AGENCY 94: BOARD OF TAX APPEALS**

Reg. No.	Action	Register
94-2-1 through 94-2-18	Amended	V. 21, p. 703-708
94-2-19	New	V. 21, p. 708
94-2-20	New	V. 21, p. 708
94-3-1	Amended	V. 21, p. 709
94-3-2	Amended	V. 21, p. 709
94-4-1	New	V. 21, p. 710
94-4-2	New	V. 21, p. 710

**AGENCY 100: BOARD OF HEALING ARTS**

Reg. No.	Action	Register
100-11-1	Amended (T)	V. 21, p. 1131
100-11-1	Amended	V. 21, p. 1864
100-27-1	Amended	V. 21, p. 307
100-28a-1	Amended	V. 21, p. 1864
100-29-7	Amended	V. 21, p. 1864

100-49-4	Amended (T)	V. 21, p. 1131
100-49-4	Amended	V. 21, p. 1864
100-69-3	Amended	V. 21, p. 1864
100-69-9	Amended	V. 21, p. 1865
100-69-10	Amended	V. 21, p. 1865
100-69-11	Amended	V. 21, p. 1866

**AGENCY 102: BEHAVIORAL SCIENCES REGULATORY BOARD**

Reg. No.	Action	Register
102-2-3	Amended	V. 21, p. 237
102-2-4b	Amended	V. 21, p. 238
102-3-3a	Amended	V. 21, p. 1132
102-3-4a	Amended	V. 21, p. 1133
102-3-6a	Revoked	V. 21, p. 1134
102-3-12a	Amended	V. 21, p. 1134
102-3-17	New	V. 21, p. 1137

**AGENCY 108: STATE EMPLOYEES HEALTH CARE COMMISSION**

Reg. No.	Action	Register
108-1-2	Amended	V. 21, p. 1055
108-1-4	New	V. 21, p. 1366

**AGENCY 109: BOARD OF EMERGENCY MEDICAL SERVICES**

Reg. No.	Action	Register
109-5-1	Amended	V. 21, p. 1368
109-6-3	Amended	V. 21, p. 1369

**AGENCY 111: KANSAS LOTTERY**

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

Reg. No.	Action	Register
111-2-4	Amended	V. 20, p. 1094
111-2-119 through 111-2-124	New	V. 20, p. 416-419
111-2-120	Amended	V. 20, p. 1094
111-2-124	Amended	V. 21, p. 590
111-2-125	New	V. 20, p. 573
111-2-126	New	V. 20, p. 573
111-2-127	Amended	V. 20, p. 937
111-2-128	New	V. 20, p. 1188
111-2-129	New	V. 20, p. 1343
111-2-130	New	V. 20, p. 1394
111-2-131	New	V. 20, p. 1778
111-2-132	New	V. 20, p. 1901
111-2-133	New	V. 20, p. 1901
111-2-134	New	V. 20, p. 1901
111-2-135	New	V. 21, p. 590
111-2-136	New	V. 21, p. 590
111-2-137	New	V. 21, p. 649
111-2-138	New	V. 21, p. 692
111-2-139	New	V. 21, p. 747
111-2-140	New	V. 21, p. 1521
111-2-141	New	V. 21, p. 1852
111-2-142	New	V. 21, p. 1852
111-3-12	Amended	V. 20, p. 40
111-3-35	Amended	V. 20, p. 1189
111-4-1448	Amended	V. 21, p. 1521
111-4-1795 through 111-4-1813	New	V. 20, p. 40-47
111-4-1801	Amended	V. 20, p. 1095
111-4-1803	Amended	V. 20, p. 1095
111-4-1805a	New	V. 20, p. 1095
111-4-1814 through 111-4-1823	New	V. 20, p. 419-427
111-4-1818	Amended	V. 20, p. 575
111-4-1824	New	V. 20, p. 575
111-4-1825 through 111-4-1839	New	V. 20, p. 937-942
111-4-1828	Amended	V. 20, p. 1096
111-4-1832	Amended	V. 20, p. 1344
111-4-1840 through 111-4-1844	New	V. 20, p. 1096-1100
111-4-1845 through 111-4-1850	New	V. 20, p. 1189-1193

111-4-1849	Amended	V. 20, p. 1344
111-4-1851	New	V. 20, p. 1345
111-4-1852	New	V. 20, p. 1346
111-4-1853	New	V. 20, p. 1347
111-4-1854 through 111-4-1870	New	V. 20, p. 1395-1405
111-4-1864	Amended	V. 20, p. 1569
111-4-1866	Amended	V. 20, p. 1570
111-4-1867	Amended	V. 20, p. 1601
111-4-1869	Amended	V. 20, p. 1601
111-4-1871	New	V. 20, p. 1571
111-4-1872	New	V. 20, p. 1572
111-4-1873	New	V. 20, p. 1572
111-4-1874 through 111-4-1877	New	V. 20, p. 1779-1781
111-4-1877	Amended	V. 20, p. 1902
111-4-1878 through 111-4-1885	New	V. 20, p. 1902-1906
111-4-1886 through 111-4-1889	New	V. 21, p. 183-185
111-4-1890 through 111-4-1893	New	V. 21, p. 591-593
111-4-1894 through 111-4-1900	New	V. 21, p. 649-655
111-4-1894	Amended	V. 21, p. 1276
111-4-1901 through 111-4-1921	New	V. 21, p. 692-702
111-4-1910	Amended	V. 21, p. 747
111-4-1911	Amended	V. 21, p. 747
111-4-1913	Amended	V. 21, p. 748
111-4-1922	New	V. 21, p. 748
111-4-1923	New	V. 21, p. 749
111-4-1924 through 111-4-1932	New	V. 21, p. 1329-1337
111-4-1929	Amended	V. 21, p. 1522
111-4-1933 through 111-4-1938	New	V. 21, p. 1523-1526
111-4-1938	Amended	V. 21, p. 1852
111-4-1939 through 111-4-1945	New	V. 21, p. 1854-1857
111-5-22	Amended	V. 21, p. 1758
111-5-23	Amended	V. 21, p. 1858
111-5-24	Amended	V. 21, p. 1858
111-5-26	Amended	V. 21, p. 1859
111-5-27	Amended	V. 21, p. 1860
111-5-28	Amended	V. 21, p. 1860
111-5-30	Amended	V. 21, p. 1529
111-5-32	Amended	V. 21, p. 1861
111-5-33	Amended	V. 21, p. 1861
111-5-78	Amended	V. 21, p. 751
111-5-79 through 111-5-91	New	V. 21, p. 1278-1281
111-5-82	Amended	V. 21, p. 1529
111-5-83	Amended	V. 21, p. 1529
111-5-92 through 111-5-98	New	V. 21, p. 1339-1341
111-5-96	Amended	V. 21, p. 1530
111-5-97	Amended	V. 21, p. 1531
111-6-5	Amended	V. 21, p. 1531
111-7-119 through 111-7-127	Amended	V. 21, p. 594-597
111-7-123	Amended	V. 21, p. 1531
111-7-126	Amended	V. 21, p. 1532
111-7-134	Amended	V. 20, p. 429
111-7-152	Amended	V. 20, p. 49
111-7-158 through 111-7-162	New	V. 20, p. 577
111-7-159	Amended	V. 20, p. 1101
111-7-162	Amended	V. 20, p. 944
111-7-163 through 111-7-170	New	V. 20, p. 1101-1103

111-7-165	Amended	V. 20, p. 1194
111-7-171		
through		
111-7-175	New	V. 20, p. 1782, 1783
111-7-176		
through		
111-7-180	New	V. 21, p. 656, 657
111-7-181	New	V. 21, p. 1563
111-7-182		
through		
111-7-186	New	V. 21, p. 1861-1862
111-8-101		
through		
111-8-126	New	V. 20, p. 1573-1579
111-9-111	New	V. 20, p. 1406
111-9-112	Amended	V. 20, p. 1579
111-9-113	Amended	V. 21, p. 186
111-9-114	New	V. 21, p. 657
111-9-115	New	V. 21, p. 702
111-9-116	New	V. 21, p. 703
111-9-117	New	V. 21, p. 1533

**AGENCY 115: DEPARTMENT OF WILDLIFE AND PARKS**

Reg. No.	Action	Register
115-2-1	Amended	V. 21, p. 1557
115-2-2	Amended	V. 21, p. 1558
115-2-3	Amended	V. 21, p. 1558
115-2-6	Amended	V. 21, p. 451
115-4-4	Amended	V. 21, p. 452
115-5-1	Amended	V. 21, p. 1137
115-5-2	Amended	V. 21, p. 1138
115-5-3	Amended	V. 21, p. 1138
115-7-1	Amended	V. 21, p. 1558
115-7-2	Amended	V. 21, p. 1559
115-7-7	New	V. 21, p. 1559
115-9-4	Amended	V. 21, p. 177
115-11-1	Amended	V. 21, p. 177
115-11-2	Amended	V. 21, p. 177
115-13-3	Amended	V. 21, p. 1560
115-13-4	Amended	V. 21, p. 1560
115-16-5	New	V. 21, p. 1138
115-16-6	New	V. 21, p. 1139
115-17-6		
through		
115-17-9	Amended	V. 21, p. 1889, 1890

115-17-11	Amended	V. 21, p. 1561
115-17-12	Amended	V. 21, p. 1562
115-17-13	Amended	V. 21, p. 1562
115-17-14	Amended	V. 21, p. 1890
115-18-7	Amended	V. 21, p. 453
115-18-13	Amended	V. 21, p. 1562
115-18-14	Amended	V. 21, p. 1563
115-20-2	Amended	V. 21, p. 1891
115-30-8	Amended	V. 21, p. 1891

**AGENCY 117: REAL ESTATE APPRAISAL BOARD**

Reg. No.	Action	Register
117-6-1	Amended	V. 21, p. 658
117-8-1	Amended	V. 21, p. 659

**AGENCY 118: STATE HISTORICAL SOCIETY**

Reg. No.	Action	Register
118-5-1		
through		
118-5-10	New	V. 21, p. 1205-1208

**AGENCY 126: UNMARKED BURIAL SITES PRESERVATION BOARD**

Reg. No.	Action	Register
126-1-1	New	V. 21, p. 1792
126-1-2	New	V. 21, p. 1792