



Kansas Register

Ron Thornburgh, Secretary of State

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State of Kansas

Office of the State Bank Commissioner

Notice of Hearing on Proposed
Administrative Regulations

A public hearing will be conducted at 11 a.m. Monday, August 18, in the conference room of the Office of the State Bank Commissioner, Suite 300, 700 S.W. Jackson, Topeka, to consider the adoption of an amendment to Kansas Administrative Regulation 17-24-1.

K.A.R. 17-24-1 is an existing regulation that provides for disclosures to be given by a mortgage company to consumers before entering into any mortgage transaction. The disclosure must include the name and address of the mortgage business, the name and position of the person presenting the acknowledgement, a statement that says the company is licensed with the Office of the State Bank Commissioner, and that a consumer may submit complaints or inquiries to the Office of the State Bank Commissioner. The proposed amendments change all references from "registrant" to "licensee" to reflect the changes in the licensing laws for mortgage companies and loan originators that became effective November 1, 2001. There is no anticipated economic impact on the agency or other entities in connection with this proposed regulatory change.

A copy of the proposed regulation and the economic impact statement may be obtained by contacting Brenda Block, Office of the State Bank Commissioner, Suite 300, 700 S.W. Jackson, Topeka, 66603, (785) 296-2266. The standard departmental cost will be assessed for any copies requested.

This 60-day notice of hearing shall constitute a public comment period for the purpose of receiving public comments on the proposed regulation. Written comments should be submitted prior to the hearing to Clarence W. Norris, Bank Commissioner, at the address listed above. Interested persons will be given reasonable opportunity at the hearing to present their views and arguments on the adoption of the proposed regulation. However, presentations should be in writing whenever possible.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulation and economic impact statement in an accessible format. Requests for accommodation should be made at least five working days before the hearing by contacting Brenda Block at (785) 296-2266 or by fax at (785) 296-0168.

Clarence W. Norris
State Bank Commissioner

Doc. No. 029415

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State of Kansas

Office of the State Bank Commissioner

Notice of Hearing on Proposed
Administrative Regulations

A public hearing will be conducted at 9 a.m. Monday, August 18, in the conference room of the Office of the State Bank Commissioner, Suite 300, 700 S.W. Jackson, Topeka, to consider the adoption of proposed regulation K.A.R. 17-8-1. This regulation is proposed for adoption on a permanent basis.

K.A.R. 17-8-1 establishes notice requirements that must be submitted to the Office of the State Bank Commissioner by a bank, prior to obtaining an interest in a financial subsidiary or engaging in a new activity in an existing financial subsidiary. This regulation was created to ensure that banks utilize financial subsidiaries in a safe and sound manner. The regulation requires that any bank that proposes to conduct additional activities through an existing subsidiary, or acquire any percentage of a new financial subsidiary, submit a written notice to the bank commissioner. This notice must include the name and address of the financial subsidiary; a description of the proposed business activities; and, for transactions involving an affiliation with a company that conducts insurance activities, a description of the insurance activities and the states where the company holds insurance licenses.

The Office of the State Bank Commissioner will incur costs in the form of staff time reviewing the notices; however, these costs will not be new, as the agency currently reviews such notices. No costs will be incurred by either banks filing these notices or other governmental agencies, private businesses or individuals.

A copy of the proposed regulation and the economic impact statement may be obtained by contacting Brenda Block, Office of the State Bank Commissioner, 700 S.W. Jackson, Suite 300, Topeka, 66603, (785) 296-2266. The standard departmental cost will be assessed for any copies requested.

This 60-day notice of hearing shall constitute a public comment period for the purpose of receiving public comments on the proposed regulation. Written comments should be submitted prior to the hearing to Clarence W. Norris, Bank Commissioner, at the address listed above. Interested persons will be given reasonable opportunity at the hearing to present their views and arguments on the adoption of the proposed regulation. However, presentations should be in writing whenever possible.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulation and economic impact statement in an accessible format. Requests for accommodation should be made at least five working days before the hearing by contacting Brenda Block at (785) 296-2266 or by fax at (785) 296-0168.

Clarence W. Norris
State Bank Commissioner

Doc. No. 029414

State of Kansas

Racing and Gaming Commission

Notice of Hearing on Proposed
Administrative Regulations

A public hearing will be conducted at 9 a.m. Friday, August 8, at the Kansas Racing and Gaming Commission office, conference room, 3400 S.W. Van Buren, Topeka, to consider the adoption of proposed permanent regulations of the Kansas Racing and Gaming Commission. This 60-day notice constitutes a public comment period for the purpose of receiving written public comments on the proposed regulations.

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

A copy of the full text of the regulations and the economic impact statements may be reviewed or obtained at the commission office. The following is a summary of the proposed regulations:

K.A.R. 112-3-11. Racing operation and parimutuel wagering. The amendment to this regulation simply inserts the word "live" in subsections (a) and (d) for purposes of specifying the actual dates requested by an applicant for live racing days for racing operation and parimutuel wagering.

Economic Impact: There are no costs anticipated to the agency or to other governmental agencies or units as a result of this regulation amendment.

K.A.R. 112-8-4. Withdrawals and scratches. This regulation amendment specifies the length of time for which a greyhound may be penalized or suspended due to being scratched as a result of the violation of a racing regulation as six live racing days.

Economic Impact: There are no costs anticipated to the agency or to other governmental agencies or units as a result of this regulation amendment.

K.A.R. 112-8-5. Schooling. The amendment to this regulation specifies the amount of racing days to be live racing days for each greyhound that has not raced for 10 racing days or 15 calendar days, whichever is less, to be schooled officially at least once at its racing weight before it is eligible for entry in a race.

Economic Impact: There are no costs anticipated to the agency or to other governmental agencies or units as a result of this regulation amendment.

Tracy T. Diel
Executive Director

Doc. No. 029420

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 6-2-03 through 6-8-03

Term	Rate
1-89 days	1.28%
3 months	1.04%
6 months	1.06%
1 year	1.10%
18 months	1.18%
2 years	1.26%

Derl S. Treff
Director of Investments

Doc. No. 029409

State of Kansas

**Department of Administration
Division of Facilities Management****Notice of Commencement of
Negotiations for Technical Services**

Notice is hereby given of the commencement of negotiations for surveying and soil testing services for state construction projects for the 12-month period from July 1, 2003 to June 30, 2004. Soil testing services would include testing and reporting prior to construction and inspection services during construction. Firms that provide concrete, welding, asphalt, steel, lead paint and hazardous material testing also are being sought.

Firms interested in providing these services should submit an SF 254 form indicating their qualifications, fees for their services, and geographical areas of the state in which they are willing to work, to **Phyllis Fast, Division of Facilities Management, Room 152, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612, (785) 296-5796**. An original of the SF 254 form (plus attachments as required) should be submitted with letters of interest.

It is the intention of the division to pre-approve a separate group of qualifying firms and award projects on a rotational basis. If a firm anticipates being limited to specific-sized projects, by dollar volume or locations in the state, that information also should be supplied with the response.

Any questions or expressions of interest should be directed to Phyllis Fast. Submittals should be received before 5 p.m. June 20.

Stuart D. Leighty
Director, Division of
Facilities Management

Doc. No. 029417

State of Kansas

Kansas State University**Notice to Bidders**

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

**Tuesday, June 17, 2003
#3218**

FTIR Spectrometer System with Research
Diffuse Reflectance Accessory (DRIFT)

William H. Sesler
Director of Purchasing

Doc. No. 029425

State of Kansas

**Department of Administration
Division of Facilities Management****Notice of Commencement of
Negotiations for Technical Services**

Notice is hereby given of the commencement of negotiations for air and water balancing services and commissioning of mechanical and electrical systems for state construction projects for the 12-month period from July 1, 2003 to June 30, 2004. Negotiations also are commencing for infrared testing services and mechanical and electrical troubleshooting.

Interested individuals or firms in the balancing field must be certified by the National Environmental Balancing Bureau or the Associated Air Balance Council. Said individuals or firms must be engaged in balancing work on a full-time basis. Balance agencies that are of the same parent company as the designers or contractors of a particular project will not be considered for that project.

Firms interested in providing these services should submit an SF 254 form indicating their qualifications, fees for their services, and geographical areas of the state in which they are willing to work, to **Phyllis Fast, Division of Facilities Management, Room 152, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612, (785) 296-5796**. An original of the SF 254 form (plus attachments as required) should be submitted with letters of interest.

It is the intention of the division to pre-approve a separate group of qualifying firms and award projects on a rotational basis. If a firm anticipates being limited to specific-sized projects, by dollar volume or location in the state, that information should also be supplied with the response.

Any questions or expressions of interest should be directed to Phyllis Fast. Submittals should be received before 5 p.m. June 20.

Stuart D. Leighty
Director, Division of
Facilities Management

Doc. No. 029416

State of Kansas

Department of Transportation

Notice to Consulting Engineers

The Kansas Department of Transportation has revised the scope of the services being requested for the projects listed below. A response may be submitted by e-mail to Neil@ksdot.org, or seven signed copies of the response can be mailed to Neil Rusch, P.E., Assistant to the Director, Division of Engineering and Design, KDOT, Room 1084-West, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612-1568. Responses shall be limited to four pages. Responses must be received in Room 1084-West by 5 p.m. June 18 for the consulting engineering firm to be considered.

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

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

KDOT will provide all the required surveys and bridge design for grade separation structures. The consultant will provide the design for all structures that require hydraulic review and the road design.

61-78 K-8252-01-Reno County

The scope of services is to prepare construction of a four-lane access controlled freeway from just north of 17th Street in Hutchinson, northeast 8.6 miles to the Reno-McPherson county line, with a bypass at Medora. There will be an interchange at 56th Street and at Medora. The work required on K-14 to turn back to the county also is included in the project. The project is programmed for fiscal year 2009, and the estimated construction cost is \$58,678,000.

61-59 K-8253-01-McPherson County

The scope of services is to prepare construction of a four-lane partial access controlled improvement from the Reno-McPherson county line, northeast 7.4 miles to northeast of Chisholm Road, with a bypass at Inman. There will be an interchange at Inman and a future interchange at Arapaho Road. The project is programmed for fiscal year 2009, and the estimated construction cost is \$45,253,000.

61-59 K-8253-02-McPherson County

The scope of services is to prepare construction of a four-lane partial access controlled improvement from northeast of Chisholm Road, northeast 7 miles to the four-lane section south of McPherson. There

will be an interchange at K-153 Spur and a future interchange at Comanche Road. The work required on US-81B, K-86 and K-175 to turn back to the county also is included in this project. The project is programmed for fiscal year 2009, and the estimated construction cost is \$48,732,000.

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

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

Deb Miller
Secretary of Transportation

Doc. No. 029419

State of Kansas

Department of Administration
Division of Facilities ManagementNotice of Commencement of
Negotiations for Architectural Services

Notice is hereby given of the commencement of negotiations for architectural services for the renovation of living spaces and the development of suites for Hashinger Hall at the University of Kansas, Lawrence. Also included is the development of an academic resource center, food service, public spaces, theatre/lounge and other support spaces. Elevator, mechanical and electrical improvements also will be required. The hall consists of 121,190 square feet of space with a project budget of \$12,600,000. The projected schedule has design starting in August 2003, construction starting in May 2004, and completion in July 2005.

For information concerning the scope of services, contact Jim Modig, Director, Design and Construction Management, (785) 864-3431.

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. **In addition to the seven submitted copies, an optional CD with your proposal in pdf format would be appreciated.** 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 **Phyllis Fast, Division of Facilities Management, Room 152, Landon State Office Building, 9000 S.W. Jackson, Topeka, 66612, (785) 296-5796.** Submittals not complying with the guidelines will be returned without consideration. **Please include an e-mail address in proposal.**

Expressions of interest and the SF 255 submittals should be received by Phyllis Fast before 5 p.m. June 20.

Stuart D. Leighty
Director, Division of
Facilities Management

Doc. No. 029418

State of Kansas

Department of Transportation

Notice to Consulting Engineering Firms

The Kansas Department of Transportation is seeking qualified consulting engineering firms for the projects listed below. A response may be submitted by e-mail to Neil@ksdot.org, or seven signed copies of the response can be mailed to Neil Rusch, P.E., Assistant to the Director, Division of Engineering and Design, KDOT, Room 1084-West, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612-1568. Responses shall be limited to four pages. Responses must be received in Room 1084-West by 5 p.m. July 9 for the consulting engineering firm to be considered.

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

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

Traffic Engineering Assistant Program

The Bureau of Local Projects has developed a Traffic Engineering Assistance Program. This program enables the Kansas Department of Transportation to utilize 402 Safety funds, in order to assist local political subdivisions in solving traffic engineering operational and safety improvements when they do not have the traffic engineering expertise available.

The consultant selected is to provide services for the federal fiscal years 2004, 2005 and 2006, for one of two areas. Area One includes KDOT's Districts 1, 2 and 3. Area Two includes KDOT's Districts 4, 5 and 6. The development of detailed plans, designs, specifications or estimates will not be approved under this program.

The following is a list of possible studies or problems that the consultant might be called upon to perform under the Traffic Engineering Assistance Program:

1. Traffic Accident Analysis
2. Traffic Counts
3. Speed Surveys
4. Minor Traffic Generation Studies
5. Limited Transit Analysis
6. Parking Analysis
7. Capacity Problems
8. Lighting and Visibility Analysis
9. Signal and Lighting Analysis
10. Traffic Control Devices Inventory and Review
11. Traffic Signal Progression and Delay Analysis
12. Intersection Related Safety Problems

13. Sight Distance Difficulties
14. Railroad Crossing Analysis
15. High Accident Analyses
16. School Signing, Marking or Routing Surveys
17. Alignment Problems
18. Major Street Operational Analysis
19. CBD Circulation, Operation, Parking, Capacity

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

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

Deb Miller
Secretary of Transportation

Doc. No. 029412

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) for fiscal years 2003-2005 by adding the following projects:

Project TE-0246-01

Pedestrian/bicycle path from the riverfront to the downtown mall and the extension of the trail to Independence Park in the City of Atchison

Project U-1984-01

Installation of new or improved boat ramps, construction of parking areas with walkways and area lighting, kiosk and pavilion, landscaping, street improvements and a pedestrian/bicycle path, from downtown Atchison past the Veterans' Memorial, Independence Park and along the levy for 3,200 feet in the City of Atchison

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 July 3.

Deb Miller
Secretary of Transportation

Doc. No. 029427

State of Kansas

Kansas Arts Commission

Notice of Individual Artist Program Opportunities

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

The commission is accepting applications from individual performing artists who live in Kansas and from Kansas-based groups, companies and ensembles for three-year appointments—fiscal years 2004 through 2007—to the roster of the Kansas Touring Program (KTP). The KTP roster of solo and ensemble artists generally includes—but is not limited to—storytelling, mime, dance, theater for adults and children, and classical, folk, ethnic, blues, jazz and gospel music.

Advisory panels of professionals and experts will review each eligible application and its support materials, and artists will be notified in September if they have been accepted for the roster. The application deadline for the Kansas Touring Program Roster is July 15.

In 2004, the commission may award up to five Kansas Artist Fellowships of \$5,000 each to a qualified artist in each of the following disciplines: fiction, poetry, two-dimensional visual art, three-dimensional visual art, and crafts. These disciplines alternate biennially with music composition, interdisciplinary/performance art, film/video, choreography and playwriting.

Up to 12 Mini-Fellowships of \$500 each also will be offered for 2004. A Kansas artist may apply for a Mini-Fellowship in any one of the following disciplines: fiction, poetry, two-dimensional visual art, three-dimensional visual art, crafts, music composition, interdisciplinary/performance art, film/video, choreography and playwriting.

The application deadline for both the 2004 Kansas Artist Fellowships and the Mini-Fellowships is October 15. Advisory panels of professionals and experts will evaluate applications, and the applicants will be notified of the outcome by February 2004.

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

To request the Individual Artist Program guidelines and application booklet, contact the Kansas Arts Commission, Suite 1004, Jayhawk Tower, 700 S.W. Jackson, Topeka, 66603-3761, (785) 296-3335, fax (785) 296-4989, e-mail KAC@arts.state.ks.us. The guidelines and application form also may be downloaded from the commission's Web site at <http://arts.state.ks.us/programs>.

David M. Wilson
Executive Director

Doc. No. 029421

State of Kansas

Department of Transportation

Notice to Consulting Engineers

The Kansas Department of Transportation is seeking qualified consulting engineering firms for the project listed below. A response may be submitted by e-mail to Neil@ksdot.org, or seven signed copies of the response can be mailed to Neil Rusch, P.E., Assistant to the Director, Division of Engineering and Design, KDOT, Room 1084-West, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612-1568. Responses shall be limited to four pages. Responses must be received in Room 1084-West by 5 p.m. July 9 for the consulting engineering firm to be considered.

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

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

Project - 106 C-4020-01**Pin & hanger bridge inspections for 2003, 2004 & 2005 for Local Public Authority (LPA)**

The scope of services is to provide pin and hanger inspection and submit a report of LPA structures in 2003, 2004 and 2005 statewide. In 2003, approximately 15 structures will require inspection; in 2004, approximately 22 structures will require inspection; and in 2005, approximately 33 structures will require inspection. The estimated cost of these inspections is \$290,000.

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

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

Deb Miller
Secretary of Transportation

Doc. No. 029429

State of Kansas

Kansas Development Finance Authority

Notice of Hearing

A public hearing will be conducted at 9 a.m. Thursday, June 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. 000567—Maximum Principal Amount: \$133,000. Owner/Operator: Monte B. and Dana L. Dossett. Description: Acquisition of 160 acres of agricultural land and related improvements and equipment to be used by the owner/operator for farming purposes. The project is located at Section 25, Jackson Township (80 acres) and Section 7, McPherson Township (80 acres), approximately 1 mile west of McPherson, Kansas, on Highway 56 (Section 25) and 2 miles north and 1.5 miles west of McPherson .5 mile west of intersection of Navajo Road and 13th Avenue (Section 7), both in McPherson County.

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.

Stephen R. Weatherford
President

Doc. No. 029432

State of Kansas

Secretary of State

Code Mortgage Rate for June

Pursuant to the provisions of K.S.A. 2002 Supp. 16a-1-301, Section 11, the code mortgage rate during the period of June 1, 2003 through June 30, 2003, is 12 percent.

Ron Thornburgh
Secretary of State

Doc. No. 029411

State of Kansas

Secretary of State

Usury Rate for June

Pursuant to the provisions of K.S.A. 2002 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 June 1, 2003 through June 30, 2003, is 6.38 percent.

Ron Thornburgh
Secretary of State

Doc. No. 029410

State of Kansas

Department of Health
and EnvironmentNotice 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-03-132/135

Pending Permits for Confined Feeding Facilities

Name and Address of Applicant	Legal Description	Receiving Water
Bedwell Feeders, Thomas W. Bedwell 5502 N.W. Reutlinger Medicine Lodge, KS 67104	NE/4 of Section 06, T32S, R12W, Barber County	Lower Arkansas River Basin

Kansas Permit No. A-ARBA-C001 Federal Permit No. KS0092436

This is a permit modification for an existing facility with 1,000 head (1,000 animal units) of beef cattle. The modification is the addition of a second lagoon to control runoff that flows east from the south pens. The maximum permitted number of cattle is not being changed.

Permeability tests shall be conducted on the existing earthen wastewater retention structure(s). Permeability tests shall be completed within 12 months of the effective date of the permit.

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 approved by the department shall be adhered to as a condition of the permit.

Name and Address of Applicant	Legal Description	Receiving Water
Beezley Farms, c/o Jack Beezley 131 130th St. Girard, KS 66743	NE/4 of Section 22, T29S, R23E, Crawford County	Neosho River Basin

Kansas Permit No. A-NECR-M004

This is a permit renewal for an existing facility for a maximum of 130 head (182 animal units) of dairy cows.

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	Legal Description	Receiving Water
H & D Cattle Company Harry M. Schmitt HC 61, Box 6 Tipton, KS 67485	NW/4 of Section 32,T08S, R10W, Mitchell County	Solomon River Basin

Kansas Permit No. A-SOMC-C004 Federal Permit No. KS0097420

This is a permit modification and expansion for an existing facility, from a phased capacity to an operating capacity of 1,995 head [1,547.5 animal units (a.u.)] of cattle. Upon completion of the expansion, the total capacity of the facilities will be a maximum of 1,995 head of cattle on a total of 17.9 acres of pen drainage area. 895 head of cattle will be under 700 pounds and 1,100 head of cattle will be over 700 pounds, for a maximum animal unit capacity of 1,995 head (1,547.5 a.u.) of cattle. The existing permit required plan approval prior to public notice for expansion to 1,995 head of cattle, because only a plan layout drawing was submitted to establish the footprint of the facility. Plans have now been approved for the east area expansion consisting of 9 acres of open lots served by an earthen impoundment structure preceded by solids settling basins.

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 previous five-years.

Permeability tests shall be conducted on the east area earthen wastewater retention structure. 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	Legal Description	Receiving Water
Hainke Farms LTD Route 1, Box 33 Kensington, KS 66951	SE/4 of Section 02, T04S, R16W, Phillips County	Solomon River Basin

Kansas Permit No. A-SOPL-S029
This is a new permit for an existing facility for 550 head (220 animal units) of swine weighing more than 55 pounds each.

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 pursuant to K.A.R. 28-18a-12 and 19.

Public Notice No. KS-03-053/057

Name and Address of Applicant	Waterway	Type of Discharge
Emporia, City of P.O. Box 928 Emporia, KS 66801	Cottonwood River	Treated Domestic Wastewater

Kansas Permit No. M-NE24-IO01 Federal Permit No. KS0046728

Legal: SW¹/₄, SW¹/₄, NE¹/₄, S22, T19S, R11E, Lyon County

Facility Description: The proposed action is to reissue an existing permit for operation of an existing wastewater treatment facility to treat primarily domestic wastewater. The design flow of this facility is 4.2 million gallons per day. The proposed permit includes limits for biochemical oxygen demand, total suspended solids, dissolved oxygen, ammonia, fecal coliform and pH. Monthly sampling for total phosphorus, nitrate, nitrite, total Kjeldahl nitrogen and effluent flow also is required. A whole effluent toxicity test (WET) is to be conducted annually. A priority pollutant scan is to be conducted during the last calendar year of this 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
Pittsburg, City of P.O. Box 688 Pittsburg, KS 66762	Spring River via Cow Creek	Treated Domestic Wastewater

Kansas Permit No. M-NE57-OO01 Federal Permit No. KS0038954

Legal: NW¹/₄, SE¹/₄, S31, T30S, R25E, Crawford County

Facility Description: The proposed action is to reissue an existing permit for operation of an existing wastewater treatment facility to treat primarily domestic wastewater. The design flow of this facility is 6 million gallons per day. The proposed permit includes limits for biochemical oxygen demand, total suspended solids, dissolved oxygen, ammonia, fecal coliform and pH. Monthly sampling for total phosphorus, nitrate, nitrite, total Kjeldahl nitrogen and sulfates also is required. A whole effluent toxicity test (WET) is to be conducted annually. A priority pollutant scan is to be conducted during the last calendar year of this 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
Nelson Quarries, Inc. P.O. Box 130 La Harpe, KS 66751	Neosho River via Long Creek via Unnamed Tributary	Pit Dewatering and Stormwater Runoff

Facility Name: Sharp Quarry (New Strawn)

Kansas Permit No. I-NE51-PO01 Federal Permit No. KS0086096

Legal: SW¹/₄, S4, T21S, R16E, Coffey County

Facility Description: The proposed action is to reissue an existing permit for the discharge of wastewater during quarry operation. This is a limestone quarrying and crushing operation with no washing. The wastewater discharged from this facility consists of stormwater runoff and pit dewatering. Monitoring of the effluent will not be re-

(continued)

quired unless there is a significant change in the quality or quantity of the subject discharge. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

Name and Address of Applicant	Waterway	Type of Discharge
Invensys, Inc. V*B Interim, Inc. 33 Commercial, Suite B52-SI Foxboro, MA 02035	Smoky Hill River via Mud Creek via Storm Sewer	Treated Groundwater
Kansas Permit No. I-SH01-PO03		Federal Permit No. KS0089834

Legal: NE¼, S20, T13S, R2E, Dickinson County, Abilene, Kansas

Facility Description: The proposed action is to reissue an existing permit for operation of an existing groundwater remediation project. Contaminated groundwater is treated in an air stripper prior to discharge to Mud Creek via the storm sewer. The discharge to Mud Creek is approximately 0.396 million gallons per day. The proposed permit includes limits for trichloroethylene, tetrachloroethylene and pH. Monitoring of sulfates, chlorides 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
Viacom, Inc. 11 Stanwix St. Pittsburgh, PA 15222	Claymore Creek via POTW Plant #2 Pipe Line	Treated Groundwater
Kansas Permit No. I-VE09-PO10		Federal Permit No. KS0091171

Legal: NE¼, S18, T34S, R17E, Montgomery County, Coffeyville, Kansas

Facility Description: The proposed action is to reissue an existing permit for operation of an existing groundwater remediation project. Hydrocarbon contaminated groundwater is treated in an air stripping tower prior to discharge to Claymore Creek via an existing discharge line from the City of Coffeyville's public owned treatment plant. The discharge into Claymore Creek is approximately 14,400 gallons per day. The proposed permit includes limits for trichloroethylene, tetrachloroethylene, 1,2 dichloroethane, cis 1,2 dichloroethylene and pH. Monitoring of total suspended solids 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.

Public Notice No. KS-ND-03-012

Name and Address of Applicant	Legal Location	Type of Discharge
Koch Nitrogen Company P.O. Box 2256 Wichita, KS 67201-2256	NE¼, E½, NW¼, S22, T26S, R24W, Ford County	Nonoverflow
Kansas Permit No. I-UA11-NP02		

Facility Description: The proposed action is to modify an existing permit for an existing nonoverflowing wastewater treatment system. The modification concerns clarification that closure activities of the two interconnected earthen-lined ponds (south pond and north pond) are under the regulatory control, management, remediation and final closure authority of the RCRA program with EPA Region VII currently leading this work. There are no other changes to the permit.

This facility produces nitrogen fertilizer. All process wastewater, including cooling tower blowdowns, RO reject, filter backwash, ion-exchange demineralizer regenerate and chromium contaminated groundwater, is directed to two UIC Class I disposal wells (DW-2 and DW-3) under the authority of KDHE permit no. KS-01-057-001 and KS-01-057-002. The two interconnected earthen-lined ponds, south pond and north pond, discussed above, no longer receive process wastewater and are not part of the wastewater treatment facility permitted pursuant to this draft permit.

The permit terms and conditions are pursuant to Kansas statutes and regulations.

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 July 5 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate Kansas permit number (KS-AG-03-132/135, KS-03-053/057, KS-ND-03-012) and name of applicant/application as listed when preparing comments.

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

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

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

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

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

Southwest District Office, 302 W. McArtor Road,
Dodge City, 67801-6098, (620) 225-0596

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

Southeast District Office, 1500 W. 7th, Chanute, 66720,
(620) 431-2390

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

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.

Roderick L. Bremby
Secretary of Health
and Environment

Doc. No. 029426

State of Kansas

Department of Administration
Division of Purchases

Notice to Bidders

Sealed bids for items listed will be received by the Director of Purchases until 2 p.m. on the date indicated. For more information, call (785) 296-2377:

06/16/03	06280	Dry Ice
06/16/03	06296	Seasonal Clothing
06/18/03	06160	Disposition Images Data Extraction
06/18/03	06250	Property Insurance
06/18/03	06297	Basic Clothing
06/18/03	06304	Decontaminate and Encapsulate Sub-Floor Deck Surfaces
06/20/03	06244	Courier Services
06/30/03	06233	Mechanically Operated High Density Mobile Storage Systems
07/08/03	06288	Pest Control Services

The above referenced bid documents can be downloaded at the following Web site (please monitor this Web site on a regular basis for any changes/addenda):

<http://da.state.ks.us/purch/rfq/>

Stuart D. Leighty
Director of Purchases

Doc. No. 029428

(Published in the Kansas Register June 5, 2003.)

Cloud County Community College
Concordia, Kansas

Notice of Intent to Issue Revenue Bonds

The Board of Trustees of Cloud County Community College, Concordia, Kansas (the district), duly adopted a resolution on May 27, 2003, declaring necessary and authorizing improvements to the Student Union and Dormitory System (the system) by completing the construction and equipping of a student union facility on the campus of Cloud County Community College, Concordia, Kansas (the project), which project was originally authorized by Resolution No. 9798-4 of the board, at an estimated construction and completion cost of \$750,000, under the authority of K.S.A. 76-6a13 to 76-6a25, inclusive, as amended and supplemented (the act).

The resolution declares necessary and authorizes the issuance and sale of system revenue bonds of the college in an amount of not to exceed \$875,000, such bonds to be used, along with any other available funds of the college, to pay the costs of completing the project and to provide for bond reserve funds and related costs of issuance.

Unless an action to contest the legality of the proposed revenue bonds of the college shall be filed in a court of law within 30 days of the date of publication of this notice, the right to contest the legality of any revenue bonds issued in compliance with the aforesaid resolution and other proceedings duly and legally had and taken by the board prior to the date of publication of this notice, and the right to contest the validity of the provisions of such proceedings, shall cease to exist, and no court shall thereafter have the authority to inquire into such matters. After

the expiration of said 30 days from the date of publication of this notice, no one shall have any right to commence an action contesting the validity of such revenue bonds or the provisions of such proceedings of the board, all such revenue bonds shall be conclusively presumed to be legal, and no court shall thereafter have the authority to inquire into such matters.

Dated May 27, 2003.

Board of Trustees
Cloud County Community College
Concordia, Kansas
By Sandi Kinser
Chairperson, Board of Trustees
Attest: Marilyn A. Martin
Secretary of the Board

Doc. No. 029431

(Published in the Kansas Register June 5, 2003.)

Summary Notice of Bond Sale
City of Hamilton, Kansas
\$186,600

General Obligation Sewer System Bonds
Series 2003

(General obligation sewer system bonds payable from unlimited ad valorem taxes)

Details of the Sale

Subject to the terms and conditions of the complete official notice of bond sale dated as of May 22, 2003, of the City of Hamilton, Kansas, in connection with the city's General Obligation Sewer System Bonds, Series 2003, hereinafter described, written bids for the purchase of the bonds shall be received at the office of the city clerk at City Hall, 14 E. Main, Hamilton, KS 66853, or by telefacsimile (if accompanied by the required good faith deposit or evidence of surety bond) at (620) 678-3311, until 7 p.m. Monday, June 16, 2003. All bids shall be disclosed publicly and tabulated or compared on said date at 7 p.m. at the Hamilton City Hall and shall thereafter be immediately considered and acted upon by the city.

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

Bids shall be accepted only on the official bid form that has been prepared for the public bidding on these bonds, which may be obtained from the city clerk or the city's financial advisor. Bids may be submitted by mail, delivered in person or submitted by telefacsimile at (620) 678-3311, but only if the city or city's financial advisor is in possession of the required good faith deposit or evidence of surety bond. All bids must be received at the place and not later than the date and time hereinbefore specified. Neither the city, its bond counsel, its financial advisor, nor any officer or employee of the city shall be deemed to have any liability whatsoever in connection with the failure of any electronic or telefacsimile equipment or any other occurrence resulting in disqualification or failure by the city to receive a bid. Each bid shall be accompanied by a good faith deposit in the form of a certified or cash-

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ier's check drawn on a bank located within the United States and made payable to the order of the city, or in the form of a financial surety bond payable to the order of the city and meeting requirements therefor as set forth in the official notice of bond sale, and shall be in an amount equal to 2 percent of the principal amount of the bonds.

Details of the Bonds

The bonds to be sold are in the aggregate principal amount of \$186,600 and shall bear a dated date of July 1, 2003. The bonds shall be issued as fully registered bonds in the denomination of \$5,000, or any integral multiple thereof not exceeding the principal amount of the bonds maturing in any year, except for one bond in the denomination of \$6,600 maturing October 1, 2004. The bonds shall bear interest, payable as hereinafter set forth, at the rates specified in even multiples of 1/8th or 1/20th of 1 percent by the successful bidder for the bonds. The difference between the highest and lowest interest rate shall not exceed 2.50 percent. Interest on the bonds shall be payable semiannually on April 1 and October 1 of each year, commencing April 1, 2004 and the bonds shall mature serially on October 1 in each of the years and principal amounts as follows:

Maturity Schedule

Principal Amount	Maturity Date
\$ 6,600	2004
10,000	2005
10,000	2006
10,000	2007
10,000	2008
10,000	2009
10,000	2010
15,000	2011
15,000	2012
15,000	2013
15,000	2014
15,000	2015
15,000	2016
15,000	2017
15,000	2018

Redemption of Bonds

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

Payment of Principal and Interest

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

Book-Entry Option

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

through the Depository Trust Company, New York, New York (DTC).

Security for the Bonds

The bonds and the interest thereon constitute general obligations of the city, and the full faith, credit and resources of the city will be pledged to the payment thereof. The bonds shall be payable as to both the principal of and the interest thereon from ad valorem taxes levied without limitation as to rate or amount upon all of the taxable tangible property within the territorial limits of the city for the purpose of paying the bonds and the interest thereon.

Delivery of the Bonds

The bonds, duly printed, executed and registered, shall be furnished and delivered at the expense of the city to the successful bidder, or at its direction, on or about July 9, 2003, at such bank or trust company or other qualified depository in the contiguous United States, as may be specified by the successful bidder. Delivery elsewhere shall be made at the expense of the successful bidder.

Legal Opinion

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

Financial Matters

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

Assessed Valuation of Taxable Tangible Property	\$702,932.00
Taxable Value of Motor Vehicles	270,678.00
Assessed Tangible Valuation for Computation of Bonded Debt Limitations	<u>\$973,610.00</u>

K.S.A. 10-308 provides that the authorized and outstanding bonded indebtedness of any city shall not exceed 30 percent of the assessed valuation of the city. As of July 1, 2003, the city's gross outstanding debt, including the bonds, will be \$186,600. The city's total indebtedness that is subject to debt limitation, as of July 1, 2003, will be \$0.00, which is 0.00 percent of the assessed valuation of the city.

Official Statement

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

Continuing Disclosure

Securities and Exchange Commission Rule 15c2-12 provides that brokers, dealers and municipal securities dealers must comply with certain requirements before acting as an underwriter in a primary offering of municipal securities with an aggregate principal amount of \$1,000,000 or more.

The bonds described herein will be offered in a primary offering with an aggregate principal amount of less than \$1,000,000. Accordingly, in the opinion of bond counsel, the offering and sale of the bonds described herein does not constitute an offering as defined by the rule, and the requirements of the rule do not apply to brokers, dealers and municipal securities dealers acting as underwriters in connection with the bonds described herein.

Additional Information

For additional information regarding the city, the bonds and the public sale, interested parties are invited to request copies of the complete official notice of bond sale and the official bid form and the city's preliminary official statement for the bonds, all of which may be obtained from the city clerk at the address and telephone number shown below, or from the financial advisor, Dave Malone, Cooper Malone McClain, Inc., 7701 E. Kellogg, Suite 700, Wichita, KS 67207, (316) 685-5777.

City of Hamilton, Kansas
 By Janice Ashley
 City Clerk
 City Hall, 14 E. Main
 Hamilton, KS 66853
 (620) 678-3371
 Fax (620) 678-3311

Doc. No. 029422

(Published in the Kansas Register June 5, 2003.)

**Summary Notice of Bond Sale
 City of Linn, Kansas
 \$470,000
 General Obligation Water System Bonds
 Series 2003**

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

Details of the Sale

Subject to the terms and conditions of the complete official notice of bond sale dated as of May 21, 2003, of the City of Linn, Kansas, in connection with the city's General Obligation Water System Bonds, Series 2003, hereinafter described, written bids for the purchase of the bonds shall be received at the office of the city clerk at City Hall, P.O. Box 66, Linn, KS 66953, or by telefacsimile (if accompanied by a timely delivered original executed bid form and the required good faith deposit or evidence of surety bond) at (785) 348-5524, until 4:30 p.m. Tuesday, June 17, 2003. All bids shall be disclosed publicly and tabulated or compared on said date at 5:30 p.m. at the Linn City Hall, 104 5th St., Linn, and shall thereafter be immediately considered and acted upon by the city.

No oral or auction bids for the bonds shall be considered, and no bids for less than 100 percent of the total

principal amount of the bonds and accrued interest to the date of delivery shall be considered.

Bids shall be accepted only on the official bid form that has been prepared for the public bidding on these bonds, which may be obtained from the city clerk or the city's financial advisor. Bids may be submitted by mail, delivered in person or submitted by telefacsimile at (785) 348-5524, but only if the city or city's financial advisor is in possession of both an original executed bid form and the required good faith deposit or evidence of surety bond. All bids must be received at the place and not later than the date and time hereinbefore specified. Neither the city, its bond counsel, its financial advisor, nor any officer or employee of the city shall be deemed to have any liability whatsoever in connection with the failure of any electronic or telefacsimile equipment or any other occurrence resulting in disqualification or failure by the city to receive a bid. Each bid shall be accompanied by a good faith deposit in the form of a certified or cashier's check drawn on a bank located within the United States and made payable to the order of the city, or in the form of a financial surety bond payable to the order of the city and meeting requirements therefor as set forth in the official notice of bond sale, and shall be in an amount equal to 2 percent of the principal amount of the bonds.

Details of the Bonds

The bonds to be sold are in the aggregate principal amount of \$470,000 and shall bear a dated date of July 1, 2003. The bonds shall be issued as fully registered bonds in the denomination of \$5,000, or any integral multiple thereof not exceeding the principal amount of the bonds maturing in any year.

The bonds shall bear interest, payable as hereinafter set forth, at the rates specified in even multiples of 1/8th or 1/20th of 1 percent by the successful bidder for the bonds. The difference between the highest and lowest interest rate shall not exceed 3.00 percent. Interest on the bonds shall be payable semiannually on April 1 and October 1 of each year, commencing April 1, 2004, and the bonds shall mature serially on October 1 in each of the years and principal amounts as follows:

Maturity Schedule

Principal Amount	Maturity Date
\$20,000	2004
25,000	2005
25,000	2006
25,000	2007
30,000	2008
30,000	2009
30,000	2010
30,000	2011
30,000	2012
35,000	2013
35,000	2014
35,000	2015
40,000	2016
40,000	2017
40,000	2018

(continued)

Redemption of Bonds

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

Payment of Principal and Interest

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

Book-Entry Option

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

Security for the Bonds

The bonds and the interest thereon constitute general obligations of the city, and the full faith, credit and resources of the city will be pledged to the payment thereof. The bonds shall be payable as to both the principal of and the interest thereon from ad valorem taxes levied without limitation as to rate or amount upon all of the taxable tangible property within the territorial limits of the city for the purpose of paying the bonds and the interest thereon.

Delivery of the Bonds

The bonds, duly printed, executed and registered, shall be furnished and delivered at the expense of the city to the successful bidder, or at its direction, on or about July 10, 2003, at such bank or trust company or other qualified depository in the contiguous United States, as may be specified by the successful bidder. Delivery elsewhere shall be made at the expense of the successful bidder.

Legal Opinion

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

Financial Matters

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

Assessed Tangible Valuation of Taxable Tangible Property	\$1,269,870
Taxable Value of Motor Vehicles	280,161
Assessed Tangible Valuation for Debt Limit Computation	<u>\$1,550,031</u>

K.S.A. 10-308 provides that the authorized and outstanding bonded indebtedness of any city shall not exceed 30 percent of the assessed valuation of the city. As

of July 1, 2003, the city's gross outstanding debt, including the bonds, will be \$470,000, which excludes temporary notes outstanding in the amount of \$100,000 that will be retired out of the proceeds of the bonds herein offered for sale. The city's total indebtedness that is subject to debt limitation, as of July 1, 2003, will be \$0.00, which is 0.00 percent of the assessed valuation of the city.

Official Statement

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

Continuing Disclosure

Securities and Exchange Commission Rule 15c2-12 provides that brokers, dealers and municipal securities dealers must comply with certain requirements before acting as an underwriter in a primary offering of municipal securities with an aggregate principal amount of \$1,000,000 or more.

The bonds described herein will be offered in a primary offering with an aggregate principal amount of less than \$1,000,000. Accordingly, in the opinion of bond counsel, the offering and sale of the bonds described herein does not constitute an offering as defined by the rule, and the requirements of the rule do not apply to brokers, dealers and municipal securities dealers acting as underwriters in connection with the bonds described herein.

Additional Information

For additional information regarding the city, the bonds and the public sale, interested parties are invited to request copies of the complete official notice of bond sale and the official bid form and the city's preliminary official statement for the bonds, all of which may be obtained from the city clerk at the address and telephone number shown below, or from the financial advisor, Jerry D. Rayl, Gold Capital Management, Inc., 245 N. Waco, Suite 525, Wichita, KS 67202, (316) 265-9411.

City of Linn, Kansas
By Jayne Lehman
City Clerk
City Hall, P.O. Box 66
Linn, KS 66953
(785) 348-5378
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Doc. No. 029423

(Published in the Kansas Register June 5, 2003.)

**Summary Notice of Bond Sale
City of Osage City, Kansas
\$1,600,000
General Obligation Sales Tax Bonds, Series 2003
(General obligation bonds payable from
unlimited ad valorem taxes)**

Bids

Subject to the notice of bond sale dated May 27, 2003, sealed, facsimile and electronic bids will be received by the clerk of the City of Osage City, Kansas (the issuer), in the case of sealed and facsimile bids, on behalf of the governing body at 201 S. 5th, P.O. Box 250, Osage City, KS 66523-0250, and in the case of electronic bids, through i-Deal's BiDCOMP/PARITY electronic bid submission system, until 5 p.m. June 24, 2003, for the purchase of \$1,600,000 principal amount of General Obligation Sales Tax Bonds, Series 2003. No bid of less than 100 percent of the principal amount of the bonds and accrued interest thereon to the date of delivery will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated July 1, 2003, and will become due on December 1 in the years as follows:

Year	Principal Amount
2004	\$ 50,000
2005	50,000
2006	55,000
2007	55,000
2008	60,000
2009	65,000
2010	65,000
2011	70,000
2012	70,000
2013	75,000
2014	80,000
2015	85,000
2016	85,000
2017	90,000
2018	95,000
2019	100,000
2020	105,000
2021	110,000
2022	115,000
2023	120,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on June 1 and December 1 in each year, beginning June 1, 2004.

Optional Book-Entry-Only System

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

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a good faith deposit in the form of a cashier's or certified check drawn on a bank located in the United States or a qualified financial surety bond in the amount of \$32,000 (2 percent of the principal amount of the bonds).

Delivery

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about July 8, 2003, to DTC for the account of the successful bidder or at such bank or trust company in the contiguous United States as may be specified by the successful bidder, or elsewhere at the expense of the successful bidder.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 2002 is \$16,674,735. The total general obligation indebtedness of the issuer as of the date of delivery of the bonds, including the bonds being sold, is \$3,845,000.

Approval of Bonds

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

Additional Information

Additional information regarding the bonds may be obtained from the clerk, (785) 528-3714, fax (785) 528-4135.

Dated May 27, 2003.

City of Osage City, Kansas

Doc. No. 029430

State of Kansas

Kansas Lottery

**Temporary Administrative
Regulations**

Article 2.—LOTTERY RETAILERS

111-2-148. "Vegas Nights" retailer incentive. (a)

In addition to compensation provided for in K.A.R. 111-2-4, the Kansas lottery shall also offer for all Kansas lottery retailers the "Vegas Nights" retailer incentive. It will be held in conjunction with the Kansas lottery's "Powerball Instant Millionaire Game Show" promotion drawing being held on June 20, 2003.

(b) Retailers will be eligible with each valid player entry submitted for the June 20, 2003 "Powerball Instant Millionaire Game Show" promotional drawing as provided in K.A.R. 111-5-96.

(c) For each "on-air player" selected at the "Powerball Instant Game Show" promotional drawing held on June 20, 2003, the retailer that sold the ticket drawn will receive a pack of game number 244, "Vegas Nights" instant tickets with a retail value of \$300.

(continued)

(d) All prizes are subject to lottery validation, set-offs, and deductions authorized by law. (Authorized by and implementing K.S.A. 2002 Supp. 74-8710; effective, T-111-5-20-03, April 16, 2003.)

Article 4.—INSTANT GAMES AND DRAWINGS

111-4-1964. "Double Blackjack" instant ticket lottery game number 262. (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Double Blackjack" commencing on or after December 16, 2002. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-1964.

(b) The "play symbols" and "play symbol captions" for this game are as follows:

Play Symbols	Play Symbol Captions
\$1 ⁰⁰	ONE\$
\$2 ⁰⁰	TWO\$
\$3 ⁰⁰	THR\$
\$4 ⁰⁰	FOUR\$
\$5 ⁰⁰	FIVE\$
\$7 ⁰⁰	SEV\$
10 ⁰⁰	TEN\$
11 ⁰⁰	ELEVEN
20 ⁰⁰	TWENTY
70 ⁰⁰	SEVENTY
\$110\$	ONETEN
\$210\$	TWOTEN
\$2100	21-HUN
\$21000	21-THOU
2	TWO
3	THR
4	FOR
5	FIV
6	SIX
7	SEV
8	EGT
9	NIN
10	TEN
Symbol of a jack	JAK
Symbol of a queen	QEN
Symbol of a king	KNG
Symbol of an ace	ACE
BUST	BUST

(c) For this game, a play symbol shall appear in each of 35 play spots within the play area or areas.

(d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 149.

(e) The three letters comprising the retailer validation codes used in this game shall appear in three of eight varying locations among the play symbols. The retailer validation codes for this game and their meanings are as follows:

TWO	=	\$2.00
FIV	=	\$5.00
SEV	=	\$7.00
TEN	=	\$10.00
ELV	=	\$11.00
TWY	=	\$20.00
TWN	=	\$21.00
STY	=	\$70.00

OTN	=	\$110.00
THN	=	\$200.00
THT	=	\$210.00

(f) The price of instant tickets sold by a retailer for this game shall be \$2.00 each.

(g) "Double Blackjack" is a beat the dealer game with three separate play areas. In the two table play areas, the player will remove the scratch-off material covering each play area to reveal five "HANDS," "HAND 1," "HAND 2," "HAND 3," "HAND 4," and "HAND 5," a prize amount for each "HAND," and one "DEALER'S HAND" on each table. If the value of a "HAND" is higher than the value of the "DEALER'S HAND," the player wins the "PRIZE" directly below that "HAND." If the player gets "BLACKJACK" (21) in any "HAND," the player wins double the prize for that "HAND." If the dealer busts, the player wins all five prizes for that table. The cards "J," "Q," and "K" will have a point value of 10. The card "A" will have a point value of 11.

In the bonus game, the player will remove the scratch-off material covering the bonus play area. If an ace (A) symbol is revealed, the player wins \$10 instantly.

(h) Each ticket in this game may win up to 11 times.

(i) Approximately 900,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 300,000 tickets, and the same odds as were contained in the initial ticket order.

(j) The expected number and value of instant prizes in this game shall be as follows:

Get	Prizes	Expected Number of Prizes in Game	Expected Value in Game
\$2	\$2	42,000	84,000
\$1 Doubled	\$2	60,000	120,000
\$1 + \$1	\$2	27,000	54,000
\$5	\$5	3,900	19,500
\$2 Doubled + \$1	\$5	4,500	22,500
\$3 + \$2	\$5	4,500	22,500
\$1 Doubled + \$1 Doubled + \$1	\$5	4,500	22,500
\$1 x 5	\$5	4,500	22,500
\$1 + \$2 + \$2	\$5	4,500	22,500
\$1 X 5 (Bust)	\$5	4,500	22,500
\$7	\$7	2,475	17,325
\$2 + \$5	\$7	2,475	17,325
\$1 + \$2 + \$4	\$7	2,475	17,325
\$1 + \$1 + \$1 + \$2 Doubled	\$7	2,475	17,325
\$2 + \$2 + \$2 + \$1	\$7	2,475	17,325
\$1 x 5 (Bust) + \$1 Doubled	\$7	1,425	9,975
\$1 + \$1 + \$1 + \$1 + \$1 + \$1 + \$1	\$7	1,305	9,135
\$10 (Bonus)	\$10	2,700	27,000
\$11	\$11	1,125	12,375
\$1 + \$1 + \$2 Doubled + \$5	\$11	1,425	15,675
\$1 + \$1 + \$1 + \$2 Doubled + \$2 Doubled	\$11	1,425	15,675
\$1 x 5 (Bust) + \$1 x 5 (Bust) + \$10 (Bonus)	\$20	1,425	28,500
\$20	\$20	870	17,400
\$1 + \$5 Doubled + \$5 Doubled	\$21	870	18,270
\$1 + \$5 + \$5 + \$5 + \$5	\$21	870	18,270
\$1 + \$1 + \$1 + \$2 + \$4 + \$4 + \$4 + \$4	\$21	870	18,270
\$2 Doubled + \$2 Doubled + \$4 + \$4 + \$5	\$21	975	20,475
\$1 + \$1 + \$1 + \$4 + \$4 (Bust) + (\$2 x 5 (Bust))	\$21	975	20,475
\$70	\$70	495	34,650
\$2 + \$11 + \$11 + \$11 + (\$7 x 5 (Bust))	\$70	270	18,900

(\$7 x 5 (Bust)) + (\$7 x 5 (Bust))	\$70	270	18,900
\$1 + \$1 + \$1 + \$5 + \$7 (Bust) + (\$11 x 5 (Bust))	\$70	270	18,900
(\$4 x 5 (Bust)) + \$10 + \$10 + \$10 + \$5 + \$5 + \$10 (Bonus)	\$70	300	21,000
\$110	\$110	90	9,900
\$2 + \$2 + \$7 + \$7 + \$11 Doubled + \$70	\$110	105	11,550
(\$11 x 5 (Bust)) + (\$11 x 5 (Bust))	\$110	120	13,200
(\$20 x 5 (Bust)) + (\$20 x 5 (Bust))	\$200	18	3,600
\$4 + \$5 + \$11 + \$20 + \$20 + \$70 Doubled	\$200	18	3,600
\$210	\$210	12	2,520
\$70 + \$70 + \$70	\$210	12	2,520
\$2,100	\$2,100	6	12,600
(\$210 x 5 (Bust)) + (\$210 x 5 (Bust))	\$2,100	6	12,600
\$21,000	\$21,000	7	147,000
TOTAL		<u>190,534</u>	<u>\$1,062,060</u>

Three dots	THREE
Four dots	FOUR
Five dots	FIVE
Six dots	SIX
7	SEVEN
Symbol of a bunch of cherries	CHERRIES
Symbol of a gold bar	BAR
Symbol of a star	STAR
Symbol of a bell	BELL
Symbol of a diamond	DIAMOND
Symbol of a lemon	LEMON
Symbol of a stack of bills	BILLS
Symbol of a crown	CROWN
Symbol of a horseshoe	HRSHOE
Symbol of a shamrock	SHMROCK
Symbol of a pot of gold	GOLD

(k) The odds of winning a prize in this game are approximately one in 4.72. (Authorized by K.S.A. 2002 Supp. 74-8710; implementing K.S.A. 2002 Supp. 74-8710 and K.S.A. 74-8720; effective, T-111-3-21-03, Nov. 15, 2002; amended, T-111-5-20-03, April 16, 2003.)

111-4-2015. "Las Vegas Millionaire" instant ticket lottery game number 295. (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Las Vegas Millionaire" commencing on or after May 1, 2003. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-2015.

(b) The "play symbols" and "play symbol captions" for this game are as follows:

Play Symbols	Play Symbol Captions
FREE	TICKET
\$1. ⁰⁰	ONE
\$2. ⁰⁰	TWO\$
\$5. ⁰⁰	FIVE\$
10. ⁰⁰	TEN\$
15. ⁰⁰	FIFTEEN
20. ⁰⁰	TWENTY
25. ⁰⁰	TWEN-FIV
50. ⁰⁰	FIFTY
\$100\$	ONE-HUN
\$500\$	FIVE-HUN
\$1000	ONETHOU
\$5000	FIVETHOU
\$25000	25-THOU
2	TWO
3	THR
4	FOR
5	FIV
6	SIX
7	SEV
8	EGT
9	NIN
10	TEN
J	JAK
Q	QEN
K	KNG
A	ACE
BUST	BUST
One dot	ONE
Two dots	TWO

(c) For this game, a play symbol shall appear in each of 41 play spots within the play area or areas.

(d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 059.

(e) The three letters comprising the retailer validation codes used in this game shall appear in three of eight varying locations among the play symbols. The retailer validation codes for this game and their meanings are as follows:

FRE	=	Free Ticket
FIV	=	\$5.00
TEN	=	\$10.00
FTN	=	\$15.00
TWY	=	\$20.00
TWF	=	\$25.00
FTY	=	\$50.00
HUN	=	\$100.00
FHN	=	\$500.00

(f) The price of instant tickets sold by a retailer for this game shall be \$5.00 each.

(g) "Las Vegas Millionaire" is a ticket with three different games. Game 1 is a blackjack game. The player will remove the scratch-off material covering the table play area to reveal five "HANDS," "HAND 1," "HAND 2," "HAND 3," "HAND 4," and "HAND 5," five prize amounts, and one "DEALER'S HAND." If the sum of the cards in a "HAND" is higher than the sum of the "DEALER'S HAND," the player wins the prize directly below that "HAND." If the player gets blackjack (21) in any "HAND," the player wins double the prize for that "HAND." If the dealer gets "BUST," the player wins all five prizes. The cards "J," "Q," and "K" will have a point value of 10. The card "A" will have a point value of 11. A player can win up to five times in this play area.

Game 2 is a dice game. The player will remove the scratch-off material covering the play area to reveal four "ROLLS," "ROLL 1," "ROLL 2," "ROLL 3," and "ROLL 4." If the dice total in a single "ROLL" adds up to seven or 11, the player wins the prize for that "ROLL." A player can win up to four times in this play area.

Game 3 is a slots game. If a player reveals three identical symbols in the same horizontal row, the player wins the prize shown for that row. A player can win up to three times in this play area.

(continued)

(h) Each ticket in this game may win up to 12 times.

(i) Approximately 600,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 300,000 tickets, and the same odds as were contained in the initial ticket order.

(j) The expected number and value of instant prizes in this game shall be as follows:

Get	Prizes	Expected Number of Prizes in Game	Expected Value in Game
Free Ticket	Free Ticket	56,000	\$0
\$5	\$5	28,000	140,000
\$5 (\$1 x 5)	\$5	28,000	140,000
\$10	\$10	10,000	100,000
\$10 (\$5D)	\$10	12,000	120,000
\$10 (\$1 x 5) + (\$1 x 5) BUST	\$10	12,200	122,000
\$15	\$15	4,800	72,000
\$15 (\$5 x 3)	\$15	5,400	81,000
\$15 (\$10 + \$5)	\$15	5,400	81,000
\$20	\$20	1,800	36,000
\$20 (\$2 x 5) + (\$2 x 5) BUST	\$20	2,000	40,000
\$20 (\$5D) + (\$1 x 10)	\$20	2,000	40,000
\$20 (\$5D x 2)	\$20	2,000	40,000
\$25	\$25	600	15,000
\$25 (\$2 x 10) + \$5	\$25	650	16,250
\$25 (\$5D) + (\$5 x 3)	\$25	650	16,250
\$25 (\$5 x 5) BUST	\$25	650	16,250
\$50	\$50	500	25,000
\$50 (\$5 x 10)	\$50	650	32,500
\$50 (\$10 x 5)	\$50	650	32,500
\$100	\$100	250	25,000
\$100 (\$50D)	\$100	350	35,000
\$100 (\$10 x 8) + (\$5 x 4)	\$100	400	40,000
\$500	\$500	20	10,000
\$500 (\$100 x 5)	\$500	40	20,000
\$500 (\$50 x 5) BUST + (\$50 x 3) + (\$25 x 4)	\$500	44	22,000
\$5,000	\$5,000	2	10,000
\$5,000 (\$1,000 x 5)	\$5,000	4	20,000
\$25,000 (\$5,000 x 5)	\$25,000	2	50,000
\$25,000	\$25,000	2	50,000
Television show prizes and trip expenses (not a prize level)			281,442
TOTAL		<u>175,064</u>	<u>\$1,729,192</u>

D - Denotes doubler.

(k) The odds of winning a prize in this game are approximately one in 3.43. (Authorized by K.S.A. 2002 Supp. 74-8710; implementing K.S.A. 2002 Supp. 74-8710 and K.S.A. 74-8720; effective, T-111-5-20-03, April 16, 2003.)

111-4-2016. "Thunderbird" instant ticket lottery game number 296. (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Thunderbird" commencing on or after May 1, 2003. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-2016.

(b) The "play symbols" and "play symbol captions" for this game are as follows:

Play Symbols	Play Symbol Captions
FREE	ADMISSION
\$1 ⁰⁰	ONE\$
\$2 ⁰⁰	TWO\$
\$3 ⁰⁰	THR\$
\$4 ⁰⁰	FOUR\$
\$5 ⁰⁰	FIVE\$
10 ⁰⁰	TEN\$
12 ⁰⁰	TWELVE

15 ⁰⁰	FIFTEEN
18 ⁰⁰	EGTEEN
20 ⁰⁰	TWENTY
24 ⁰⁰	TWEN-FOR
25 ⁰⁰	TWEN-FIV
40 ⁰⁰	FORTY
50 ⁰⁰	FIFTY
75 ⁰⁰	SVTYFIV
\$100\$	ONE-HUN
\$500\$	FIVE-HUN
\$1000	ONETHOU
\$10000	10-THOU
01	ONE
02	TWO
03	THR
04	FOR
05	FIV
06	SIX
07	SEV
08	EGT
09	NIN
10	TEN
11	ELVN
12	TWLV
13	THRTN
14	FOURTN
15	FIFTN
16	SIXTN
17	SEVTN
18	EIGHTN
19	NINTN
20	TWNTY
21	TWTYONE
22	TWYTWO
23	TWTYTHR
24	TWTYFR
25	TWTYFIV

GOOD LUCK
MAYBE NEXT TIME

(c) For this game, a play symbol shall appear in each of 20 play spots within the play area or areas.

(d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 149.

(e) The three letters comprising the retailer validation codes used in this game shall appear in three of eight varying locations among the play symbols. The retailer validation codes for this game and their meanings are as follows:

TWO	=	\$2.00
FIV	=	\$5.00
TEN	=	\$10.00
EGN	=	\$18.00
TFO	=	\$24.00
FRY	=	\$40.00
FTY	=	\$50.00
STF	=	\$75.00
HUN	=	\$100.00
THY	=	\$250.00

(f) The price of instant tickets sold by a retailer for this game shall be \$2.00 each.

(g) "Thunderbird" is a ticket with two different games. Game 1 is a key number match game. A player will remove the scratch-off material to reveal three "SPY NUMBERS" and eight "YOUR NUMBERS" with a prize amount below each of the "YOUR NUMBERS." If a player matches any of the "SPY NUMBERS" to any of the "YOUR NUMBERS," the player wins the prize shown below that matched number. A player can win up to eight times in this play area.

Game 2 is an instant win game. A player will remove the scratch-off material to reveal one play area. If the player reveals the words "FREE ADMISSION," the player wins free admission to the 2003 Kansas State Fair. If the player reveals any prize amount, the player wins that amount instantly. A player can only win once in this game play area.

(h) Each ticket in this game may win up to nine times.

(i) Approximately 900,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 300,000 tickets, and the same odds as were contained in the initial ticket order.

(j) The expected number and value of instant prizes in this game shall be as follows:

Game 1	Game 2	Prizes	Expected Number of Prizes in Game	Expected Value in Game
\$2	Free Admission	Free Admission	9,000	\$0
		\$2	51,000	102,000
	\$2	\$2	51,000	102,000
\$1 + \$1		\$2	27,000	54,000
\$1	\$1	\$2	27,000	54,000
\$5		\$5	4,500	22,500
	\$5	\$5	4,500	22,500
\$2	\$3	\$5	4,500	22,500
\$1 x 5		\$5	4,500	22,500
\$10		\$10	2,100	21,000
\$2 x 5		\$10	2,100	21,000
\$5	\$5	\$10	2,100	21,000
\$18		\$18	900	16,200
	\$18	\$18	900	16,200
\$2 x 8	\$2	\$18	900	16,200
\$3 x 6		\$18	900	16,200
\$24		\$24	1,350	32,400
\$3 x 8		\$24	1,350	32,400
\$4 x 5	\$4	\$24	1,200	28,800
\$12 x 2		\$24	1,200	28,800
\$40		\$40	645	25,800
\$5 x 8		\$40	645	25,800
\$10 x 3	\$10	\$40	645	25,800
\$50		\$50	600	30,000
\$25 x 2		\$50	600	30,000
\$5 x 8	\$10	\$50	600	30,000
\$75		\$75	300	22,500
\$15 x 5		\$75	300	22,500
\$100		\$100	150	15,000
\$50 x 2		\$100	150	15,000
\$25 x 4		\$100	150	15,000
\$10 x 8	\$20	\$100	150	15,000
(\$20 x 5) + (\$50 x 3)		\$250	45	11,250
\$1,000		\$1,000	45	45,000
\$500 x 2		\$1,000	21	21,000
\$10,000		\$10,000	6	60,000
TOTAL			<u>203,052</u>	<u>\$1,061,850</u>

(k) The odds of winning a prize in this game are approximately one in 4.43. (Authorized by K.S.A. 2002 Supp. 74-8710; implementing K.S.A. 2002 Supp. 74-8710 and K.S.A. 74-8720; effective, T-111-5-20-03, April 16, 2003.)

111-4-2017. "Change To Go" instant ticket lottery game number 297. (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Change To Go" commencing on or after May 1, 2003. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-2017.

(b) The "play symbols" and "play symbol captions" for this game are as follows:

Play Symbols	Play Symbol Captions
FREE	TICKET
\$2.00	TWO\$
\$5.00	FIVE\$
10.00	TEN\$
20.00	TWNTY
25.00	TWNFIV
50.00	FIFTY
\$500\$	FIVHUN
\$1000	ONETHOU
01¢	PENNY
05¢	NICKEL
10¢	DIME
25¢	QUARTER
50¢	HALF

(c) For this game, a play symbol shall appear in each of six play spots within the play area or areas.

(d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 299.

(e) The three letters comprising the retailer validation codes used in this game shall appear in three of eight varying locations among the play symbols. The retailer validation codes for this game and their meanings are as follows:

FRE	=	Free Ticket
TWO	=	\$2.00
FIV	=	\$5.00
TEN	=	\$10.00
TWY	=	\$20.00
TWF	=	\$25.00
FTY	=	\$50.00
FHN	=	\$500.00

(f) The price of instant tickets sold by a retailer for this game shall be \$1.00 each.

(g) "Change To Go" is an add-up game. A player will remove the latex material covering the game play area to reveal five play symbols or coins and one prize symbol. If the five coins add up to \$1.00 or more, the player wins the prize in the "PRIZE" box.

(h) Each ticket in this game may win up to one time.

(i) Approximately 900,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 300,000 tickets, and the same odds as were contained in the initial ticket order.

(j) The expected number and value of instant prizes in this game shall be as follows:

Prize	Expected Number of Prizes in Game	Expected Value in Game
Free Ticket	129,000	\$0
\$2	37,110	74,220
\$5	21,600	108,000
\$10	6,000	60,000
\$20	2,700	54,000
\$25	2,520	63,000
\$50	1,155	57,750
\$500	27	13,500

(continued)

\$1,000	<u>9</u>	<u>9,000</u>
TOTAL	<u>200,121</u>	<u>\$439,470</u>

(k) The odds of winning a prize in this game are approximately one in 4.50. (Authorized by K.S.A. 2002 Supp. 74-8710; implementing K.S.A. 2002 Supp. 74-8710 and K.S.A. 74-8720; effective, T-111-5-20-03, April 16, 2003.)

111-4-2018. "Fast 50s" instant ticket lottery game number 298. (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Fast 50s" commencing on or after May 1, 2003. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-2018.

(b) The "play symbols" and "play symbol captions" for this game are as follows:

Play Symbols	Play Symbol Captions
FREE	TICKET
\$2. ⁰⁰	TWO\$
\$5. ⁰⁰	FIVE\$
10. ⁰⁰	TEN\$
15. ⁰⁰	FIFTEEN
50. ⁰⁰	FIFTY
\$500\$	FIVE-HUN
Symbol of a money bag	MNY BAG
Symbol of the sun	SUN
Symbol of an apple	APPLE
Symbol of a star	STAR
Symbol of a bunch of cherries	CHERRIES
Symbol of the moon	MOON
Symbol of an orange	ORANGE

(c) For this game, a play symbol shall appear in each of seven play spots within the play area or areas.

(d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 299.

(e) The three letters comprising the retailer validation codes used in this game shall appear in three of eight varying locations among the play symbols. The retailer validation codes for this game and their meanings are as follows:

FRE	=	Free Ticket
TWO	=	\$2.00
FIV	=	\$5.00
TEN	=	\$10.00
FTN	=	\$15.00
FTY	=	\$50.00
SXY	=	\$60.00
SXF	=	\$65.00
HUN	=	\$100.00
FHN	=	\$500.00

(f) The price of instant tickets sold by a retailer for this game shall be \$1.00 each.

(g) There are two play areas on the "Fast 50s" ticket. Game 1 is a match three of six game. A player will remove the scratch-off material covering the game play area to reveal six prize amounts. If three of the six prize amounts are identical, the player wins that prize amount.

Game 2 is an instant win play area. A player will remove the scratch-off material covering the play area. If a money bag symbol is revealed, the player wins \$50 instantly.

(h) Each ticket in this game may win up to two times.

(i) Approximately 900,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 300,000 tickets, and the same odds as were contained in the initial ticket order.

(j) The expected number and value of instant prizes in this game shall be as follows:

Get	Prize	Expected Number of Prizes in Game	Expected Value in Game
3 - FREE's	Free Ticket	111,000	\$0
3 - \$2.00's	\$2	45,300	90,600
3 - \$5.00's	\$5	21,900	109,500
3 - \$10.00's	\$10	4,200	42,000
3 - \$15.00's	\$15	3,000	45,000
3 - \$50.00's	\$50	1,500	75,000
	\$50.00 (money bag)	\$50	1,170
3 - \$10.00's	\$50.00 (money bag)	\$60	180
3 - \$15.00's	\$50.00 (money bag)	\$65	120
3 - \$50.00's	\$50.00 (money bag)	\$100	30
3 - \$500.00's	\$500	15	7,500
TOTAL		<u>188,415</u>	<u>\$449,700</u>

(k) The odds of winning a prize in this game are approximately one in 4.78. (Authorized by K.S.A. 2002 Supp. 74-8710; implementing K.S.A. 2002 Supp. 74-8710 and K.S.A. 74-8720; effective, T-111-5-20-03, April 16, 2003.)

111-4-2019. "Instant Tripler" instant ticket lottery game number 299. (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Instant Tripler" commencing on or after May 1, 2003. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-2019.

(b) The "play symbols" and "play symbol captions" for this game are as follows:

Play Symbols	Play Symbol Captions
FREE	TICKET
\$1. ⁰⁰	ONE\$
\$3. ⁰⁰	THR\$
\$5. ⁰⁰	FIVE\$
10. ⁰⁰	TEN\$
15. ⁰⁰	FIFTEEN
30. ⁰⁰	THIRTY
60. ⁰⁰	SIXTY
90. ⁰⁰	NINETY
\$100\$	ONE-HUN
\$300\$	THR HUN
\$1000	ONETHOU
\$3000	THRTHOU
01	ONE
02	TWO
03	THR
04	FOR
05	FIV
06	SIX
07	SEV
08	EGT
09	NIN
10	TEN
11	ELVN
12	TWLV
13	THRTN

14 FOURTN
15 FIFTN

Symbol of a money bag

(c) For this game, a play symbol shall appear in each of 11 play spots within the play area or areas.

(d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 299.

(e) The three letters comprising the retailer validation codes used in this game shall appear in three of eight varying locations among the play symbols. The retailer validation codes for this game and their meanings are as follows:

FRE	=	Free Ticket
ONE	=	\$1.00
THR	=	\$3.00
FIV	=	\$5.00
FTN	=	\$15.00
TRY	=	\$30.00
NTY	=	\$90.00
THH	=	\$300.00

(f) The price of instant tickets sold by a retailer for this game shall be \$1.00 each.

(g) "Instant Tripler" is a key number match game. A player will remove the scratch-off material to reveal one "LUCKY NUMBER" and five "YOUR NUMBERS," with a prize amount below each of the "YOUR NUMBERS." If any of the "YOUR NUMBERS" match the "LUCKY NUMBER," the player wins the prize directly below that matched number. If a player uncovers a money bag symbol, the player triples that prize instantly.

(h) Each ticket in this game may win up to five times.

(i) Approximately 900,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 300,000 tickets, and the same odds as were contained in the initial ticket order.

(j) The expected number and value of instant prizes in this game shall be as follows:

Get	Prize	Expected Number of Prizes in Game	Expected Value in Game
FREE TICKET	Free Ticket	84,000	\$0
\$1	\$1	45,900	45,900
\$3	\$3	10,500	31,500
\$3 (\$1T)	\$3	12,300	36,900
\$3 (\$1 x 3)	\$3	12,600	37,800
\$5	\$5	3,000	15,000
\$5 (\$1 x 5)	\$5	4,500	22,500
\$5 (\$1 x 2) + (\$1 T)	\$5	4,500	22,500
\$15	\$15	2,400	36,000
\$15 (\$5 T)	\$15	2,700	40,500
\$15 (\$3 x 5)	\$15	2,700	40,500
\$30	\$30	600	18,000
\$30 (\$10 T)	\$30	675	20,250
\$30 (\$15 x 2)	\$30	675	20,250
\$90	\$90	180	16,200
\$90 (\$15 x 4) + \$30	\$90	240	21,600
\$300	\$300	12	3,600
\$300 (\$100 T)	\$300	15	4,500
\$300 (\$60 x 5)	\$300	15	4,500
\$3,000	\$3,000	6	18,000
\$3,000 (\$1,000 T)	\$3,000	3	9,000
TOTAL		<u>187,521</u>	<u>\$465,000</u>

T - Denotes money bag tripler symbol

(k) The odds of winning a prize in this game are approximately one in 4.80. (Authorized by K.S.A. 2002 Supp. 74-8710; implementing K.S.A. 2002 Supp. 74-8710 and K.S.A. 74-8720; effective, T-111-5-20-03, April 16, 2003.)

111-4-2020. "Work Force Doubler" instant ticket lottery game number 301. (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Work Force Doubler" commencing on or after May 1, 2003. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-2020.

(b) The "play symbols" and "play symbol captions" for this game are as follows:

Play Symbols	Play Symbol Captions
FREE	TICKET
\$1. ⁰⁰	ONE\$
\$2. ⁰⁰	TWO\$
\$4. ⁰⁰	FOUR\$
\$5. ⁰⁰	FIVE\$
10. ⁰⁰	TEN\$
20. ⁰⁰	TWENTY
40. ⁰⁰	FORTY
\$500\$	FIVE-HUN
\$1000	ONETHOU
Symbol of a dollar bill	DOUBLER

(c) For this game, a play symbol shall appear in each of six play spots within the play area or areas.

(d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 299.

(e) The three letters comprising the retailer validation codes used in this game shall appear in three of eight varying locations among the play symbols. The retailer validation codes for this game and their meanings are as follows:

FRE	=	Free Ticket
ONE	=	\$1.00
TWO	=	\$2.00
FOR	=	\$4.00
FIV	=	\$5.00
TEN	=	\$10.00
TWY	=	\$20.00
FRY	=	\$40.00
FHN	=	\$500.00

(f) The price of instant tickets sold by a retailer for this game shall be \$1.00 each.

(g) "Work Force Doubler" is a match three of six dollar amounts or a match two dollar amounts plus a doubler symbol to win double the dollar amount. The player will remove the latex covering the play area to reveal six prize amounts and a doubler symbol. If the player matches three like prize amounts, the player wins that amount. If the player matches two like prize amounts plus a dollar bill doubler symbol, the player wins double the prize amount.

(h) Each ticket in this game may win up to one time.

(i) Approximately 900,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes

(continued)

per prize pool of 300,000 tickets, and the same odds as were contained in the initial ticket order.

(j) The expected number and value of instant prizes in this game shall be as follows:

	Prize	Expected Number of Prizes in Game	Expected Value in Game
3 - Free's	Free Ticket	84,000	\$0
3 - \$1.00's	\$1	36,000	36,000
2 - \$1.00's and (D)	\$2	28,500	57,000
3 - \$2.00's	\$2	27,000	54,000
2 - \$2.00's and (D)	\$4	9,600	38,400
3 - \$4.00's	\$4	8,700	34,800
3 - \$5.00's	\$5	12,000	60,000
2 - \$5.00's and (D)	\$10	4,200	42,000
3 - \$10.00's	\$10	3,900	39,000
2 - \$10.00's and (D)	\$20	1,500	30,000
3 - \$20.00's	\$20	1,200	24,000
2 - \$20.00's and (D)	\$40	270	10,800
3 - \$40.00's	\$40	225	9,000
3 - \$500.00's	\$500	30	15,000
2 - \$500.00's and (D)	\$1,000	9	9,000
3 - \$1,000.00's	\$1,000	6	6,000
TOTAL		<u>217,140</u>	<u>\$465,000</u>

D - denotes dollar bill doubler symbol

(k) The odds of winning a prize in this game are approximately one in 4.14. (Authorized by K.S.A. 2002 Supp. 74-8710; implementing K.S.A. 2002 Supp. 74-8710 and K.S.A. 74-8720; effective, T-111-5-20-03, April 16, 2003.)

THUNDERBIRD DRAWING

111-4-2021. Name of drawing. The Kansas lottery shall conduct a drawing entitled "Thunderbird Drawing," and will accept entries on and after the day Kansas lottery "Thunderbird" instant tickets are first offered for sale to the general public and ending on Sunday, September 14, 2003, as specified in K.A.R. 111-4-2024. The drawing will be held soon after 6:00 p.m. on Sunday, September 14, 2003, at the Kansas state fair lottery building, Hutchinson, Kansas. Rules applicable to the "Thunderbird Drawing" are contained in K.A.R. 111-4-2021 through 111-4-2027 and K.A.R. 111-3-1 *et seq.* (Authorized by and implementing K.S.A. 2002 Supp. 74-8710; effective, T-111-5-20-03, April 16, 2003.)

111-4-2022. Definitions. (a) All definitions contained in the Kansas lottery act (K.S.A. 74-8701 *et seq.*) and lottery regulations are hereby incorporated by reference and govern unless otherwise indicated.

(b) "Thunderbird Drawing" means the act of drawing prizes conducted by the Kansas Lottery at the 2003 Kansas state fair in Hutchinson, Kansas, at the time described in K.A.R. 111-4-2024, in which participants are selected to win various prizes as described in K.A.R. 111-4-2023.

(c) "Non-winning ticket" means any valid Kansas "Thunderbird" instant game lottery ticket not eligible to win a prize under the rules of the "Thunderbird" instant game, and for purposes of this drawing only, tickets entitled to a free admission prize at the 2003 Kansas state fair shall also be considered "non-winning tickets."

(d) "Receptacle" or "drum" means a container in which non-winning Kansas instant game lottery tickets are placed and from which the "Thunderbird Drawing" entries are drawn. Receptacles or drums may be sealable

and shall be capable of being mixed or rotated for the purpose of ensuring random distribution.

(e) "Bare arm technique" means a type of drawing where the person drawing the winning ticket from the receptacle or drum wears a long-sleeved shirt with sleeve rolled up above the elbow, a short-sleeved shirt (sleeve not extending past the elbow) or a no-sleeve shirt which exposes the drawer's bare arm and looks away from the drawing drum or receptacle while drawing. (Authorized by and implementing K.S.A. 2002 Supp. 74-8710; effective, T-111-5-20-03, April 16, 2003.)

111-4-2023. Prize. (a) The winner of the grand prize at the "Thunderbird Drawing," which will be conducted on September 14, 2003, shall receive a 2003 Limited Edition 007™ Ford Thunderbird automobile.

(b) There will be five additional winners selected at the drawing and they shall each receive a \$2,000 cash prize.

(c) All prizes are subject to lottery validation, set-offs and deductions authorized by law.

(d) The winner of the grand prize 2003 Limited Edition 007™ Ford Thunderbird automobile shall return to the lottery a completed claim form as provided by the lottery no later than 5:00 p.m. on the tenth day following the day the claim form is mailed to the person whose name was drawn or the person named on the ticket drawn will no longer be eligible for the prize. In such an event, the first eligible alternate entry drawn for that prize pursuant to subsection (e) of K.A.R. 111-4-2026 shall be declared the winner.

(e) The five additional winners of the \$2,000 cash prizes shall return to the lottery a completed claim form as provided by the lottery no later than 5:00 p.m. on the forty-fifth day following the day the claim form is mailed to the person whose name was drawn or the person named on the ticket drawn will no longer be eligible for the prize. In such an event, the first eligible alternate entry drawn for that prize pursuant to subsection (e) of K.A.R. 111-4-2026 shall be declared the winner. (Authorized by and implementing K.S.A. 2002 Supp. 74-8710; effective, T-111-5-20-03, April 16, 2003.)

111-4-2024. Method of entry. (a) Entry into the "Thunderbird Drawing" to be conducted on September 14, 2003, shall be accomplished as follows:

(1) Obtain a valid "Thunderbird" Kansas instant lottery ticket.

(2) Determine if the ticket is a winning ticket in accordance with "Thunderbird" game rules. If the ticket is a winning ticket, it is not eligible for the "Thunderbird Drawing" and shall be redeemed in accordance with the instant game rules, except that any ticket winning a free admission to the 2003 Kansas state fair may instead be used to enter the drawing, and if so utilized, shall be considered a "non-winning ticket" for purposes of entry into the drawing.

(3) If the ticket is a valid non-winning ticket, the ticket is eligible for the drawing and the holder of the ticket may use it to enter the "Thunderbird Drawing."

(4) The holder of the non-winning ticket must complete the information form on the back of the ticket in a legible manner. Only one name shall appear on a non-winning ticket entered.

(5) A receptacle or drum shall be available and entries may be made at the Kansas lottery building at the Kansas state fair between September 5, 2003, and 6:00 p.m. September 14, 2003.

(6) Players may also deposit entries for the "Thunderbird Drawing" at the Kansas lottery location at the Kansas Speedway, Kansas City, Kansas, during selling hours on May 30 and 31, June 1, and July 4, 5, and 6, 2003.

(7) Entries other than those entered at the Kansas state fair or Kansas Speedway shall be mailed with proper postage to "Thunderbird Drawing," c/o Kansas lottery, P. O. Box 5596, Topeka, Kansas 66605-0596. Mailed entries must be received by morning mail pickup on Tuesday, September 9, 2003. More than one entry may be mailed in one envelope.

(8) The holder of the ticket is not required to personally attend the "Thunderbird Drawing" or be present at the time of the drawing to be determined a winner;

(9) The drawing will be conducted soon after 6:00 p.m. on Sunday, September 14, 2003.

(b) There is no limit on the number of entries a person may make, but a person may only win one time in the drawing.

(c) Only valid non-winning "Thunderbird" tickets which are mailed to the "Thunderbird Drawing," c/o Kansas lottery, P. O. Box 5596, Topeka, Kansas 66605-0596 with proper postage and received by the morning mail pickup in Topeka, Kansas, on Tuesday, September 9, 2003, and non-winning "Thunderbird" tickets entered at the Kansas Speedway or the Kansas state fair lottery building as provided in the rules herein shall be eligible for the drawing. All tickets so mailed or deposited shall be secured by the lottery until the drawing is conducted.

(d) Eligible entrants in the "Thunderbird Drawing" must be 18 years of age or older.

(e) Completing the information form on the non-winning ticket and entering the ticket into the drawing constitutes authorization to publicly identify the person whose entry is drawn. (Authorized by and implementing K.S.A. 2002 Supp. 74-8710; effective, T-111-5-20-03, April 16, 2003.)

111-4-2025. Certification of drawing. (a) The "Thunderbird Drawing" shall be personally observed by a member of the Kansas lottery security department and a member of the Kansas lottery marketing department or other person or persons designated by the executive director of the lottery.

(b) Upon completion of the drawing, the security official and the event manager shall issue a report to the executive director, certifying that the name of each prize winner is correct, and that to the best of their knowledge the procedures required by these rules were followed in selecting the prize winners. (Authorized by and implementing K.S.A. 2002 Supp. 74-8710; effective, T-111-5-20-03, April 16, 2003.)

111-4-2026. Selection of winners. The following process shall be used for the selection of winners in the "Thunderbird Drawing:"

(a) Kansas lottery personnel shall pick up all mail containing "Thunderbird Drawing" tickets at the United States Post Office in Topeka, Kansas, with the final pickup

at the Topeka post office in the morning mail pickup on Tuesday, September 9, 2003. Following the morning mail pickup on Tuesday, September 9, 2003, the envelopes containing mailed entries will be transported to lottery headquarters and opened by lottery personnel. All mailed entries shall then be placed in a secure receptacle, transported to the state fair, and placed in the drawing receptacle or drum with all entries deposited at the state fair and the Kansas Speedway.

(b) The drawing shall be held at the Kansas state fair lottery building and shall be open to the public with lottery security personnel present. The drawing shall be audio and video taped.

(c) At the final drawing on Sunday, September 14, 2003, lottery security personnel will be present with the person designated by the executive director to perform the drawing. Prior to the drawing, if a drum is used, the drum shall be sealed and the contents mixed by rotating the drum at least 10 times. If a receptacle other than a drum is used, the contents shall be mixed with a shovel or by other means for at least three minutes prior to the drawing.

(d) The designated individual shall then unseal the drum, if a drum is used, and using the bare-arm technique, while looking away, remove a single entry from the receptacle or drum. The person whose name appears on the entry shall be the winner of the grand prize identified in K.A.R. 111-4-2023, subject to validation by the lottery as set forth in these rules.

(e) After a single entry has been drawn on September 14, 2003, and the entry has been verified as valid, nine more valid entries will be drawn, one at a time. The first three valid entries of these nine entries drawn will be awarded in the order drawn five secondary prizes of \$2,000 each. The last six entries drawn will serve as alternate entries for the grand prize and secondary prizes. The alternate entries will be marked in order drawn, 1A, 2A, 3A, 4A, 5A and 6A. Each winner shall have until 5:00 p.m. on the forty-fifth day following mailing of a claim form to the winner to present the fully-executed claim form to lottery headquarters. If the grand prize winner cannot be located or is declared ineligible, or fails to timely present a fully-executed claim form to lottery headquarters, the grand prize will be awarded to the first alternate entry drawn for the five \$2,000 prizes. The alternates will be used, if necessary, in the order drawn. If a winner or an alternate winner for the grand prize or a secondary prize cannot be located, is declared ineligible, or fails to present a fully-executed claim form to lottery headquarters as required herein, the alternate winner process shall be repeated until all prizes are properly claimed or until such time as no alternate winners remain, whichever occurs first.

(f) The Kansas lottery security official present shall review each ticket drawn to determine the validity of the entry into the "Thunderbird Drawing" in accordance with these regulations. If it is a valid entry and the name is legible, the event manager and the security person present shall record the name of the winner and the prize won. The prize winners shall be given or sent a prize

(continued)

claim form to be completed and returned as set forth in subsection (e) herein.

(g) If any entry drawn is determined to be ineligible, it shall be discarded by the security person present and another entry drawn. This procedure will be repeated until the required number of apparently eligible selections is obtained.

(h) Only non-winning "Thunderbird" instant tickets are eligible for the drawing.

(i) All "Thunderbird" tickets remaining in the drum or receptacle on September 14, 2003, after the winners and alternatives have been selected, and all entries not received in compliance with these rules, shall be destroyed pursuant to K.A.R. 111-3-34. (Authorized by and implementing K.S.A. 2002 Supp. 74-8710; effective, T-111-5-20-03, April 16, 2003.)

111-4-2027. Rights of participants. Any Kansas "Thunderbird" instant ticket entered into the "Thunderbird Drawing" is disqualified from any other Kansas lottery prize or eligibility for which that ticket may have been redeemable. (Authorized by and implementing K.S.A. 2002 Supp. 74-8710; effective, T-111-5-20-03, April 16, 2003.)

Article 5.—MULTI-STATE ON-LINE GAMES

111-5-105. Buy \$5 in Powerball tickets, get one \$1 Pick 3 ticket free. During the term of this promotion, for every Kansas Powerball single ticket purchase of \$5.00 or more, a player will receive a \$1.00 Pick 3 any order six-way box quick pick play free. Lottery terminals will automatically dispense a \$1.00 Pick 3 any order six-way quick pick play for every \$5.00 or more Kansas Powerball single ticket purchase during the term of this promotion, irrespective of whether said Powerball purchase is for a single draw or multiple draws. The term of this promotion shall be for up to three seven-day periods of time during the months of May, June and/or July 2003, beginning each period on the day determined by the executive director and ending on the last day of each period at the close of business as defined in subsection (p) of K.A.R. 111-6-1. The days in each seven-day period shall run consecutively, but the periods need not be consecutive. (Authorized by and implementing K.S.A. 2002 Supp. 74-8710; effective, T-111-5-20-03, April 16, 2003.)

Ed Van Petten
Executive Director

Doc. No. 029396

State of Kansas

Social and Rehabilitation Services

Temporary Administrative Regulations

Article 10.—ADULT CARE HOME PROGRAM

30-10-17. Cost reports. (a) Historical cost data.

(1) For cost reporting purposes, each provider shall submit the "nursing facility financial and statistical report," form MS-2004, revised August 2002 and hereby adopted by reference, completed in accordance with the

accompanying instructions. The MS-2004 cost report shall be submitted on diskette, using software designated by the agency for cost report periods ending on or after December 31, 1999.

(2) Each provider who has operated a facility for 12 or more months on December 31 shall file the nursing facility financial and statistical report on a calendar year basis.

(b) Projected cost data.

(1) Projected cost reports for providers.

(A) If a provider is required to submit a projected cost report under K.A.R. 30-10-18 (c) or (e), the provider's rate shall be based on a proposed budget with costs projected on a line item basis.

(B) The projected cost report for each provider who is required to file a projected cost report shall begin according to either of the following schedules:

(i) On the first day of the month in which the nursing facility was certified by the department of health and environment if that date is on or before the 15th of the month; or

(ii) on the first day of the following month if the facility is certified by the department of health and environment between the 16th and 31st of the month.

(C) The projected cost report shall end on the last day of the 12-month period following the date specified in paragraph (b)(1)(B) above, except under either of the following:

(i) The projected cost report shall end on December 31 when that date is not more than one month before or after the end of the 12-month period.

(ii) The projected cost report shall end on the provider's normal fiscal year-end used for the internal revenue service when that date is not more than one month before or after the end of the 12-month period and the criteria in K.A.R. 30-10-18 for filing the projected cost report ending on December 31 do not apply.

(D) The projected cost report period shall cover a consecutive period of time not less than 11 months and not more than 13 months.

(E) The projected cost report shall be reviewed for reasonableness and appropriateness by the agency. The projected cost report items that are determined to be unreasonable shall be disallowed before the projected rate is established.

(2) Projected cost reports for each provider with more than one facility.

(A) Each provider who is required to file a projected cost report in accordance with this subsection and who operates more than one facility, either in state or out of state, shall allocate central office costs to each facility that is paid rates from the projected cost data. The provider shall allocate the central office cost at the end of the provider's fiscal year or the calendar year that ends during the projection period.

(B) The method of allocating central office costs to those facilities filing projected cost reports shall be consistent with the method used to allocate the costs to those facilities in the chain that are filing historical cost reports.

(c) Amended cost reports.

(1) Each provider shall submit an amended cost report revising cost report information previously submitted if an error or omission is identified that is material in

amount and results in a change in the provider's rate of \$.10 or more per resident day.

(2) An amended cost report shall not be allowed after 13 months have passed since the last day of the year covered by the report.

(d) Due dates of cost reports.

(1) Each calendar year cost report shall be received not later than the close of business on the last working day of February following the year covered by the report.

(2) An historical cost report covering a projected cost report period shall be received by the agency not later than the close of business on the last working day of the second month following the close of the period covered by the report.

(3) Each cost report approved for a filing extension in accordance with subsection (e) shall be received not later than the close of business on the last working day of the month approved for the extension request.

(e) Extension of time for submitting a cost report.

(1) A one-month extension of the due date for the filing of a cost report may be granted by the agency when the cause for delay is beyond the control of the provider. Delays beyond the control of the provider that may be considered by the agency in granting an extension shall include the following:

(A) Disasters that significantly impair the routine operations of the facility or business;

(B) destruction of records as a result of a fire, flood, tornado, or another accident that is not reasonably foreseeable; and

(C) computer viruses that impair the accurate completion of cost report information.

(2) The provider shall make the request in writing. The request shall be received by the agency on or before the due date of the cost report. Requests received after the due date shall not be accepted.

(3) A written request for a second one-month extension may be granted by the Kansas medical assistance program director if the cause for further delay is beyond the control of the provider. The request shall be received by the agency on or before the due date of the cost report, or the request shall not be approved.

(f) Penalty for late filing. Each provider filing a cost report after the due date shall be subject to the following penalties:

(1) If the complete cost report has not been received by the agency by the close of business on the due date, all further payments to the provider shall be suspended until the complete cost report has been received. A complete cost report shall include all the required documents listed in the cost report.

(2) Failure to submit the cost report within one year after the end of the cost report period shall be cause for termination from the Kansas medical assistance program.

(g) Balance sheet requirement. Each provider shall file a balance sheet prepared in accordance with cost report instructions as part of the cost report forms for each provider.

(h) Working trial balance requirement. Each provider shall submit a working trial balance with the cost report. The working trial balance shall contain account numbers, descriptions of the accounts, the amount of each account,

and the cost report expense line on which the account was reported. Revenues and expenses shall be grouped separately and totaled on the working trial balance and shall reconcile to the applicable cost report schedules. A schedule that lists all general ledger accounts grouped by cost report line number shall be attached.

(i) An allocation of expenditures between the hospital and the long-term care unit facility shall be submitted through a step-down process prescribed in the cost report instructions.

(j) This regulation shall be effective on and after July 1, 2003. (Authorized by and implementing K.S.A. 39-708c; effective May 1, 1985; amended May 1, 1986; amended May 1, 1987; amended May 1, 1988; amended Jan. 2, 1989; amended Jan. 2, 1990; amended, T-30-10-1-90, Oct. 1, 1990; amended Jan. 30, 1991; amended Oct. 28, 1991; amended Nov. 2, 1992; amended Jan. 3, 1994; amended Dec. 29, 1995; amended Jan. 1, 1997; amended Jan. 1, 1999; amended July 1, 2002; amended Dec. 31, 2002; amended, T-30-5-30-03, July 1, 2003.)

30-10-18. Rates of reimbursement. (a) Rates for existing nursing facilities.

(1) The determination of per diem rates shall be made, at least annually, using base-year cost information submitted by the provider and retained for cost auditing and analysis.

(A) The base year utilized for cost information shall be reestablished at least every seven years.

(B) A factor for inflation may be applied to the base-year cost information:

(2) Per diem rates shall be limited by cost centers, except where there are special level-of-care facilities approved by the United States department of health and human services. The upper payment limits shall be determined by the median in each cost center plus a percentage of the median, using base-year cost information. The percentage factor applied to the median shall be determined by the secretary.

(A) The cost centers shall be as follows:

- (i) Operating;
- (ii) indirect health care; and
- (iii) direct health care.

(B) The property component shall consist of the real and personal property fee as specified in K.A.R. 30-10-25.

(C) The upper payment limit for the direct health care cost center shall be a statewide base limit calculated on each facility's case mix adjusted base-year costs.

(i) A facility-specific, direct health care cost center upper payment limit shall be calculated by adjusting the statewide base limit by that facility's average case mix index.

(ii) Resident assessments used to determine additional reimbursement for ventilator-dependent residents shall be excluded from the calculation of the facility's average case mix index.

(3) Each provider shall receive an adjusted rate for each quarter if there is a change from the previous quarter in the facility's average medicaid case mix index.

(4) Resident assessments that cannot be classified shall be assigned to the lowest case mix index.

(continued)

(5) To establish a per diem rate for each provider, a factor for incentive may be added to the allowable per diem cost.

(6) Resident days in the rate computation.

(A) Resident days shall be determined from census information corresponding to the base-year cost information submitted by the provider.

(B) Total resident days shall be used to calculate the per diem costs used to determine the upper payment limit and rates in the direct health care cost center. Total resident days shall be used to calculate the per diem costs used to determine the upper payment limit and rates for food and utilities in the indirect health care cost center.

(C) Resident days used to calculate the upper payment limits and rates in the operating cost center and indirect health care cost center, less food and utilities, shall be subject to an 85 percent minimum occupancy requirement based on the following:

(i) Each provider that has been in operation for 12 months or longer and has an occupancy rate of less than 85 percent for the cost report period shall have the resident days calculated at the minimum occupancy of 85 percent.

(ii) The 85 percent minimum occupancy requirement shall be applied to the resident days and costs reported for the 13th month of operation and after. The 85 percent minimum occupancy requirement shall be applied to the interim rate of a new provider, unless the provider is allowed to file a projected cost report.

(iii) The minimum occupancy rate shall be determined by multiplying the total number of licensed beds by 85 percent. In order to participate in the Kansas medical assistance program, each nursing facility provider shall obtain proper certification for all licensed beds.

(iv) Each provider with an occupancy rate of 85 percent or greater shall have actual resident days for the cost report period used in the rate computation.

(7) Each provider shall be given a detailed listing of the computation of the rate determined for the provider's facility.

(8) The effective date of the rate for existing providers shall be in accordance with K.A.R. 30-10-19.

(b) Comparable service, private pay rate limitations.

(1) For each nursing facility and nursing facility for mental health, the per diem rate for care shall not exceed the rate charged for the same type of service to residents not under the Kansas medical assistance program. Private pay rates reported to the agency on other than a per diem basis shall be converted to a per diem equivalent.

(2) The agency shall maintain a registry of private pay per diem rates submitted by providers.

(A) Providers shall notify the agency of changes in the private pay rate and the effective date of that change so that the registry can be updated.

(i) Private pay rate information submitted with the cost reports shall not constitute notification and shall not be acceptable.

(ii) Providers may send private pay rate notices by certified mail so that there is documentation of receipt by the agency.

(B) The private pay rate registry shall be updated based on the notification from the providers.

(C) The effective date of the private pay rate in the registry shall be the later of the effective date of the private pay rate or the first day of the following month in which complete documentation of the private pay rate is received by the agency.

(i) If the private pay rate effective date is other than the first day of the month, the effective date in the registry shall be the first day of the closest month. If the effective date is after the 15th, the effective date in the register shall be the first day of the following month.

(ii) For new facilities or new providers coming into the medicaid program, the private pay rate effective date shall be the issued certification date.

(3) The average private pay rate for comparable services shall be included in the registry. The average private pay rate may consist of the following variables:

(A) Room rate differentials. The weighted average private pay rate for room differentials shall be determined as follows:

(i) Multiply the number of private pay residents in private rooms, semiprivate rooms, wards, and all other room types by the rate charged for each type of room. Sum the resulting products of each type of room. Divide the sum of the products by the total number of private pay residents in all rooms. The result, or quotient, is the weighted average private pay rate for room differentials.

(ii) Each provider shall submit documentation to show the calculation of the weighted average private pay rate when there are room rate differentials.

(iii) Failure to submit the documentation shall limit the private pay rate in the registry to the semiprivate room rate.

(B) Level-of-care rate differentials. The weighted average private pay rate for level-of-care differentials shall be determined as follows:

(i) Multiply the number of private pay residents in each level of care by the rate they are charged to determine the product for each level of care. Sum the products for all of the levels of care. Divide the sum of the products by the total number of private pay residents in all levels of care. The result, or quotient, is the weighted average private pay rate for the level-of-care differentials.

(ii) Each provider shall submit documentation to show the calculation of the weighted average rate when there are level-of-care rate differentials.

(iii) Failure to submit the documentation may delay the effective date of the average private pay rate in the registry until the complete documentation is received.

(C) Extra charges to private pay residents for items and services specified in K.A.R. 30-10-15a may be included in the weighted average private pay rate if the same items and services are allowable in the Kansas medical assistance program rate.

(i) Each provider shall submit documentation to show the calculation of the weighted average extra charges.

(ii) Failure to submit the documentation may delay the effective date of the weighted average private pay rate in the registry until the complete documentation is received.

(4) The weighted average private pay rate shall be based on what the provider receives from the resident. If the private pay charges are consistently higher than what the provider receives from the residents for services, then

the average private pay rate for comparable services shall be based on what is actually received from the residents. The weighted average private pay rate shall be reduced by the amount of any discount received by the residents.

(5) The private pay rate for medicare skilled beds shall not be included in the computation of the average private pay rate for nursing facility services.

(6) When providers are notified of the effective date of the Kansas medical assistance program rate, the following procedures shall be followed:

(A) If the private pay rate indicated on the agency register is lower, then the Kansas medical assistance program rate, beginning with its effective date, shall be calculated as follows:

(i) If the average medicaid case mix index is greater than the private pay rate index, the Kansas medical assistance program rate shall be the lower of the private pay rate adjusted to reflect the medicaid case mix or the calculated Kansas medical assistance rate.

(ii) If the average medicaid case mix index is less than or equal to the facility average case mix index, the Kansas medical assistance program rate shall be the average private pay rate.

(B) Providers who are held to a lower private pay rate and subsequently notify the agency in writing of a different private pay rate shall have the Kansas medical assistance program rate adjusted on the later of the first day of the month following the date upon which complete private pay rate documentation is received or the effective date of a new private pay rate.

(c) Rate for new construction or a new facility to the program.

(1) The per diem rate for newly constructed nursing facilities or a new facility to the Kansas medical assistance program shall be based on a projected cost report submitted in accordance with K.A.R. 30-10-17.

(2) No rate shall be paid until a nursing facility financial and statistical report is received and processed to determine a rate.

(d) Change of provider.

(1) The payment rate for the first 24 months of operation shall be based on the base-year historical cost data of the previous owner or provider. If base-year data is not available, the most recent calendar year data for the previous provider shall be used. If the 85 percent minimum occupancy requirement was applied to the previous provider's rate, the 85 percent minimum occupancy requirement shall also be applied to the new provider's rate.

(2) Beginning with the first day of the 25th month of operation, the payment rate shall be based on the historical cost data for the most recent calendar year submitted by the new provider.

(e) Determination of the rate for nursing facility providers reentering the medicaid program.

(1) The per diem rate for each provider reentering the medicaid program shall be determined from either of the following:

(A) A projected cost report if the provider has not actively participated in the program by the submission of any current resident service billings to the program for 24 months or more; or

(B) the last historic cost report filed with the agency, if the provider has actively participated in the program during the most recent 24 months.

(2) If the per diem rate for a provider reentering the program is determined in accordance with paragraph (e)(1)(A), a settlement shall be made in accordance with subsection (f).

(f) Per diem rate errors.

(1) If the per diem rate, whether based upon projected or historical cost data, is audited by the agency and found to contain an error, a direct cash settlement shall be required between the agency and the provider for the amount of money overpaid or underpaid. If a provider with an identified overpayment is no longer enrolled in the medicaid program, the settlement shall be recouped from a facility owned or operated by the same provider or provider corporation, unless other arrangements have been made to reimburse the agency. A net settlement may occur if a provider has more than one facility involved in settlements.

(2) The per diem rate for a provider may be increased or decreased as a result of a desk review or audit of the provider's cost reports. Written notice of this per diem rate change and of the audit findings shall be sent to the provider. Retroactive adjustment of the rate paid from a projected cost report shall apply to the same period of time covered by the projected rate.

(3) Each provider shall have 30 days from the date of the audit report cover letter to request an administrative review of an audit adjustment that results in an overpayment or underpayment. The request shall specify the finding or findings that the provider wishes to have reviewed.

(4) An interim settlement, based on a desk review of the historical cost report covering the projected cost report period, may be determined after the provider is notified of the new rate determined from the cost report. The final settlement shall be based on the rate after an audit of the historical cost report.

(5) A new provider that is not allowed to submit a projected cost report for an interim rate shall not be entitled to a retroactive settlement for the first year of operation.

(g) Out-of-state providers.

(1) The rate for out-of-state providers certified to participate in the Kansas medical assistance program shall be the rate approved by the agency.

(2) Out-of-state providers shall obtain prior authorization by the agency.

(h) Reserve days as specified in K.A.R. 30-10-21 shall be paid at 67 percent of the Kansas medical assistance program per diem rate.

(i) Determination of rate for ventilator-dependent resident.

(1) The request for additional reimbursement for a ventilator-dependent resident shall be submitted to the agency in writing for prior approval. Each request shall include a current care plan for the resident, the most current resident assessment, and an itemized expense list for implementing that care plan. The additional reimbursement shall not include the cost of durable medical equipment.

(continued)

(2) All of the following conditions shall be met in order for a resident to be considered ventilator-dependent.

(A) The resident is not able to breathe without mechanical ventilation.

(B) The resident uses a ventilator for life support 24 hours a day, seven days a week.

(C) The resident has a tracheostomy or endotracheal tube.

(3) The provider shall be reimbursed at the Kansas medical assistance program daily rate determined for the nursing facility plus an additional amount approved by the agency for the ventilator-dependent resident. The provider shall submit a budget with the detail of the expenditures requested to care for the ventilator-dependent resident. The additional reimbursement shall be negotiated based on the prevailing cost of the individual care plan and subject to an upper payment limit that is based on the comparable rate from the medicare prospective payment system.

(4) No additional amount above that figured at the Kansas medical assistance program daily rate shall be allowed until the service has been authorized by the agency.

(5) The criteria shall be reviewed quarterly to determine if the resident is ventilator-dependent. If a resident is no longer ventilator-dependent, the provider shall not receive additional reimbursement beyond the Kansas medical assistance program daily rate determined for the facility.

(6) The additional reimbursement for the ventilator-dependent resident shall be offset to the cost center of benefit on the nursing facility financial and statistical report.

(j) This regulation shall be effective on and after July 1, 2003. (Authorized by and implementing K.S.A. 39-708c; effective May 1, 1985; amended May 1, 1986; amended, T-87-29, Nov. 1, 1986; amended May 1, 1987; amended, T-89-5, Jan. 21, 1988; amended Sept. 26, 1988; amended Jan. 2, 1989; amended Jan. 2, 1990; amended, T-30-10-1-90, Oct. 1, 1990; amended Jan. 30, 1991; amended Oct. 28, 1991; amended May 1, 1992; amended Nov. 2, 1992; amended Jan. 3, 1994; amended July 1, 1994; amended Sept. 30, 1994; amended Dec. 29, 1995; amended Jan. 1, 1999; amended June 28, 2002; amended Dec. 31, 2002; amended, T-30-5-30-03, July 1, 2003.)

30-10-19. Rates; effective dates. (a) Effective date of per diem rates for ongoing providers filing calendar year cost reports. The effective date of a new rate that is based on information and data in the nursing facility cost report for the calendar year shall be July 1.

(b) Effective date of the per diem rate for a new provider operating on the rate from cost data of the previous provider.

(1) The effective date of the per diem rate for a new provider shall be the date of certification by the department of health and environment.

(2) The effective date of the per diem rate based on the first historical cost report filed in accordance with K.A.R. 30-10-17 shall be the first day of the 25th month of operation. Any rates paid after the effective date of the rate based on the first historical cost report shall be adjusted to the new rate from the historical cost report.

(c) Effective date of the per diem rate from a projected cost report.

(1) The effective date of the per diem rate based on a projected cost report for a new provider, as set forth in K.A.R. 30-10-18 (c) and (e), shall be the date of certification by the department of health and environment.

(2) The interim rate determined from the projected cost report filed by the provider shall be established by the agency and given to the fiscal agent on or by the first day of the third month after the receipt of a complete and workable cost report.

(3) The effective date of the final rate, determined after an audit of the historical cost report filed for the projected cost report period, shall be the date of certification by the department of health and environment.

(4) The second effective date for a provider filing an historic cost report covering a projected cost report period shall be the first day of the month following the last day of the period covered by the report, which is the date that the inflation factor is applied in determining prospective rates.

(d) Each provider shall receive an adjusted rate quarterly if there are changes in the facility's medicaid case mix index as described in K.A.R. 30-10-18.

(e) This regulation shall be effective on and after July 1, 2003. (Authorized by and implementing K.S.A. 39-708c; effective May 1, 1985; amended May 1, 1987; amended May 1, 1988; amended Jan. 2, 1989; amended Jan. 2, 1990; amended, T-30-10-1-90, Oct. 1, 1990; amended Jan. 30, 1991; amended Oct. 28, 1991; amended Nov. 2, 1992; amended Jan. 3, 1994; amended Dec. 29, 1995; amended Jan. 1, 1997; amended July 1, 2002; amended, T-30-5-30-03, July 1, 2003.)

Janet Schalansky
Secretary of Social and
Rehabilitation Services

Doc. No. 029433

State of Kansas

Secretary of State

Certification of New State Laws

I, Ron Thornburgh, Secretary of State of the State of Kansas, do hereby certify that the following bill is a correct copy of the original enrolled bill now on file in my office.

Ron Thornburgh
Secretary of State

(Editor's Note: Sections of the following bill were vetoed by the Governor and sustained by the Legislature. Line-item vetoes are indicated in double-strike type. The Governor's line-item veto message is printed immediately following the bill.)

(Published in the Kansas Register June 5, 2003.)

SENATE Substitute for HOUSE BILL No. 2444

AN ACT making and concerning appropriations for the fiscal years ending June 30, 2003, June 30, 2004, June 30, 2005, June 30, 2006, June 30, 2007, June 30, 2008, June 30, 2009, and June 30, 2010; authorizing certain transfers and fees, imposing certain restrictions and limitations and directing or authorizing certain receipts, disbursements, capital improvements and acts incidental to the foregoing; amending K.S.A. 75-6702 and K.S.A. 2002 Supp. 79-3425c and repealing the existing sections.

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

Section 1. (a) For the fiscal years ending June 30, 2003, June 30, 2004, June 30, 2005, June 30, 2006, June 30, 2007, June 30, 2008, June 30, 2009, and June 30, 2010, appropriations are hereby made, restrictions and limitations are hereby imposed, and transfers, fees, receipts, disbursements and acts incidental to the foregoing are hereby directed or authorized as provided in this act.

(b) The agencies named in this act are hereby authorized to initiate and complete the capital improvement projects specified and authorized by this act or for which appropriations are made by this act, subject to the restrictions and limitations imposed by this act.

(c) This act shall be known and may be cited as the omnibus appropriation act of 2003 and shall constitute the omnibus reconciliation spending limit bill for the 2003 regular session of the legislature for purposes of subsection (a) of K.S.A. 75-6702 and amendments thereto.

(d) The appropriations made by this act shall not be subject to the provisions of K.S.A. 46-155 and amendments thereto.

Sec. 2.

KANSAS PUBLIC EMPLOYEES RETIREMENT SYSTEM

(a) On July 1, 2003, the expenditure limitation established by section 36(b) of 2003 Senate Bill No. 6 on the agency operations account of the Kansas public employees retirement fund is hereby increased from \$6,701,285 to \$6,755,476.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified, the following:

KPERS refund fund
For the fiscal year ending June 30, 2004..... \$0

(c) During the fiscal year ending June 30, 2004, notwithstanding the provisions of any other statute, the executive director of the Kansas public employees retirement system shall determine and certify to the state treasurer, amounts from specified amounts of state employers contributions which are attributable to the Kansas public employees retirement system, the Kansas police and firemen's retirement system, and the retirement system for judges, which equal \$700,000 in the aggregate and which are required to be credited to the KPERS refund fund for the purpose of making the transfers and refunds prescribed by this subsection: *Provided*, That, upon receipt of each such certification, the state treasurer shall credit the amounts certified by the executive director of the Kansas public employees retirement system from such state employer contributions to the KPERS refund fund: *Provided further*, That, on or after July 1, 2003, on the date during the fiscal year ending June 30, 2004, when sufficient moneys have been credited to the KPERS refund fund pursuant to this subsection in order to offset a like amount of moneys which have been deposited in the Kansas public employees retirement fund to the credit of the retirant dividend payment reserve pursuant to 2003 House Bill No. 2014 and which are determined to be no longer required for the purposes of making payments from the retirement dividend payment reserve on October 1, 2003, the executive director of the Kansas public employees retirement system shall certify such matters to the director of accounts and reports: *And provided further*, That, upon receipt of such certification, the director of accounts and reports shall transfer all moneys credited to the KPERS refund fund to the state general fund: *And provided further*, That the executive director of the Kansas public employees retirement system shall transmit a copy of each certification made pursuant to this subsection to the director of the legislative research department.

Sec. 3.

DEPARTMENT OF REVENUE

(a) There is appropriated for the above agency from the state general fund for the fiscal year or years specified, the following:

Operating expenditures
For the fiscal year ending June 30, 2004..... \$216,071

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds or indirect cost recoveries authorized by law shall not exceed the following:

Photo fee fund
For the fiscal year ending June 30, 2004..... No limit

Provided, That expenditures may be made from the photo fee fund for administration and operation of the driver license program and related support operations in the division of administration of the department of revenue, including costs of implementing 2003 Senate Bill No. 16 and 2003 House Bill No. 2192.

Estate tax abatement refund fund
For the fiscal year ending June 30, 2004..... No limit

(c) On the effective date of this act, the expenditure limitation established by section 100(c) of 2003 Senate Bill No. 6 on the electronic databases fee fund is hereby increased from \$6,592,103 to no limit.

(d) On July 1, 2003, the expenditure limitation established by section 42(b) of 2003 Senate Bill No. 6 on the division of vehicles operating fund is hereby increased from \$36,890,534 to no limit.

(e) (1) On July 1, 2003, October 1, 2003, January 1, 2004, and April 1, 2004, the director of accounts and reports shall transfer \$350,806 from the state highway fund of the department of transportation to the division of vehicles operating fund of the department of revenue for the purpose of financing the cost of operation and general expense of the division of vehicles and related operations of the department of revenue.

(2) On or before June 30, 2007, during the fiscal year ending June 30, 2007, on a date certified by the director of the budget, the director of accounts and reports shall transfer \$16,986 from the state general fund to the state highway fund of the department of transportation for the purpose of repaying the amount of \$16,986 transferred to the division of vehicles operating fund pursuant to this subsection (e): *Provided*, That, at the same time that such certification is made by the director of the budget to the director of accounts and reports under this subsection (e)(2), the director of the budget shall deliver a copy of such certification to the director of the legislative research department.

(f) On July 1, 2003, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$350,000 from the state safety fund of the department of education to the division of vehicles operating fund of the department of revenue for the purpose of financing a portion of the cost of administration and operation of the driver license program of the department of revenue.

(g) On the effective date of this act, of the \$25,213,302 appropriated for the above agency for the fiscal year ending June 30, 2004, by section 42(a) of 2003 Senate Bill No. 6 from the state general fund in the operating expenditures account, the sum of \$3,350,000 is hereby lapsed.

(h) (1) During the fiscal year ending June 30, 2004, notwithstanding the provisions of K.S.A. 41-507, 79-1112, 79-15,105, 79-15,113, 79-32,105, 79-3379, 79-3620, 79-3710 and 79-4227 and amendments thereto, section 42(b) of 2003 Senate Bill No. 6, or any other statute, the amount of moneys credited to the suspense fund for the purpose of paying liquor enforcement tax refunds, the privilege tax refund fund, the estate tax abatement refund fund, the income tax refund fund, the cigarette tax refund fund, the sales tax refund fund, the compensating tax refund fund, and the mineral production tax refund fund, in the aggregate, shall not exceed \$424,500,000, subject to the provisions of subsection (h)(2): *Provided, however*, That any amount required to be credited to the income tax refund fund for an approved payment of a homestead tax refund claim shall be in addition to the aggregate limitation established by this subsection on the amounts credited during fiscal year 2004 to the suspense fund for the purpose of paying liquor enforcement tax refunds, the privilege tax refund fund, the estate tax abatement refund fund, the income tax refund fund, the cigarette tax refund fund, the sales tax refund fund, the compensating tax refund fund, and the mineral production tax refund fund.

(continued)

(2) During the fiscal year ending June 30, 2004, upon request by the secretary of revenue, in consultation with the director of taxation, and approval by the governor, the amount of moneys credited during fiscal year 2004 to the suspense fund for the purpose of paying liquor enforcement tax refunds, the privilege tax refund fund, the estate tax abatement refund fund, the income tax refund fund, the cigarette tax refund fund, the sales tax refund fund, the compensating tax refund fund, and the mineral production tax refund fund may exceed the aggregate limitation established by this subsection (h) on the amounts credited during fiscal year 2004 to the suspense fund for the purpose of paying liquor enforcement tax refunds, the privilege tax refund fund, the estate tax abatement refund fund, the income tax refund fund, the cigarette tax refund fund, the sales tax refund fund, the compensating tax refund fund, and the mineral production tax refund fund, by an additional amount or amounts specified by the governor for the fund or funds specified by the governor therefor: *Provided*, That the aggregate of all such additional amounts authorized by the governor to be credited during fiscal year 2004 to such fund or funds pursuant to this subsection (h)(2) shall not exceed \$50,000,000.

Sec. 4.

KANSAS LOTTERY

(a) In addition to the aggregate total of not less than \$61,500,000 that shall be transferred from the lottery operating fund to the state gaming revenues fund during fiscal year 2003 as prescribed by section 43(e) of 2003 Senate Bill No. 6, an additional amount of not less than \$1,000,000 shall be transferred from the lottery operating fund to the state gaming revenues fund during the fiscal year ending June 30, 2003, for a new aggregate amount of not less than \$62,500,000 to be transferred from the lottery operating fund to the state gaming revenues fund for fiscal year 2003 in monthly transfers concluding on or before July 15, 2003.

(b) On July 1, 2003, the expenditure limitation established by section 43(a) of 2003 Senate Bill No. 6 on the lottery operating fund is hereby increased from \$8,657,200 to \$8,704,864.

(c) Notwithstanding provisions of K.S.A. 79-4801 and amendments thereto and in addition to the requirements of section 43(e) of 2003 Senate Bill No. 6, on or after January 15, 2004, upon certification by the executive director of the lottery, the director of accounts and reports shall transfer from the lottery operating fund to the state gaming revenues fund an amount of \$500,000: *Provided*, That the director of accounts and reports shall transfer immediately thereafter from the state gaming revenues fund to the state general fund an amount of \$500,000: *Provided further*, That on or before June 15, 2004, the executive director of the lottery shall certify to the director of accounts and reports the amount of total profit attributed to the special veterans benefits game, reduced by the \$500,000 previously transferred: *And provided further*, That the director of accounts and reports shall transfer from the lottery operating fund to the state gaming revenues fund such amount certified.

Sec. 5.

KANSAS RACING AND GAMING COMMISSION

(a) On July 1, 2003, the expenditure limitation established by section 44(a) of 2003 Senate Bill No. 6 on the state racing fund is hereby increased from \$3,015,318 to \$3,041,501.

(b) On July 1, 2003, the amount of \$500,000 authorized by section 44(g) of 2003 Senate Bill No. 6 to be transferred from the horse fair racing benefit fund to the state general fund is hereby decreased to \$300,000.

Sec. 6.

DEPARTMENT OF WILDLIFE AND PARKS

(a) There is appropriated for the above agency from the state general fund for the fiscal year or years specified, the following:

Operating expenditures
For the fiscal year ending June 30, 2004..... \$23,946

(b) On July 1, 2003, of the \$3,189,583 appropriated for the above agency for the fiscal year ending June 30, 2004, by section 83(a) of 2003 Senate Bill No. 6 from the state general fund in the operating expenditures account, the sum of \$30,000 is hereby lapsed.

(c) On the effective date of this act, the expenditure limitation established by section 129(b) of chapter 204 of the 2002 Session Laws of Kansas on the operations account of the wildlife fee fund is hereby increased from \$23,945,007 to \$23,975,007.

(d) On July 1, 2003, the expenditure limitation established by section 83(b) of 2003 Senate Bill No. 6 on the wildlife fee fund is hereby increased from \$22,861,876 to \$23,019,810.

(e) On July 1, 2003, the expenditure limitation established by section 83(b) of 2003 Senate Bill No. 6 on the boating fee fund is hereby increased from \$1,282,107 to \$1,290,845.

(f) On July 1, 2003, the expenditure limitation established by section 83(b) of 2003 Senate Bill No. 6 on the parks fee fund is hereby increased from \$5,873,762 to \$5,922,153.

(g) (1) The director of accounts and reports shall not make the transfer of \$1,500,000 from the state highway fund of the department of transportation to the department access road fund of the department of wildlife and parks which was directed to be made on July 1, 2004, by section 23(c) of 2003 House Bill No. 2426.

(2) On July 1, 2003, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$1,500,000 from the state highway fund of the department of transportation to the department access road fund of the department of wildlife and parks.

(h) (1) The director of accounts and reports shall not make the transfer of \$200,000 from the state highway fund of the department of transportation to the bridge maintenance fund of the department of wildlife and parks which was directed to be made on July 1, 2004, by section 23(d) of 2003 House Bill No. 2426.

(2) On July 1, 2003, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$200,000 from the state highway fund of the department of transportation to the bridge maintenance fund of the department of wildlife and parks.

Sec. 7.

STATE BOARD OF INDIGENTS' DEFENSE SERVICES

(a) There is appropriated for the above agency from the state general fund for the fiscal year or years specified, the following:

Operating expenditures
For the fiscal year ending June 30, 2003..... \$1,000,000
For the fiscal year ending June 30, 2004..... \$582,078

Provided, That during the fiscal years ending June 30, 2003 and June 30, 2004, the executive director of the state board of indigents' defense services, with the approval of the director of the budget, may transfer moneys in the operating expenditures account or the state general fund to any other item of appropriation from the state general fund for the state board of indigents' defense services: *Provided further*, That the executive director shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of the legislative research department.

Capital defense operations
For the fiscal year ending June 30, 2004..... \$9,826

Sec. 8.

DEPARTMENT OF COMMERCE

(a) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year or years specified, the following:

Operating grant (including official hospitality)
For the fiscal year ending June 30, 2004..... \$13,553,544

Provided, That any unencumbered balance in the operating grant (including official hospitality) account in excess of \$100 as of June 30, 2003, is hereby reappropriated for fiscal year 2004: *Provided further*, That expenditures may be made from the operating grant (including official hospitality) account for loans pursuant to loan agreements which are hereby authorized to be entered into by the secretary of commerce in accordance with repayment provisions and other terms and conditions as may be prescribed by the secretary therefor under the agricultural value added center program: *And provided further*, That expenditures may be made from the operating grant (including official hospitality) account for certified development companies that have been determined to be qualified for grants by the secretary of commerce, except that expenditures for such grants shall not be made for grants to more than 10 certified development companies that have been determined to be qualified for grants by the secretary of commerce: *And provided further*, That during fiscal year 2004, expenditures made by the department of commerce from the operating grant (including official hospitality) account of the state economic development initiatives fund shall be made for the purpose of achieving the following outcome measures:

Measure	Budget Year Projection FY 2004
Jobs created by projects utilizing KDOC assistance	5,745
Jobs retained by projects utilizing KDOC assistance	4,950
Payroll generated by projects utilizing KDOC assistance	\$338,539,160
Capital investment in Kansas resulting from projects utilizing KDOC assistance	\$842,200,000
Funds leveraged through match in projects utilizing KDOC assistance	\$32,143,719
Individuals trained through workforce development programs	9,468
Sales generated by projects utilizing KDOC assistance	\$53,290,000
Increase in visitation resulting from KDOC tourism promotion efforts	332,150
Tourism revenue generated as a result of KDOC tourism promotion	\$32,494,970
Kansans served with counseling, technical assistance or business services	4,462
Number of communities receiving community assistance services	298

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Publication and other sales fund	
For the fiscal year ending June 30, 2004.....	No limit
Conversion of equipment and materials fund	
For the fiscal year ending June 30, 2004.....	No limit
Conference registration and disbursement fund	
For the fiscal year ending June 30, 2004	No limit
Kansas venture capital companies certificate fee fund	
For the fiscal year ending June 30, 2004.....	No limit
Trademark fund	
For the fiscal year ending June 30, 2004.....	No limit
Flood mitigation assistance federal fund	
For the fiscal year ending June 30, 2004.....	No limit
Trade show promotion fund	
For the fiscal year ending June 30, 2004.....	No limit
Kansas tourist attraction matching grant development fund	
For the fiscal year ending June 30, 2004.....	No limit
Greyhound tourism fund	
For the fiscal year ending June 30, 2004.....	No limit
Reimbursement and recovery fund	
For the fiscal year ending June 30, 2004.....	No limit
Community development block grant—federal fund	
For the fiscal year ending June 30, 2004.....	No limit
Community development block grant—federal fund—revolving loan account	
For the fiscal year ending June 30, 2004.....	No limit
Other federal grants fund	
For the fiscal year ending June 30, 2004.....	No limit
<i>Provided</i> , That the above agency is authorized to make expenditures from the other federal grants fund of any moneys credited to this fund from any individual grant if the grant is: (1) Less than or equal to \$250,000 in the aggregate, and (2) does not require the matching expenditure of any other moneys in the state treasury during fiscal year 2004 other than moneys appropriated by this or other appropriation act of the 2003 regular session of the legislature: <i>Provided, however</i> , That, upon application to and authorization by the governor, the above agency may make expenditures of moneys credited to this fund from any individual federal grant which is more than \$250,000 in the aggregate or which requires the matching expenditure of moneys in the state treasury during the fiscal year 2004, other than moneys appropriated by this or other appropriation act of the 2003 regular session of the legislature.	
National main street center fund	
For the fiscal year ending June 30, 2004.....	No limit
IMPACT program services fund	
For the fiscal year ending June 30, 2004.....	No limit

IMPACT program repayment fund	
For the fiscal year ending June 30, 2004.....	No limit
Kansas partnership fund	
For the fiscal year ending June 30, 2004.....	No limit
<i>Provided</i> , That the interest rate on any loan made from the Kansas partnership fund shall be annually indexed to the federal discount rate.	
Goodyear bond repayment fund	
For the fiscal year ending June 30, 2004.....	No limit
<i>Provided</i> , That, on July 1, 2003, or as soon thereafter as moneys are available, the director of the division of accounts and reports shall transfer from the state general fund to the Goodyear bond repayment fund an amount sufficient to pay annual debt service on the bond obligations authorized pursuant to K.S.A. 74-8942 through 74-8945 and amendments thereto as certified by the secretary of commerce, in accordance with and subject to the provisions of K.S.A. 74-8943 and amendments thereto.	
General fees fund	
For the fiscal year ending June 30, 2004.....	No limit
<i>Provided</i> , That expenditures may be made from the general fees fund for loans pursuant to loan agreements which are hereby authorized to be entered into by the secretary of commerce in accordance with repayment provisions and other terms and conditions as may be prescribed by the secretary therefor under programs of the department.	
Market development fund	
For the fiscal year ending June 30, 2004.....	No limit
<i>Provided</i> , That expenditures may be made from the market development fund for loans pursuant to loan agreements which are hereby authorized to be entered into by the secretary of commerce in accordance with repayment provisions and other terms and conditions as may be prescribed by the secretary therefor under the agricultural value added center program: <i>Provided further</i> , That all moneys received by the department of commerce for repayment of loans made under the agricultural value added center program shall be deposited in the state treasury and credited to this fund.	
Kansas economic opportunity initiatives fund	
For the fiscal year ending June 30, 2004.....	No limit
Kansas existing industry expansion fund	
For the fiscal year ending June 30, 2004.....	No limit
<i>Provided</i> , That expenditures may be made from the Kansas existing industry expansion fund for loans pursuant to loan agreements which are hereby authorized to be entered into by the secretary of commerce in accordance with repayment provisions and other terms and conditions as may be prescribed by the secretary therefor under the Kansas existing industry expansion program: <i>Provided further</i> , That all moneys received by the department of commerce for repayment of loans made under the Kansas existing industry expansion program shall be deposited in the state treasury and credited to this fund.	
(c) The secretary of commerce is hereby authorized to fix, charge and collect fees during the fiscal year ending June 30, 2004, for (1) the provision and administration of conferences held for the purposes of programs and activities of the department of commerce and for which fees are not specifically prescribed by statute, (2) sale of <i>Kansas!</i> magazine and other publications of the department of commerce and for sale of educational and other promotional items and for which fees are not specifically prescribed by statute, and (3) promotional and other advertising and related economic development activities and services provided under economic development programs and activities of the department of commerce, including those provided at tourist information centers: <i>Provided</i> , That such fees shall be fixed in order to recover all or part of the operating expenses incurred in providing such services, conferences, publications and items, advertising and other economic development activities and services provided under economic development programs and activities of the department of commerce for which fees are not specifically prescribed by statute: <i>Provided further</i> , That all such fees shall be credited to one or more special revenue funds of the department of commerce as specified by the secretary of commerce: <i>And provided further</i> , That expenditures may be made from such special revenue funds of the department of commerce for fiscal year 2004, in accordance with the provisions of this or other appropriation act of the 2003 regular session of the legislature, for operating expenses incurred in providing such services, conferences, publications and items, advertising, programs and activities and	

(continued)

for operating expenses incurred in providing similar economic development activities and services provided under economic development programs and activities of the department of commerce.

(d) In addition to the other purposes for which expenditures may be made by the department of commerce from moneys appropriated from the state general fund or any special revenue fund for fiscal year 2004 for the department of commerce as authorized by this or other appropriation act of the 2003 regular session of the legislature, expenditures may be made by the department of commerce for fiscal year 2004 for official hospitality.

(e) On August 15, 2003, and December 15, 2003, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$1,487,500 from the state economic development initiatives fund to the Kansas economic opportunity initiatives fund of the department of commerce.

(f) On August 15, 2003, and December 15, 2003, or as soon after each such date as moneys are available, the director of accounts and reports shall transfer \$211,623 from the state economic development initiatives fund to the Kansas existing industry expansion fund of the department of commerce.

(g) On or after July 1, 2003, during the fiscal year ending June 30, 2004, the director of accounts and reports shall transfer the amount or amounts specified by the secretary of commerce from the Kansas venture capital companies certificate fee fund to the general fees fund to reimburse the amount expended from the general fees fund for consulting services purchased by the department of commerce in connection with establishing a program to administer the certified capital formation company act.

(h) On July 1, 2003, the director of accounts and reports shall transfer all moneys in the Kansas export loan guarantee fund of the department of commerce to the state economic development initiatives fund. On July 1, 2003, all liabilities of the Kansas export loan guarantee fund of the department of commerce, including any encumbrances, are hereby transferred to and imposed on the state economic development initiatives fund and the Kansas export loan guarantee fund of the department of commerce, is hereby abolished.

(i) The number of full-time and regular part-time positions equated to full-time, paid from appropriations for fiscal year 2004, made in this or other appropriation act of the 2003 regular session of the legislature for the department of commerce shall not exceed 108.5 except upon approval of the state finance council.

Sec. 9.

KANSAS TECHNOLOGY ENTERPRISE CORPORATION

(a) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year or years specified, the following:

Operations, assistance and grants (including official hospitality)
For the fiscal year ending June 30, 2004..... \$10,948,486

Provided, That any unencumbered balance in the operations, assistance and grants (including official hospitality) account as of June 30, 2003, is hereby reappropriated for fiscal year 2004.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

MAMTC federal fund
For the fiscal year ending June 30, 2004..... No limit
KTEC special revenue fund
For the fiscal year ending June 30, 2004..... No limit

(c) No moneys appropriated for the fiscal year or years specified, by this or other appropriation act of the 2003 regular session of the legislature for the Kansas technology enterprise corporation shall be expended for any bonus or other payment of additional compensation for any officer or employee of the Kansas technology enterprise corporation, or any subsidiary corporation, agency or instrumentality thereof, except longevity bonus payments pursuant to K.S.A. 75-5541 and amendments thereto or as otherwise specifically authorized by statute.

Sec. 10.

KANSAS, INC.

(a) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2004, the following:

Operations (including official hospitality) \$203,162

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2004, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Kansas, Inc., matching fund No limit
Conversion of materials and equipment fund No limit

(c) The number of full-time and regular part-time positions equated to full-time, paid from appropriations for fiscal year 2004, made in this or other appropriation act of the 2003 regular session of the legislature for Kansas, Inc., shall not exceed 4.0 except upon approval of the state finance council.

Sec. 11.

DEPARTMENT OF HEALTH AND ENVIRONMENT—
DIVISION OF HEALTH

(a) On July 1, 2003, of the \$7,268,760 appropriated for the above agency for the fiscal year ending June 30, 2004, by section 47(a) of 2003 Senate Bill No. 6 from the state general fund in the operating expenditures (including official hospitality) account, the sum of \$218,737 is hereby lapsed.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Gifts, grants and donations fund—environment
For the fiscal year ending June 30, 2004..... No limit
Special bequest fund—health
For the fiscal year ending June 30, 2004..... No limit
Child injury prevention—federal fund
For the fiscal year ending June 30, 2004 No limit
Civil registration and health statistics fee fund
For the fiscal year ending June 30, 2004..... No limit

(c) In addition to the other purposes for which expenditures may be made by the department of health and environment—division of health from moneys appropriated from the district coroners fund for fiscal year 2004, as authorized by this or other appropriation act of the 2003 regular session of the legislature, and notwithstanding the provisions of K.S.A. 22a-245 and amendments thereto, or any other statute, expenditures may be made by the department of health and environment—division of health from such moneys appropriated from the district coroners fund for fiscal year 2004 pursuant to K.S.A. 22a-242 and amendments thereto.

(d) On July 1, 2003, the position limitation established for the fiscal year ending June 30, 2004, by section 85(a) of 2003 Senate Bill No. 6 for the department of health and environment is hereby increased from 876.5 to 888.5.

(e) On July 1, 2003, the director of accounts and reports shall transfer \$180,000 from the health care stabilization fund of the health care stabilization fund board of governors to the health facilities review fund of the department of health and environment for the purpose of financing a review of records of licensed medical care facilities and an analysis of quality of health care services provided to assist in correcting substandard services and to reduce the incidence of liability resulting from the rendering of health care services and implementing the risk management provisions of K.S.A. 65-4922 *et seq.*, and amendments thereto.

Sec. 12.

DEPARTMENT OF HEALTH AND ENVIRONMENT—
DIVISION OF ENVIRONMENT

(a) There is appropriated for the above agency from the state general fund for the fiscal year or years specified, the following:

Operating expenditures (including official hospitality)
For the fiscal year ending June 30, 2004..... \$89,412

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Mined-land reclamation fund
For the fiscal year ending June 30, 2004..... No limit

104 (6) (1) outreach operator training program—federal fund	
For the fiscal year ending June 30, 2004.....	No limit
Underground storage tank fund—federal	
For the fiscal year ending June 30, 2004.....	No limit
Federal EPA underground injection control fund	
For the fiscal year ending June 30, 2004.....	No limit
Laboratory medicaid cost recovery fund—environment	
For the fiscal year ending June 30, 2004.....	No limit
Medicare fund—federal	
For the fiscal year ending June 30, 2004.....	No limit
Venereal disease control project fund—federal	
For the fiscal year ending June 30, 2004.....	No limit
Disease prevention and health promotion federal grants fund	
For the fiscal year ending June 30, 2004.....	No limit
Federal homeland security fund	
For the fiscal year ending June 30, 2004.....	No limit
Immunization grant funds—federal fund	
For the fiscal year ending June 30, 2004.....	No limit
Diagnostic X-ray program—federal fund	
For the fiscal year ending June 30, 2004.....	No limit
Lead poisoning prevention—federal fund	
For the fiscal year ending June 30, 2004.....	No limit
AIDS project—education and risk reduction fund—federal	
For the fiscal year ending June 30, 2004.....	No limit
Environmental control use fund	
For the fiscal year ending June 30, 2004.....	No limit
Sec. 13.	

ADJUTANT GENERAL

(a) There is appropriated for the above agency from the state general fund for the fiscal year or years specified, the following:

Operating expenditures	
For the fiscal year ending June 30, 2004.....	\$21,932
Civil air patrol—operating expenditures	
For the fiscal year ending June 30, 2004.....	\$179
2002 ice storm disaster relief	
For the fiscal year ending June 30, 2004.....	\$49
Sec. 14.	

STATE FIRE MARSHAL

(a) On July 1, 2003, the expenditure limitation established for the fiscal year ending June 30, 2004, by section 71(a) of 2003 Senate Bill No. 6 on the fire marshal fee fund is hereby increased from \$2,842,738 to \$2,869,313.

(b) On July 1, 2003, the expenditure limitation established by section 71(a) of 2003 Senate Bill No. 6 on the hazardous material program fund is hereby increased from \$419,239 to \$421,000.

Sec. 15.

KANSAS HIGHWAY PATROL

(a) There is appropriated for the above agency from the state general fund for the fiscal year or years specified, the following:

Operating expenditures	
For the fiscal year ending June 30, 2004.....	\$95,607

(b) On July 1, 2003, the expenditure limitation established for the fiscal year ending June 30, 2004, by section 73(b) of 2003 Senate Bill No. 6 on the motor carrier inspection fund is hereby increased from \$11,760,425 to \$11,822,771.

(c) On January 1, 2004, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$500,000 from the Kansas highway patrol motor vehicle fund to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the Kansas highway patrol motor vehicle fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the Kansas highway patrol motor vehicle fund to the state general fund pursuant to this subsection is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the Kansas highway patrol by other agencies which receive appropriations from the state general fund to provide such services.

(d) In addition to the other purposes for which expenditures may be made by the Kansas highway patrol from the moneys appropriated from the state general fund or from any special revenue fund for fiscal year

2004 as authorized by this or other appropriation act of the 2003 regular session of the legislature, expenditures shall be made by the Kansas highway patrol from moneys appropriated from the state general fund from any special revenue fund for fiscal year 2004 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905 and amendments thereto to finance a capital improvement project to acquire the vehicle inspection facility in Olathe, Kansas: *Provided*, That such capital improvement project is hereby approved for the Kansas highway patrol for the purpose of subsection (b) of K.S.A. 74-8905 and amendments thereto and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*, That the Kansas highway patrol may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: *Provided, however*, That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$510,800, plus all the amounts required for cost of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project and any required reserves for the payment of principal and interest on the bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That debt service for any such bonds for such capital improvement project shall be financed by appropriations from the state general fund or any appropriate special revenue fund or funds.

Sec. 16.

KANSAS SENTENCING COMMISSION

(a) There is appropriated for the above agency from the state general fund for the fiscal year or years specified, the following:

Operating expenditures	
For the fiscal year ending June 30, 2004.....	\$2,838
Substance abuse treatment programs	
For the fiscal year ending June 30, 2004.....	\$3,883,577

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Coverdell forensic federal grant fund	
For the fiscal year ending June 30, 2003.....	No limit
General fees fund	
For the fiscal year ending June 30, 2004.....	No limit

Provided, That expenditures from the general fees fund shall be made only for implementation of 2003 Senate Bill No. 123.

~~(c) During the fiscal year ending June 30, 2004, on or before the commencement of the regular session of the legislature, the governor shall prepare and submit a recommendation to the legislature for an additional amount of funding for the Kansas sentencing commission for substance abuse treatment programs to implement the provisions of 2003 Senate Bill No. 123. *Provided*, That such additional funding shall be recommended for appropriation or transfer to the Kansas sentencing commission in an aggregate amount not to exceed \$852,598.~~

Sec. 17.

ATTORNEY GENERAL—KANSAS BUREAU OF INVESTIGATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year or years specified, the following:

Operating expenditures	
For the fiscal year ending June 30, 2004.....	\$109,228

(b) On July 1, 2003, the expenditure limitation established for the fiscal year ending June 30, 2004, by section 74(b) of 2003 Senate Bill No. 6 on the private detective fee fund is hereby increased from \$56,812 to \$57,352.

(c) During the fiscal years ending June 30, 2003, and June 30, 2004, the above agency shall not increase the fees charged to the department of health and environment for the purpose of conducting criminal history record checks during fiscal year 2004.

Sec. 18.

EMERGENCY MEDICAL SERVICES BOARD

(a) On July 1, 2003, the expenditure limitation established for the fiscal year ending June 30, 2004, by section 75(a) of 2003 Senate Bill No. 6 on

(continued)

the emergency medical services operating fund is hereby increased from \$868,974 to \$876,368.

Sec. 19.

DEPARTMENT OF TRANSPORTATION

(a) On the July 1, 2003, October 1, 2003, January 1, 2004, and April 1, 2004, the amount of \$2,768,756 authorized by section 73(f) of Senate Bill No. 6 to be transferred by the director of accounts and reports from the state highway fund of the department of transportation to the motor carrier inspection fund of the Kansas highway patrol for the purpose of financing the motor carrier inspection program of the Kansas highway patrol is hereby increased to \$2,784,343.

(b) On July 1, 2003, the expenditure limitation established for the fiscal year ending June 30, 2004, by section 84(b) of 2003 Senate Bill No. 6 on expenditures for agency operations from the state highway fund of the department of transportation is hereby increased from \$238,766,367 to \$240,363,407.

(c) (1) On July 1, 2003, the director of accounts and reports shall transfer \$95,607 from the state highway fund of the department of transportation to the state general fund.

(2) On or before June 30, 2007, during the fiscal year ending June 30, 2007, on a date certified by the director of the budget, the director of accounts and reports shall transfer \$23,901.75 from the state general fund to the state highway fund for the purpose of repaying 25% of the amount transferred to the state general fund pursuant to subsection (c)(1): *Provided*, That, at the same time that such certification is made by the director of the budget to the director of accounts and reports under this subsection (c)(2), the director of the budget shall deliver a copy of such certification to the director of the legislative research department.

(3) On or before June 30, 2008, during the fiscal year ending June 30, 2008, on a date certified by the director of the budget, the director of accounts and reports shall transfer \$23,901.75 from the state general fund to the state highway fund for the purpose of repaying 25% of the amount transferred to the state general fund pursuant to subsection (c)(1): *Provided*, That, at the same time that such certification is made by the director of the budget to the director of accounts and reports under this subsection (c)(3), the director of the budget shall deliver a copy of such certification to the director of the legislative research department.

(4) On or before June 30, 2009, during the fiscal year ending June 30, 2009, on a date certified by the director of the budget, the director of accounts and reports shall transfer \$23,901.75 from the state general fund to the state highway fund for the purpose of repaying 25% of the amount transferred to the state general fund pursuant to subsection (c)(1): *Provided*, That, at the same time that such certification is made by the director of the budget to the director of accounts and reports under this subsection (c)(4), the director of the budget shall deliver a copy of such certification to the director of the legislative research department.

(5) On or before June 30, 2010, during the fiscal year ending June 30, 2010, on a date certified by the director of the budget, the director of accounts and reports shall transfer \$23,901.75 from the state general fund to the state highway fund for the purpose of repaying 25% of the amount transferred to the state general fund pursuant to subsection (c)(1): *Provided*, That, at the same time that such certification is made by the director of the budget to the director of accounts and reports under this subsection (c)(5), the director of the budget shall deliver a copy of such certification to the director of the legislative research department.

(d) In addition to the other purposes for which expenditures may be made by the department of transportation from moneys appropriated from the agency operations account of the state highway fund for fiscal year 2004 for the department of transportation as authorized by this or other appropriation act of the 2003 regular session of the legislature, expenditures shall be made by the department of transportation from moneys appropriated in the agency operations account of the state highway fund for fiscal year 2004 to work cooperatively with the Kansas congressional delegation to obtain a state-specific change in federal law to permit the use of over-length cotton double module hauling vehicles on the national highway system in Kansas.

Sec. 20.

DEPARTMENT OF CORRECTIONS

(a) There is appropriated for the above agency from the state general fund for the fiscal year or years specified, the following:

Central administration operations and parole and post-release supervision operations	
For the fiscal year ending June 30, 2004.....	\$436,335
Community corrections	
For the fiscal year ending June 30, 2004.....	\$1,141,340
Treatment and programs	
For the fiscal year ending June 30, 2004.....	\$4,967
Ellsworth correctional facility—facilities operations	
For the fiscal year ending June 30, 2004.....	\$96,704
El Dorado correctional facility—facilities operations	
For the fiscal year ending June 30, 2004.....	\$195,745
Hutchinson correctional facility—facilities operations	
For the fiscal year ending June 30, 2004.....	\$233,092
Lansing correctional facility—facilities operations	
For the fiscal year ending June 30, 2004.....	\$318,453
Larned correctional mental health facility—facilities operations	
For the fiscal year ending June 30, 2004.....	\$76,150
Norton correctional facility—facilities operations	
For the fiscal year ending June 30, 2004.....	\$113,848
Topeka correctional facility—facilities operations	
For the fiscal year ending June 30, 2004.....	\$97,697
Winfield correctional facility—facilities operations	
For the fiscal year ending June 30, 2004.....	\$85,514

(b) On July 1, 2003, of the \$10,538,688 appropriated for the above agency for the fiscal year ending June 30, 2004, by section 68(a) of 2003 Senate Bill No. 6 from the state general fund in the facilities operations account, the sum of \$1,049,000 is hereby lapsed.

(c) On the effective date of this act, of the \$13,470,469 appropriated for the above agency for the fiscal year ending June 30, 2003, by section 113(a) of chapter 204 of the 2002 Session Laws of Kansas from the state general fund in the central administration operations and parole and post-release supervision operations account, the sum of \$139,125 is hereby lapsed.

(d) On the effective date of this act, of the \$31,527,900 appropriated for the above agency for the fiscal year ending June 30, 2003, by section 113(a) of chapter 204 of the 2002 Session Laws of Kansas from the state general fund in the treatment and programs account, the sum of \$531,000 is hereby lapsed.

(e) On the effective date of this act, of the \$1,334,000 appropriated for the above agency for the fiscal year ending June 30, 2003 by section 138(a) of chapter 204 of the 2002 Session Laws of Kansas from the state general fund in the debt service payment for the reception and diagnostic unit relocation bond issue account, the sum of \$18,000 is hereby lapsed.

(f) On the effective date of this act, of the \$4,946,000 appropriated for the above agency for the fiscal year ending June 30, 2003, by section 138(a) of chapter 204 of the 2002 Session Laws of Kansas from the state general fund in the debt service payment for the revenue refunding bond issues account, the sum of \$39,000 is hereby lapsed.

(g) On July 1, 2003, of the \$2,605,000 appropriated for the above agency for the fiscal year ending June 30, 2004, by section 68(a) of 2003 Senate Bill No. 6 from the state general fund in the local jail payments account, the sum of \$644,000 is hereby lapsed.

(h) On July 1, 2003, the position limitation established for the fiscal year ending June 30, 2004, by section 85(a) of 2003 Senate Bill No. 6 for the department of corrections is hereby increased from 3132.5 to 3135.5.

~~Sec. 21.~~

~~OMBUDSMAN OF CORRECTIONS~~

~~(a) There is appropriated for the above agency from the state general fund for the fiscal year or years specified, the following:~~

Adult corrections oversight	
For the fiscal year ending June 30, 2004.....	\$100,000

~~Provided, That any unencumbered balance in the adult corrections oversight account in excess of \$100 as of June 30, 2003, is hereby reappropriated for fiscal year 2004. *Provided, however,* That expenditures from such reappropriated balance shall be made only upon approval of the state finance council.~~

~~(b) On July 1, 2003, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$85,000 from the state of Kansas department of corrections inmate benefit fund to the ombudsman of corrections fund.~~

Sec. 22.

STATE BANK COMMISSIONER

(a) On July 1, 2003, the expenditure limitation established for the fiscal year ending June 30, 2004, by section 4(a) of 2003 Senate Bill No. 6 on the bank commissioner fee fund is hereby increased from \$5,720,490 to \$5,778,242.

(b) On July 1, 2004, the expenditure limitation established for the fiscal year ending June 30, 2005, by section 4(a) of 2003 Senate Bill No. 6 on the bank commissioner fee fund is hereby increased from \$5,997,892 to \$6,065,455.

Sec. 23.

STATE DEPARTMENT OF CREDIT UNIONS

(a) On July 1, 2003, the expenditure limitation established for the fiscal year ending June 30, 2004, by section 9(a) of 2003 Senate Bill No. 6 on the credit union fee fund is hereby increased from \$821,258 to \$829,966.

(b) On July 1, 2004, the expenditure limitation established for the fiscal year ending June 30, 2005, by section 9(a) of 2003 Senate Bill No. 6 on the credit union fee fund is hereby increased from \$888,964 to \$898,833.

Sec. 24.

REAL ESTATE APPRAISAL BOARD

(a) On July 1, 2003, the expenditure limitation established for the fiscal year ending June 30, 2004, by section 16(a) of 2003 Senate Bill No. 6 on the appraiser fee fund is hereby increased from \$221,439 to \$222,979.

(b) On July 1, 2004, the expenditure limitation established for the fiscal year ending June 30, 2005, by section 16(a) of 2003 Senate Bill No. 6 on the appraiser fee fund is hereby increased from \$240,724 to \$242,512.

Sec. 25.

KANSAS REAL ESTATE COMMISSION

(a) On July 1, 2003, the expenditure limitation established for the fiscal year ending June 30, 2004, by section 17(a) of 2003 Senate Bill No. 6 on the real estate fee fund is hereby increased from \$711,117 to \$717,134.

(b) On July 1, 2004, the expenditure limitation established for the fiscal year ending June 30, 2005, by section 17(a) of 2003 Senate Bill No. 6 on the real estate fee fund is hereby increased from \$784,379 to \$791,230.

Sec. 26.

OFFICE OF THE SECURITIES COMMISSIONER OF KANSAS

(a) On July 1, 2003, the expenditure limitation established for the fiscal year ending June 30, 2004, by section 18(a) of 2003 Senate Bill No. 6 on the securities act fee fund is hereby increased from \$2,006,310 to \$2,026,744.

(b) On July 1, 2004, the expenditure limitation established for the fiscal year ending June 30, 2005, by section 18(a) of 2003 Senate Bill No. 6 on the securities act fee fund is hereby increased from \$2,168,700 to \$2,191,848.

Sec. 27.

KANSAS HUMAN RIGHTS COMMISSION

(a) There is appropriated for the above agency from the state general fund for the fiscal year or years specified, the following:

Operating expenditures
For the fiscal year ending June 30, 2004..... \$10,574

Sec. 28.

STATE CORPORATION COMMISSION

(a) On July 1, 2003, the aggregate expenditure limitation for the fiscal year ending June 30, 2004, established by section 38(b) of 2003 Senate Bill No. 6 on the public service regulation fund, the conservation fee fund, and the motor carrier license fee fund is hereby increased from \$12,882,684 to \$13,029,693.

Sec. 29.

CITIZENS' UTILITY RATEPAYER BOARD

(a) On July 1, 2003, the expenditure limitation for the fiscal year ending June 30, 2004, established by section 39(a) of 2003 Senate Bill No. 6 on the utility regulatory fee fund is hereby increased from \$580,552 to \$584,212.

Sec. 30.

DEPARTMENT OF HUMAN RESOURCES

(a) There is appropriated for the above agency from the state general fund for the fiscal year or years specified, the following:

Operating expenditures
For the fiscal year ending June 30, 2004..... \$14,716
(b) On July 1, 2003, the expenditure limitation established for the fiscal year ending June 30, 2004, by section 45(b) of 2003 Senate Bill No. 6 on the workmen's compensation fee fund is hereby increased from \$9,481,593 to \$9,562,517.
(c) On July 1, 2003, the expenditure limitation established by section 45(b) of 2003 Senate Bill No. 6 on the occupational health and safety—federal fund is hereby increased from \$592,449 to \$597,565.
(d) On July 1, 2003, the expenditure limitation established by section 45(b) of 2003 Senate Bill No. 6 on the federal indirect cost offset fund is hereby increased from \$314,049 to \$317,787.

Sec. 31.

STATE LIBRARY

(a) There is appropriated for the above agency from the state general fund for the fiscal year or years specified, the following:

Operating expenditures
For the fiscal year ending June 30, 2004..... \$11,422

Sec. 32.

KANSAS ARTS COMMISSION

(a) There is appropriated for the above agency from the state general fund for the fiscal year or years specified, the following:

Operating expenditures
For the fiscal year ending June 30, 2004..... \$3,291

Sec. 33.

LEGISLATURE

(a) Notwithstanding the provisions of subsection (a) or subsection (b) of section 25 of 2003 Senate Bill No. 6, expenditures shall be made by the legislature from the operating expenditures (including official hospitality) account of the state general fund or from the legislative special revenue fund of the legislature for any meeting of the joint committee on state building construction called in accordance with the provisions of K.S.A. 46-1701 and amendments thereto.

Sec. 34.

GOVERNOR'S DEPARTMENT

(a) There is appropriated for the above agency from the state general fund for the fiscal year or years specified, the following:

Governor's department
For the fiscal year ending June 30, 2004..... \$15,066

Sec. 35.

LIEUTENANT GOVERNOR

(a) There is appropriated for the above agency from the state general fund for the fiscal year or years specified, the following:

Operations
For the fiscal year ending June 30, 2004..... \$928

Sec. 36.

DEPARTMENT OF ADMINISTRATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year or years specified, the following:

General administration
For the fiscal year ending June 30, 2004..... \$14,280
Department of administration systems
For the fiscal year ending June 30, 2004..... \$21,340
Accounting and reporting services
For the fiscal year ending June 30, 2004..... \$12,390
Personnel services
For the fiscal year ending June 30, 2004..... \$26,606
Purchasing
For the fiscal year ending June 30, 2004..... \$9,516
Facilities management
For the fiscal year ending June 30, 2004..... \$18,613
Budget analysis
For the fiscal year ending June 30, 2004..... \$12,702
Long-term care ombudsman
For the fiscal year ending June 30, 2004..... \$991

(b) On July 1, 2003, the expenditure limitation established by section 40(b) of 2003 Senate Bill No. 6 on the cafeteria benefits fund for salaries
(continued)

and wages and other operating expenditures is hereby increased from \$2,086,924 to \$2,095,041.

(c) On July 1, 2003, of the \$1,860,071 appropriated for the above agency for the fiscal year ending June 30, 2004, by section 40(a) of 2003 Senate Bill No. 6 from the state general fund in the public broadcasting council grants account, the sum of \$47,055 is hereby lapsed.

(d) On July 1, 2003, the position limitation established for the fiscal year ending June 30, 2004, by section 85 (a) of 2003 Senate Bill No. 6 for the department of administration is hereby increased from 887.2 to 888.2.

~~(e) In addition to the other purposes for which expenditures may be made by the department of administration from moneys appropriated from the state general fund or any special revenue fund for the fiscal year ending June 30, 2004, by this or other appropriation act of the 2003 regular session of the legislature, expenditures shall be made by the department of administration to produce and mail paper pay advices to any state employee who submits a written request for such paper pay advices to the department of administration.~~

~~(f) In addition to the other purposes for which expenditures may be made by the department of administration from moneys appropriated from the information technology fund for the fiscal year ending June 30, 2004, by this or other appropriation act of the 2003 regular session of the legislature, the director of the division of information systems and communications is hereby authorized to fix, charge and collect fees for publication and distribution of the KANSAS-A-N telephone directory.~~

Sec. 37. (a)(1) On July 1, 2003, the amount in each account of the state general fund of each state agency that is appropriated for the fiscal year ending June 30, 2004 by this or other appropriation act of the 2003 regular session of the legislature and that is budgeted for increased KANSAS-A-N long distance rates as certified by the director of the budget to the director of accounts and reports for fiscal year 2004, is hereby lapsed from such account.

(2) On July 1, 2003, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer the amount in each account of each special revenue fund of each state agency that is appropriated for the fiscal year ending June 30, 2004 by this or other appropriation act of the 2003 regular session of the legislature and that is budgeted for increased KANSAS-A-N long distance rates as certified by the director of the budget to the director of accounts and reports for fiscal year 2004, from such special revenue fund or account thereof, to the state general fund: *Provided*, That the amounts transferred from special revenue funds to the state general fund pursuant to this subsection (a) (2) are to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the state agency involved by other state agencies which receive appropriations from the state general fund to provide such services.

(3) The total of (A) the aggregate amount lapsed from all such accounts of the state general fund for fiscal year 2004 by subsection (a) (1), and (B) the aggregate amount transferred from all such special revenue funds and accounts to the state general fund during fiscal year 2004 pursuant to subsection (a) (2), shall not exceed \$710,000.

(4) In determining the amount budgeted for each state agency for increased KANSAS-A-N long distance rates for the fiscal year ending June 30, 2004, in each account of the state general fund of such state agency that is appropriated for fiscal year 2004, and in each account of each special revenue fund of such state agency that is appropriated for fiscal year 2004, for the purposes of making the certification to the director of accounts and reports prescribed by subsection (a), the director of the budget shall review the information contained in the budget estimates submitted by state agencies for fiscal year 2004, the recommendations thereon by the governor, and the bills, reports and other legislative documentation of legislative action on such budget estimates and recommendations for fiscal year 2004 for such state agencies and may consider additional information, and may apply appropriate analyses and prorations to determine the amounts to be certified under this subsection (a), subject to the maximum aggregate amount prescribed therefor and any applicable federal, state and other statutory or contract restrictions: *Provided*, That, at the same time that each certification is made by the director of the budget to the director of accounts and reports under this subsection (a), the director of the budget shall deliver a copy of such certification to the director of the legislative research department.

Sec. 38. (a) (1) On July 1, 2003, the amount in each account of the state general fund of each state agency that is appropriated for the fiscal year ending June 30, 2004, by this or other appropriation act of the 2003 regular session of the legislature and that is determined by the director of the budget in accordance with the provisions of subsection (a)(2) to constitute savings attributable to the state agency's participation in the state setoff program under K.S.A. 75-6201 through 75-6215, and amendments thereto, and is certified by the director of the budget to the director of accounts and reports for fiscal year 2004, is hereby lapsed from such account.

(2) In determining the amount that constitutes savings attributable to a state agency's participation in the state setoff program under K.S.A. 75-6201 through 75-6215, and amendments thereto, for the fiscal year ending June 30, 2004, in each account of the state general fund of such state agency that is appropriated for fiscal year 2004, for the purposes of making the certification to the director of accounts and reports prescribed by subsection (a)(1), the director of the budget shall review the information contained in the budget estimates submitted by state agencies for fiscal year 2004, the recommendations thereon by the governor, and the bills, reports and other legislative documentation of legislative action on such budget estimates and recommendations for fiscal year 2004 for such state agencies and may consider additional information, and may apply appropriate analyses and prorations to determine the amounts to be certified under this subsection (a), subject to the maximum aggregate amount prescribed under subsection (c) therefor and any applicable federal, state and other statutory or contract restrictions: *Provided*, That, at the same time that each certification is made by the director of the budget to the director of accounts and reports under subsection (a)(1), the director of the budget shall deliver a copy of such certification to the director of the legislative research department.

(b) (1) On July 1, 2003, the amount in each account of the state general fund of each state agency that is appropriated for the fiscal year ending June 30, 2004, by this or other appropriation act of the 2003 regular session of the legislature and that is budgeted for payments to the state motor pool for expenses related to commuting as determined and certified by the director of the budget to the director of accounts and reports for fiscal year 2004, is hereby lapsed from such account.

(2) In determining the amount budgeted for each state agency for payments to the state motor pool for expenses related to commuting for the fiscal year ending June 30, 2004, in each account of the state general fund of such state agency that is appropriated for fiscal year 2004, and in each account of each special revenue fund of such state agency that is appropriated for fiscal year 2004, for the purposes of making the certification to the director of accounts and reports prescribed by subsection (b)(1), the director of the budget shall review the information contained in the budget estimates submitted by state agencies for fiscal year 2004, the recommendations thereon by the governor, and the bills, reports and other legislative documentation of legislative action on such budget estimates and recommendations for fiscal year 2004 for such state agencies and may consider additional information, and may apply appropriate analyses and prorations to determine the amounts to be certified under subsection (b)(1), subject to the maximum aggregate amount prescribed by subsection (c) therefor and any applicable federal, state and other statutory or contract restrictions: *Provided*, That, at the same time that each certification is made by the director of the budget to the director of accounts and reports under subsection (b)(1), the director of the budget shall deliver a copy of such certification to the director of the legislative research department.

(c) The total of (A) the aggregate amount lapsed from all such accounts of the state general fund for fiscal year 2004 by subsection (a)(1), and (B) the aggregate amount lapsed from all such accounts of the state general fund for fiscal year 2004 by subsection (b)(1), shall not exceed \$500,000.

Sec. 39.

KANSAS BOARD OF BARBERING

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2003, by section 3(a) of 2003 House Bill No. 2026 on the board of barbering fee fund is hereby increased from \$113,266 to \$128,256.

(b) On July 1, 2003, the expenditure limitation established for the fiscal year ending June 30, 2004, by section 5(a) of 2003 Senate Bill No. 6 on the board of barbering fee fund is hereby increased from \$108,200 to \$124,092.

(c) On July 1, 2004, the expenditure limitation established for the fiscal year ending June 30, 2005, by section 5(a) of 2003 Senate Bill No. 6 on the board of barbering fee fund is hereby increased from \$116,147 to \$117,076.

Sec. 40.

KANSAS PAROLE BOARD

(a) On the effective date of this act, of the \$531,640 appropriated for the above agency for the fiscal year ending June 30, 2003, by section 117(a) of chapter 204 of the 2002 Session Laws of Kansas from the state general fund in the parole from adult correctional institutions account, the sum of \$14,805 is hereby lapsed.

(b) On July 1, 2003, of the \$486,102 appropriated for the above agency for the fiscal year ending June 30, 2004, by section 72(a) of 2003 Senate Bill No. 6 from the state general fund in the parole from adult correctional institutions account, the sum of \$57,157 is hereby lapsed.

Sec. 41.

JUVENILE JUSTICE AUTHORITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year or years specified, the following:

Operating expenditures	
For the fiscal year ending June 30, 2004.....	\$21,324
Management information systems	
For the fiscal year ending June 30, 2004.....	\$5,321
Topeka juvenile correctional facility operations	
For the fiscal year ending June 30, 2004.....	\$103,128
Beloit juvenile correctional facility operations	
For the fiscal year ending June 30, 2004.....	\$37,048
Atchison juvenile correctional facility operations	
For the fiscal year ending June 30, 2004.....	\$42,063
Larned juvenile correctional facility operations	
For the fiscal year ending June 30, 2004.....	\$59,295

(b) During the fiscal year ending June 30, 2004, in any case where an allotment system has been applied during fiscal year 2004 to appropriations of the juvenile justice authority from the children's initiative fund for fiscal year 2004 for intervention and graduated sanctions community grants, pursuant to K.S.A. 75-3722 and amendments thereto, and any local district receiving an intervention and graduated sanctions community grant has such grant reduced under such allotment which causes any reduction in the core programming of such local district, such local district may make expenditures for such core programming from moneys received from moneys appropriated from the children's initiatives fund for fiscal year 2004 for the juvenile justice authority for prevention program grants, notwithstanding any provision of any statute or any grant agreement to the contrary.

Sec. 42.

BOARD OF ACCOUNTANCY

(a) On July 1, 2003, the expenditure limitation established for the fiscal year ending June 30, 2004, by section 3(a) of 2003 Senate Bill No. 6 on the accountancy fee fund is hereby increased from \$229,318 to \$230,875.

(b) On July 1, 2004, the expenditure limitation established for the fiscal year ending June 30, 2005, by section 3(a) of 2003 Senate Bill No. 6 on the board of accountancy fee fund is hereby increased from \$247,178 to \$248,947.

Sec. 43.

KANSAS STATE BOARD OF COSMETOLOGY

(a) On July 1, 2003, the expenditure limitation established for the fiscal year ending June 30, 2004, by section 8(a) of 2003 Senate Bill No. 6 on the cosmetology fee fund is hereby increased from \$646,361 to \$651,297.

(b) On July 1, 2004, the expenditure limitation established for the fiscal year ending June 30, 2005, by section 8(a) of 2003 Senate Bill No. 6 on the cosmetology fee fund is hereby increased from \$709,827 to \$715,727.

Sec. 44.

STATE BOARD OF MORTUARY ARTS

(a) On July 1, 2003, the expenditure limitation established for the fiscal year ending June 30, 2004, by section 11(a) of 2003 Senate Bill No. 6 on the mortuary arts fee fund is hereby increased from \$213,457 to \$215,248.

(b) On July 1, 2004, the expenditure limitation established for the fiscal year ending June 30, 2005, by section 11(a) of 2003 Senate Bill No. 6 on the mortuary arts fee fund is hereby increased from \$232,754 to \$234,785.

Sec. 45.

STATE BOARD OF REGENTS

(a) There is appropriated for the above agency from the state general fund for the fiscal year or years specified, the following:

Operating expenditures (including official hospitality)	
For the fiscal year ending June 30, 2004.....	\$67,716
Operating grant	
For the fiscal year ending June 30, 2004.....	\$5,686,713
<i>Provided</i> , That the state board of regents is hereby authorized to transfer moneys from this account to the appropriate accounts of the state general fund of any state educational institution under the control and supervision of the state board of regents.	
National guard educational assistance	
For the fiscal year ending June 30, 2004.....	\$250,000
For the fiscal year ending June 30, 2005.....	\$250,000
Alternative teacher certification	
For the fiscal year ending June 30, 2004.....	\$450,000

Provided, That the state board of regents is hereby authorized to transfer moneys from this account to an account or accounts of the restricted fees fund of Emporia state university, Fort Hays state university or Pittsburg state university.

Comprehensive grant program
For the fiscal year ending June 30, 2004..... \$711,000

Payment to KPERS
For the fiscal year ending June 30, 2004..... \$2,000,000

Southwest Kansas access project
For the fiscal year ending June 30, 2004..... \$200,000

Provided, That the state board of regents is hereby authorized to transfer moneys from this account to the appropriate accounts of the state general fund of any state educational institution under the control and supervision of the state board of regents.

(b) In addition to the other purposes for which expenditures may be made by the state board of regents for fiscal year 2004, expenditures shall be made by the above agency to assure that each university under the jurisdiction and control of the state board of regents develops a policy on the use of sexually explicit materials, including videos, as part of the curriculum of human sexuality classes or other similar classes for undergraduate students, a policy on teaching about the issue of pedophilia as part of such classes and a policy on sexual harassment as it relates to teaching such classes: *Provided*, That such policies shall be developed and implemented prior to January 12, 2004, and the state board of regents shall keep on file a current copy of such policies and make them available to the public upon request.

(c) In addition to the other purposes for which expenditures may be made by the state board of regents from moneys appropriated from the state general fund or any special revenue fund for fiscal year 2004 for the state board of regents authorized by this or other appropriation act of the 2003 regular session of the legislature, notwithstanding the provisions of any other statute, expenditures shall be made by the state board of regents for fiscal year 2004 from the moneys appropriated from the state general fund or any special revenue fund for development, adoption and implementation of a policy and any necessary administrative procedures to provide a waiver of all tuition, fees and other charges for enrollment without charge of tuition or fees for each person who was a prisoner of war while serving in any military service of the United States of America, who is a resident of Kansas and who is enrolled at a state educational institution under the control and supervision of the state board of regents, so long as such person is eligible for such enrollment, but not to exceed 12 semesters of instruction or the equivalent thereof, at any such state educational institution: *Provided*, That, as used in this subsection, "military service of the United States of America" includes any active service in any armed service of the United States of America and any member of the Kansas army or air national guard in active federal service and "prisoner of war" means an individual who is a prisoner of war under Article 4 of the third Geneva Convention and any individual who is in military service of the United States of America in an armed conflict and who is taken prisoner by opposing forces, whether or not under an official declaration of war, including the recent armed conflicts in Iraq, Afghanistan, Kuwait, Herzegovina and Bosnia.

(d) (1) The director of accounts and reports shall not make the transfer of amounts designated by the chief executive officer of the state board of

(continued)

regents from accounts of the state general fund or special revenue funds at universities under the control of the state board of regents to the regents clearing fund of the state board of regents which was authorized to be made by section 67(g) of 2003 Senate Bill No.6 and, on the effective date of this act, the provisions of section 67(g) of 2003 Senate Bill No.6 are hereby declared to be null and void and shall have no force and effect.

(2) (A) The director of accounts and reports (i) shall not make the transfer of \$711,000 from the regents clearing fund of the state board of regents to the comprehensive grant discontinued attendance fund of the state board of regents which was directed to be made by section 67(h) of 2003 Senate Bill No.6, and (ii) shall not make the transfer of the remaining balance in the regents clearing fund of the state board of regents which is in excess of \$41,250 to state general fund accounts or special revenue funds of state universities under the control of the state board of regents which was directed to be made by section 67(h) of 2003 Senate Bill No. 6.

(B) On the effective date of this act, the provisions of section 67(h) of 2003 Senate Bill No.6 are hereby declared to be null and void and shall have no force and effect.

Sec. 46.

UNIVERSITY OF KANSAS

(a) On July 1, 2003, or as soon thereafter as moneys are available, the director of accounts and reports shall make one or more transfers from the construction defects recovery fund of the department of administration to the restricted fees fund of the university of Kansas: *Provided*, That any such transfer from the construction defects recovery fund of the department of administration shall be only from amounts available in such fund which are in excess of an amount certified by the director of the division of the budget as being in excess of 150% of the amounts required to meet known and reasonably anticipated expenditures from construction defects recovery fund of the department of administration: *Provided further*, That such transfer or transfers from the construction defects recovery fund of the department of administration to the restricted fees fund of the university of Kansas during the fiscal year ending June 30, 2004, shall not exceed an aggregate of \$530,500.

(b) In addition to the other purposes for which expenditures may be made by the university of Kansas from housing authority funds for fiscal year 2004 as authorized by this or other appropriation act of the 2003 regular session of the legislature, expenditures shall be made by the university of Kansas from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2004 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905 and amendments thereto for finance grants for the capital improvement project to convert living units to suites in Hashinger residence hall at the university of Kansas: *Provided*, That such capital improvement project is hereby approved for the university of Kansas for the purpose of subsection (b) of K.S.A. 74-8905 and amendments thereto and the authorization of the issuance of bonds by the Kansas development authority in accordance with that statute: *Provided further*, That the university of Kansas may make expenditures from the money received from the issuance of any such bonds for such capital improvement project: *Provided however*, That expenditures from the money received from the issuance of any such bonds for such capital improvement project shall not exceed \$12,600,000 plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project and any required reserves for the payment of principal and interest on the bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That debt service for any such bonds for such capital improvement project shall be financed by appropriations from the state general fund or any appropriate special revenue fund or funds.

(c) On July 1, 2003, of the \$125,325,537 appropriated for the above agency for the fiscal year ending June 30, 2004, by section 64(a) of 2003 Senate Bill No. 6 from the state general fund in the operating expenditures (including official hospitality) account, the sum of \$477,253 is hereby lapsed.

(d) On July 1, 2003, of the \$5,897,047 appropriated for the above agency for the fiscal year ending June 30, 2004, by section 64(a) of 2003 Senate Bill No. 6 from the state general fund in the geological survey account, the sum of \$31,937 is hereby lapsed.

Sec. 47.

UNIVERSITY OF KANSAS MEDICAL CENTER

(a) On July 1, 2003, of the \$97,312,648 appropriated for the above agency for the fiscal year ending June 30, 2004, by section 65(a) of 2003 Senate Bill No. 6 from the state general fund in the operating expenditures (including official hospitality) account, the sum of \$51,856 is hereby lapsed.

(b) On July 1, 2003, the \$700,000 appropriated for the above agency from the children's initiatives fund for the fiscal year ending June 30, 2004, by section 65(f) of 2003 Senate Bill No. 6 in the pediatric biomedical research account is hereby lapsed.

Sec. 48.

KANSAS STATE UNIVERSITY

(a) On July 1, 2003, of the \$100,901,836 appropriated for the above agency for the fiscal year ending June 30, 2004, by section 59(a) of 2003 Senate Bill No. 6 from the state general fund in the operating expenditures (including official hospitality) account, the sum of \$508,174 is hereby lapsed.

Sec. 49.

KANSAS STATE UNIVERSITY VETERINARY MEDICAL CENTER

(a) On July 1, 2003, of the \$9,545,175 appropriated for the above agency for the fiscal year ending June 30, 2004, by section 61(a) of 2003 Senate Bill No. 6 from the state general fund in the operating expenditures (including official hospitality) account, the sum of \$56,191 is hereby lapsed.

Sec. 50.

KANSAS STATE UNIVERSITY EXTENSION SYSTEMS AND AGRICULTURE RESEARCH PROGRAMS

(a) On July 1, 2003, of the \$17,502,220 appropriated for the above agency for the fiscal year ending June 30, 2004, by section 60(a) of 2003 Senate Bill No. 6 from the state general fund in the cooperative extension service (including official hospitality) account, the sum of \$194,780 is hereby lapsed.

(b) On July 1, 2003, of the \$28,212,396 appropriated for the above agency for the fiscal year ending June 30, 2004, by section 60(a) of 2003 Senate Bill No. 6 from the state general fund in the agricultural experiment stations (including official hospitality) account, the sum of \$120,489 is hereby lapsed.

Sec. 51.

WICHITA STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year or years specified, the following:

Operating expenditures (including official hospitality)
For the fiscal year ending June 30, 2004..... \$91,796

Sec. 52.

EMPORIA STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year or years specified, the following:

National board certification/future teacher academy
For the fiscal year ending June 30, 2004..... \$150,000

(b) On July 1, 2003, of the \$28,981,556 appropriated for the above agency for the fiscal year ending June 30, 2004, by section 62(a) of 2003 Senate Bill No. 6 from the state general fund in the operating expenditures (including official hospitality) account, the sum of \$244,158 is hereby lapsed.

Sec. 53.

FORT HAYS STATE UNIVERSITY

(a) On July 1, 2003, of the \$30,179,531 appropriated for the above agency for the fiscal year ending June 30, 2004, by section 58(a) of 2003 Senate Bill No. 6 from the state general fund in the operating expenditures (including official hospitality) account, the sum of \$209,828 is hereby lapsed.

Sec. 54.

PITTSBURG STATE UNIVERSITY

(a) On July 1, 2003, of the \$31,826,710 appropriated for the above agency for the fiscal year ending June 30, 2004, by section 63(a) of 2003 Senate Bill No. 6 from the state general fund in the operating expenditures (including official hospitality) account, the sum of \$249,634 is hereby lapsed.

Sec. 55.

ATTORNEY GENERAL

(a) There is appropriated for the above agency from the state general fund for the fiscal year or years specified, the following:

Operating expenditures	
For the fiscal year ending June 30, 2004.....	\$38,090
Additional operating expenditures for investigation and litigation regarding interstate water rights	
For the fiscal year ending June 30, 2003.....	\$83,941
For the fiscal year ending June 30, 2004.....	\$605,000

(b) During the fiscal year ending June 30, 2004, of the aggregate amount of fines, penalties and forfeitures remitted each month to the state treasurer by the clerks of the district courts, the state treasurer shall credit (1) the amount equal to 1% of each such aggregate monthly remittance to the crime victims compensation fund; and (2) the amount equal to 1% of each such aggregate monthly remittance to the crime victims assistance fund: *Provided*, That all moneys credited to the crime victims compensation fund pursuant to this subsection shall be in addition to all other amounts credited to the crime victims compensation fund as prescribed by K.S.A. 74-7336 and amendments thereto or by any other statute: *Provided further*, That all moneys credited to the crime victims assistance fund pursuant to this subsection shall be in addition to all other amounts credited to the crime victims assistance fund as prescribed by K.S.A. 20-367 and 74-7336 and amendments thereto or by any other statute.

(c) During the fiscal year ending June 30, 2004, grants made pursuant to K.S.A. 74-7325 and amendments thereto from the protection from abuse fund and grants made pursuant to K.S.A. 74-7334 and amendments thereto from the crime victims assistance fund shall be made after consideration of the recommendation of an entity that has been designated by the United States department of health and human services and by the centers for disease control as the official domestic violence or sexual assault coalition.

Sec. 56.

DEPARTMENT OF EDUCATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year or years specified, the following:

Operating expenditures (including official hospitality)	
For the fiscal year ending June 30, 2004.....	\$70,959
General state aid	
For the fiscal year ending June 30, 2003.....	\$4,000
For the fiscal year ending June 30, 2004.....	\$2,901,000
Supplemental general state aid	
For the fiscal year ending June 30, 2004.....	\$367,000
Kansas foundation for agriculture project grant	
For the fiscal year ending June 30, 2004.....	\$35,000

Provided, That expenditures from the Kansas foundation for agriculture project grant account shall be used for agriculture in the classroom programs to supplement existing elementary and secondary curricula with agricultural information: *Provided further*, That expenditures from this account shall be made only if private funding sources are available to match such state grants on a 60% state and 40% private basis.

(b) On July 1, 2003, of the \$138,940,758 appropriated for the above agency for the fiscal year ending June 30, 2004, by section 52(a) of 2003 Senate Bill No. 6 from the state general fund in the KPERs—employer contributions account, the sum of \$2,802,655 is hereby lapsed.

(c) Notwithstanding the provisions of K.S.A. 74-4967, and amendments thereto, payments made by the department of education from the KPERs—employer contributions account of the state general fund during the fiscal year ending June 30, 2004, for payment of fiscal year 2003 employer contribution obligations to the Kansas public employees retirement system as authorized by section 52(a) of 2003 Senate Bill No. 6, shall not be considered delinquent and shall not be subject to interest thereon.

(d) On June 30, 2003, of the \$1,789,496,000 appropriated for the above agency for the fiscal year ending June 30, 2003, by section 97(a) of chapter 204 of the 2002 Session Laws of Kansas from the state general fund in the general state aid account, the sum of \$183,534,410 is hereby lapsed.

(e) On June 30, 2003, of the \$125,895,000 appropriated for the above agency for the fiscal year ending June 30, 2003, by section 97(a) of chapter 204 of the 2002 Session Laws of Kansas from the state general fund in

the supplemental general state aid account, the sum of \$29,465,590 is hereby lapsed.

Sec. 57.

STATE HISTORICAL SOCIETY

(a) There is appropriated for the above agency from the state general fund for the fiscal year or years specified, the following:

Operating expenditures	
For the fiscal year ending June 30, 2004.....	\$51,435

Sec. 58.

JUDICIAL BRANCH

(a) On the effective date of this act, of the \$82,631,504 appropriated for the judicial branch for the fiscal year ending June 30, 2004, by section 35(a) of 2003 Senate Bill No. 6 from the state general fund in the judiciary operations account, the sum of \$96,075 is hereby lapsed.

Sec. 59.

STATE BOARD OF VETERINARY EXAMINERS

(a) On July 1, 2003, the expenditure limitation established for the fiscal year ending June 30, 2004, by section 20(a) of 2003 Senate Bill No. 6 on the veterinary examiners fee fund is hereby increased from \$239,223 to \$256,042.

(b) On July 1, 2004, the expenditure limitation established for the fiscal year ending June 30, 2005, by section 20(a) of 2003 Senate Bill No. 6 on the veterinary examiners fee fund is hereby increased from \$214,047 to \$281,217.

Sec. 60.

KANSAS COMMISSION ON VETERANS AFFAIRS

(a) There is appropriated for the above agency from the state general fund for the fiscal year or years specified, the following:

Operating expenditures—veterans affairs	
For the fiscal year ending June 30, 2004.....	\$18,008
Operations—state veterans cemeteries	
For the fiscal year ending June 30, 2004.....	\$1,810
Operating expenditures—Kansas soldiers' home	
For the fiscal year ending June 30, 2004.....	\$12,076
Operating expenditures—Kansas veterans' home	
For the fiscal year ending June 30, 2004.....	\$16,755
Additional operating expenditures—Kansas soldiers' home and Kansas veterans' home	
For the fiscal year ending June 30, 2004.....	\$250,000
For the fiscal year ending June 20, 2005.....	\$250,000

Provided, That expenditures from the additional operating expenditures—Kansas soldiers' home and Kansas veterans' home account of the state general fund shall be made for the purposes of increasing the census at the Kansas soldiers' home and the census at the Kansas veterans' home and maximizing the ability of the Kansas commission on veterans affairs to qualify for additional federal department of veterans affairs per diem funding.

Sec. 61.

KANSAS DEPARTMENT OF AGRICULTURE

(a) There is appropriated for the above agency from the state general fund for the fiscal year or years specified, the following:

Operating expenditures	
For the fiscal year ending June 30, 2004.....	\$96,478

(b) On July 1, 2003, the expenditure limitation established by section 77(b) of 2003 Senate Bill No. 6 on the dairy fee fund is hereby increased from \$451,507 to \$454,486.

(c) On July 1, 2003, the expenditure limitation established by section 77(b) of 2003 Senate Bill No. 6 on the meat and poultry inspection fee fund is hereby increased from \$65,168 to \$65,552.

(d) On July 1, 2003, the expenditure limitation established by section 77(b) of 2003 Senate Bill No. 6 on the wheat quality survey fund is hereby increased from \$33,500 to \$33,753.

(e) On July 1, 2003, the expenditure limitation established by section 77(b) of 2003 Senate Bill No. 6 on the entomology fee fund is hereby increased from \$187,035 to \$187,750.

(f) On July 1, 2003, the expenditure limitation established by section 77(b) of 2003 Senate Bill No. 6 on the water structures—state highway fund is hereby increased from \$90,890 to \$91,805.

(continued)

(g) On July 1, 2003, the expenditure limitation established by section 77(b) of 2003 Senate Bill No. 6 on the water appropriation certification fund is hereby increased from \$654,252 to \$656,432.

(h) On July 1, 2003, the expenditure limitation established by section 77(b) of 2003 Senate Bill No. 6 on the agriculture seed fee fund is hereby increased from \$63,750 to \$64,214.

(i) On July 1, 2003, the expenditure limitation established by section 77(b) of 2003 Senate Bill No. 6 on the chemigation fee fund is hereby increased from \$172,521 to \$174,165.

(j) On July 1, 2003, the expenditure limitation established by section 77(b) of 2003 Senate Bill No. 6 on the petroleum inspection fee fund is hereby increased from \$634,040 to \$636,562.

(k) On July 1, 2003, the expenditure limitation established by section 77(b) of 2003 Senate Bill No. 6 on the warehouse fee fund is hereby increased from \$519,489 to \$524,204.

(l) On July 1, 2003, the expenditure limitation established by section 77(b) of 2003 Senate Bill No. 6 on the agricultural chemical fee fund is hereby increased from \$526,923 to \$530,859.

(m) On July 1, 2003, the expenditure limitation established by section 77(b) of 2003 Senate Bill No. 6 on the feeding stuffs fee fund is hereby increased from \$467,764 to \$472,009.

(n) On July 1, 2003, the expenditure limitation established by section 77(b) of 2003 Senate Bill No. 6 on the fertilizer fee fund is hereby increased from \$362,621 to \$365,687.

(o) On July 1, 2003, the expenditure limitation established by section 77(b) of 2003 Senate Bill No. 6 on the pesticide use fee fund is hereby increased from \$696,082 to \$702,626.

(p) On July 1, 2003, the expenditure limitation established by section 77(b) of 2003 Senate Bill No. 6 on the egg fee fund is hereby increased from \$93,317 to \$94,055.

(q) On July 1, 2003, the expenditure limitation established by section 77(b) of 2003 Senate Bill No. 6 on the water structures fund is hereby increased from \$82,600 to \$83,244.

Sec. 62.

KANSAS ANIMAL HEALTH DEPARTMENT

(a) There is appropriated for the above agency from the state general fund for the fiscal year or years specified, the following:

Operating expenditures	
For the fiscal year ending June 30, 2004.....	\$4,672

Sec. 63.

STATE CONSERVATION COMMISSION

(a) There is appropriated for the above agency from the state general fund for the fiscal year or years specified, the following:

Operating expenditures	
For the fiscal year ending June 30, 2004.....	\$6,343

Sec. 64.

KANSAS WATER OFFICE

(a) There is appropriated for the above agency from the state general fund for the fiscal year or years specified, the following:

Water resources operating expenditures	
For the fiscal year ending June 30, 2004.....	\$14,262

(b) During the fiscal year ending June 30, 2004, the director of the Kansas water office, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2004 from the state water plan fund for the Kansas water office: *Provided, however*, That the director of the Kansas water office shall certify such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of the legislative research department.

Sec. 65.

STATE TREASURER

(a) There is appropriated for the above agency from the state general fund for the fiscal year or years specified, the following:

Operating expenditures	
For the fiscal year ending June 30, 2004.....	\$250,000

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Fiscal agency fund	
For the fiscal year ending June 30, 2004.....	No limit

Bond services fee fund	
For the fiscal year ending June 30, 2004.....	No limit
City bond finance fund	
For the fiscal year ending June 30, 2004.....	No limit
Taylor grazing fees—federal fund	
For the fiscal year ending June 30, 2004.....	No limit
Local ad valorem tax reduction fund	
For the fiscal year ending June 30, 2004.....	No limit
County and city revenue sharing fund	
For the fiscal year ending June 30, 2004.....	No limit
Suspense fund	
For the fiscal year ending June 30, 2004.....	No limit
County and city retailers' sales tax fund	
For the fiscal year ending June 30, 2004.....	No limit
County and city compensating use tax fund	
For the fiscal year ending June 30, 2004.....	No limit
Local alcoholic liquor fund	
For the fiscal year ending June 30, 2004.....	No limit
Local alcoholic liquor equalization fund	
For the fiscal year ending June 30, 2004.....	No limit
Unclaimed property claims fund	
For the fiscal year ending June 30, 2004.....	No limit
Unclaimed property expense fund	
For the fiscal year ending June 30, 2004.....	No limit
<i>Provided</i> , That expenditures from the unclaimed property expense fund for official hospitality shall not exceed \$2,000.	
Unclaimed property fee fund	
For the fiscal year ending June 30, 2004.....	No limit
County and city transient guest tax fund	
For the fiscal year ending June 30, 2004.....	No limit
Road and schools—10 U.S.C. 2655 federal fund	
For the fiscal year ending June 30, 2004.....	No limit
Racing admissions tax fund	
For the fiscal year ending June 30, 2004.....	No limit
Rental motor vehicle excise tax fund	
For the fiscal year ending June 30, 2004.....	No limit
Metropolitan culture district retailers' sales tax fund	
For the fiscal year ending June 30, 2004.....	No limit
Redevelopment bond fund	
For the fiscal year ending June 30, 2004.....	No limit
Services reimbursement fund	
For the fiscal year ending June 30, 2004.....	No limit
<i>Provided</i> , That the state treasurer is hereby authorized to fix, charge and collect a cash management fee for services provided by the state treasurer for banking services and for processing warrants and direct deposits except that payroll warrants shall not be subject to any fee prescribed by this section: <i>Provided further</i> , That such fees shall be fixed to recover all or part of the operating expenditures incurred in providing such services: <i>And provided further</i> , That fees fixed by the state treasurer for services provided by the state treasurer in providing banking services shall be fixed to collect an estimated aggregate amount not to exceed the actual transaction costs for the fiscal year ending June 30, 2004: <i>And provided further</i> , That fees fixed by the state treasurer for processing warrants and direct deposits shall be fixed to collect an estimated aggregate amount not to exceed \$979,303 for the fiscal year ending June 30, 2004: <i>And provided further</i> , That the state treasurer is hereby authorized to fix, charge and collect a voucher processing fee for services provided by the state treasurer in processing vouchers and maintaining the voucher system: <i>And provided further</i> , That such fees shall be fixed to recover all or part of the operating expenditures incurred in providing such services: <i>And provided further</i> , That fees fixed by the state treasurer for services provided by the state treasurer in processing vouchers and maintaining the voucher system shall be fixed to collect an estimated aggregate amount not to exceed \$180,000 for the fiscal year ending June 30, 2004: <i>And provided further</i> , That all moneys received from such fees shall be deposited in the state treasury and credited to the services reimbursement fund: <i>And provided further</i> , That expenditures from this fund may be made for operating expenditures for the state treasurer's office: <i>And provided further</i> , That during the fiscal year ending June 30, 2004, the director of accounts and reports shall transfer to the services reimbursement fund of the state treasurer one or more amounts certified by the state treasurer, for expenses incurred for warrants issued and processed and electronic transactions processed for the department of human resources payable	

from the employment security fund, from moneys made available to the state under section 903(d) of the federal social security act, as amended, and credited to the employment security fund, except that the aggregate of such amounts transferred shall not exceed \$451,000.

Municipal investment pool fund

For the fiscal year ending June 30, 2004..... No limit
 Pooled money investment portfolio fee fund

For the fiscal year ending June 30, 2004..... No limit

Provided, That on or before the fifth day of each month of the fiscal year ending June 30, 2004, the state treasurer shall certify to the pooled money investment board an accounting of the banking fees incurred by the state treasurer during the second preceding month that are attributable to the investment of the pooled money investment portfolio during such month: *Provided further*, That prior to the 10th day of each month during the fiscal year ending June 30, 2004, the pooled money investment board shall review the certification from the state treasurer and shall make expenditures from the pooled money investment portfolio fee fund to pay the amount of banking fees incurred by the state treasurer during the second preceding month that are attributable to the investment of the pooled money investment portfolio during the second preceding month, as determined by the pooled money investment board.

Kansas postsecondary education savings program trust fund

For the fiscal year ending June 30, 2004..... No limit

Kansas postsecondary education savings program expense fund

For the fiscal year ending June 30, 2004..... No limit

Conversion of materials and equipment fund

For the fiscal year ending June 30, 2004..... No limit

Tax increment financing revenue replacement fund

For the fiscal year ending June 30, 2004..... No limit

(c) On or before June 30, 2004, upon receipt of a certification by the state treasurer specifying the amounts and designating special revenue funds of the state treasurer therefor, the director of accounts and reports shall transfer \$250,000 from one of more special revenue funds of the state treasurer in accordance with such certification to reimburse the state general fund for operating expenditures funded by moneys appropriated for the state treasurer from the state general fund by this act.

(d) The number of full-time and regular part-time positions equated to full-time, paid from appropriations for fiscal year 2004, made in this or other appropriation act of the 2003 regular session of the legislature for the state treasurer shall not exceed 55.5 except upon approval by the state finance council.

Sec. 66.

STATE BOARD OF HEALING ARTS

(a) On July 1, 2003, the expenditure limitation established for the fiscal year ending June 30, 2004, by section 7(a) of 2003 Senate Bill No. 6 on the healing arts fee fund is hereby increased from \$1,959,816 to \$2,275,567: *Provided*, That in addition to the other purposes for which expenditures may be made by the state board of healing arts from moneys appropriated from the healing arts fee fund for the fiscal year ending June 30, 2004, by this or other appropriation act of the 2003 regular session of the legislature, expenditures of \$300,000 shall be made for information technology projects.

(b) On July 1, 2004, the expenditure limitation established for the fiscal year ending June 30, 2005, by section 7(a) of the 2003 Senate Bill No. 6 on the healing arts fee fund is hereby increased from \$2,084,707 to \$2,352,714: *Provided*, That in addition to the other purposes for which expenditures may be made by the state board of healing arts from moneys appropriated from the healing arts fee fund for the fiscal year ending June 30, 2005, by this or other appropriation act of the 2003 regular session of the legislature, expenditures of \$250,000 shall be made for information technology projects.

Sec. 67.

KANSAS DENTAL BOARD

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2003, by section 17(a) of chapter 204 of the 2002 Session Laws of Kansas on the dental board fee fund is hereby increased from \$328,839 to \$336,880.

(b) On July 1, 2003, the expenditure limitation established for the fiscal year ending June 30, 2004, by section 10(a) of 2003 Senate Bill No. 6 on the dental board fee fund is hereby increased from \$316,519 to \$317,870.

(c) On July 1, 2004, the expenditure limitation established for the fiscal year ending June 30, 2005, by section 10(a) of 2003 Senate Bill No. 6 on the dental board fee fund is hereby increased from \$342,272 to \$343,809.

Sec. 68.

KANSAS BOARD OF EXAMINERS IN FITTING AND DISPENSING OF HEARING AIDS

(a) On July 1, 2003, the expenditure limitation established for the fiscal year ending June 30, 2004, by section 12(a) of 2003 Senate Bill No. 6 on the hearing aid board fee fund is hereby increased from \$18,702 to \$18,870.

(b) On July 1, 2004, the expenditure limitation established for fiscal year ending June 30, 2005, by section 12(a) of 2003 Senate Bill No. 6 on the hearing aid board fee fund is hereby increased from \$21,486 to \$21,699.

Sec. 69.

BOARD OF EXAMINERS IN OPTOMETRY

(a) On July 1, 2003, the expenditure limitation established for the fiscal year ending June 30, 2004, by section 14(a) of 2003 Senate Bill No. 6 on the optometry fee fund is hereby increased from \$104,373 to \$104,970.

(b) On July 1, 2004, the expenditure limitation established for the fiscal year ending June 30, 2005, by section 14(a) of 2003 Senate Bill No. 6 on the optometry fee fund is hereby increased from \$111,616 to \$112,292.

Sec. 70.

STATE BOARD OF PHARMACY

(a) On July 1, 2003, the expenditure limitation established for the fiscal year ending June 30, 2004, by section 15(a) of 2003 Senate Bill No. 6 on the state board of pharmacy fee fund is hereby increased from \$582,222 to \$586,872.

(b) On July 1, 2004, the expenditure limitation established for the fiscal year ending June 30, 2005, by section 15(a) of 2003 Senate Bill No. 6 on the state board of pharmacy fee fund is hereby increased from \$628,333 to \$633,604.

Sec. 71.

KANSAS GUARDIANSHIP PROGRAM

(a) There is appropriated for the above agency from the state general fund for the fiscal year or years specified, the following:

Operating expenditures (including official hospitality)
 For the fiscal year ending June 30, 2004..... \$36,194

Sec. 72.

DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES

(a) There is appropriated for the above agency from the state general fund for the fiscal year or years specified, the following:

Cash assistance
 For the fiscal year ending June 30, 2004..... \$681,842
 Other medical assistance
 For the fiscal year ending June 30, 2003..... \$2,020,832
 Youth services aid and assistance
 For the fiscal year ending June 30, 2004..... \$1,540,411
 Mental health and retardation services aid and assistance
 For the fiscal year ending June 30, 2003..... \$3,688,308
 State operations
 For the fiscal year ending June 30, 2004..... \$652,028
 Kansas neurological institute—operating expenditures
 For the fiscal year ending June 30, 2004..... \$93,150
 Larned state hospital—operating expenditures
 For the fiscal year ending June 30, 2003..... \$1,370
 For the fiscal year ending June 30, 2004..... \$172,682
 Larned state hospital—sexual predator treatment program
 For the fiscal year ending June 30, 2004..... \$38,606
 Osawatomie state hospital—operating expenditures
 For the fiscal year ending June 30, 2004..... \$48,135
 Parsons state hospital and training center—operating expenditures
 For the fiscal year ending June 30, 2003..... \$2,756
 For the fiscal year ending June 30, 2004..... \$75,001
 Rainbow mental health facility—operating expenditures
 For the fiscal year ending June 30, 2004..... \$33,406
 Community based services
 For the fiscal year ending June 30, 2004..... \$2,537,902

(b) During the fiscal year ending June 30, 2004, the director of accounts and reports shall transfer the amounts specified by the director of the

(continued)

budget from the LTC—medicaid assistance—NF account of the state general fund of the department on aging to the LTC—medicaid assistance—HCBS/FE account of the state general fund of the department on aging or to the community based services account of the department of social and rehabilitation services: *Provided*, That such transfers shall be certified by the director of the budget on December 1, 2003, and on June 1, 2004, to reflect the nursing facility rate paid for persons moving from a nursing facility to the home and community-based services waiver for the physically disabled or the frail elderly for the six months preceding the date of certification: *Provided further*, That the aggregate of all such transfers certified during fiscal year 2004 shall not exceed the amount required to support the movement of 75 individuals from nursing facilities to home and community-based services: *And provided further*, That each of the 75 individuals must meet the requirements described in a policy jointly developed by the secretary of aging and the secretary of social and rehabilitation services governing the operations of this transfer: *And provided further*, That the director of the budget shall transmit a copy of each such certification to the director of the legislative research department.

(c) On the effective date of this act, of the \$323,920 appropriated for the above agency for the fiscal year ending June 30, 2003, by section 15(a) of 2003 House Bill No. 2026 from the state general fund in the cash assistance account, the sum of \$17,511 is hereby lapsed.

(d) On the effective date of this act, of the \$70,738,364 appropriated for the above agency for the fiscal year ending June 30, 2003, by section 95(a) of chapter 204 of the 2002 Session Laws of Kansas from the state general fund in the youth services aid and assistance account, the sum of \$377,743 is hereby lapsed.

(e) On July 1, 2003, the expenditure limitation established for the fiscal year ending June 30, 2004, by section 50(b) of 2003 Senate Bill No. 6 on the social welfare fund is hereby increased from \$46,179,103 to \$47,013,674.

(f) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2003, by section 95(b) of chapter 204 of the 2002 Session Laws of Kansas on the child welfare services block grant federal fund is hereby increased from \$5,904,870 to \$6,075,615.

(g) On July 1, 2003, the expenditure limitation established for the fiscal year ending June 30, 2004, by section 50(b) of 2003 Senate Bill No. 6 on the alcohol and drug abuse block grant—federal fund is hereby increased from \$12,184,265 to \$12,189,245.

(h) On July 1, 2003, the expenditure limitation established for the fiscal year ending June 30, 2004, by section 50(b) of 2003 Senate Bill No. 6 on the social services block grant—federal fund is hereby increased from \$23,134,390 to \$23,183,849.

(i) On July 1, 2003, the expenditure limitation established for the fiscal year ending June 30, 2004, by section 50(b) of 2003 Senate Bill No. 6 on the mental health block grant federal fund is hereby increased from \$3,436,330 to \$3,437,877.

(j) On July 1, 2003, the expenditure limitation established for the year ending June 30, 2004, by section 50(b) of 2003 Senate Bill No. 6 on the Title XIX fund is hereby increased from \$44,360,825 to \$44,823,173.

(k) On July 1, 2003, the expenditure limitation established for the fiscal year ending June 30, 2004, by section 50(b) of 2003 Senate Bill No. 6 on the neurological institute fee fund is hereby increased from \$1,044,781 to \$1,054,716.

(l) On July 1, 2003, the expenditure limitation established for the fiscal year ending June 30, 2004, by section 50(b) of 2003 Senate Bill No. 6 on the Larned state hospital fee fund is hereby increased from \$1,675,160 to \$1,680,443.

(m) On July 1, 2003, the expenditure limitation established for the fiscal year ending June 30, 2004, by section 50(b) of 2003 Senate Bill No. 6 on the Osawatimie state hospital fee fund is hereby increased from \$2,988,456 to \$3,023,360.

(n) On the effective date of this act, of the \$3,500,000 appropriated for the above agency for the fiscal year ending June 30, 2003, by section 50(c) of 2003 Senate Bill No. 6 from the children's initiatives fund in the children's cabinet early childhood discretionary account, the sum of \$300,000 is hereby lapsed.

(o) There is appropriated for the above agency from the children's initiatives fund for the fiscal year or years specified, the following:

Children's cabinet administration

For the fiscal year ending June 30, 2004..... \$250,000

(p) The department of social and rehabilitation services shall make disproportionate share payments to any out-of-state hospital, otherwise eligible for such funds under federal and state law, that maintains a licensed branch hospital within the state of Kansas.

(q) On the effective date of this act, of the \$349,141,838 appropriated for the above agency for the fiscal year ending June 30, 2004, by section 50(a) of 2003 Senate Bill No. 6 from the state general fund in the other medical assistance account, the sum of \$3,420,191 is hereby lapsed.

(r) During the fiscal year ending June 30, 2004, of the expenditures authorized by section 50 of 2003 Senate Bill No. 6 for HCBS/MRDD services, reimbursement rates for consumers with documented extraordinary needs who currently receive, have been approved for or leave a state institution or private institutional setting and are approved for special tier or individualized rates shall be maintained at a level no lower than the rate of reimbursement for these consumers on July 1, 2002: *Provided, however*, That, nothing in this subsection shall prohibit a reduction or guarantee an increase in the reimbursement rate for consumers with documented extraordinary needs because of a change as a result of the annual basis assessment: *Provided further*, That any reductions in the HCBS/MRDD funding in fiscal year 2004 shall be implemented based on information and recommendations obtained in the most recent rate study required under subsection (a)(3) of K.S.A. 39-1806 and amendments thereto.

(s) In addition to the other purposes for which expenditures may be made by the department of social and rehabilitation services from the moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2004 as authorized by this or other appropriation act of the 2003 regular session of the legislature, expenditures shall be made by the department of social and rehabilitation services from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2004 to collect data and prepare a report which shall be submitted to the legislature during the 2004 regular session on the impact of pharmaceutical prior authorization under the state medicaid plan on patients, providers and utilization of other medicaid services: *Provided*, That such report shall be delivered to the speaker of the house of representatives and the president of the senate no later than January 15, 2004: *Provided further*, That such report shall include (1) the number of patient and provider complaints received by the department of social and rehabilitation services, (2) any change in the number of physicians and other providers serving medicaid recipients, (3) the record of prior authorization response approvals, disapprovals and the response times therefor, (4) any evidence of any adverse clinical outcomes resulting from pharmaceutical prior authorization, (5) the costs in time and money of implementing pharmaceutical prior authorization, and (6) other information pertinent to the effect of the use of prior authorization for pharmaceutical products.

(t) During the fiscal year ending June 30, 2003, no expenditures shall be made by the department of social and rehabilitation services from the state operations account of the state general fund for closure of any local SRS area offices other than the local SRS area offices located in the cities of Cottonwood Falls, Ashland, Clay Center, Burlington, Coldwater, Ellsworth, Ulysses, Cimarron, Tribune, Mankato, Lakin, Dighton, Lincoln, Beloit, Seneca, Ness City, Minneapolis, Belleville, Johnson City, Alma, Washington and Yates Center: *Provided*, That the legislature shall review the local SRS area office closure process and additional closure recommendations of the department of social and rehabilitation services during the 2004 regular session of the legislature: *Provided further*, That the secretary of social and rehabilitation services shall report to the legislative budget committee during the 2003 interim should the secretary deem circumstances to warrant the closure of additional offices during the 2003 interim session: *And provided further*, That the legislative budget committee shall review the closure process for local SRS area offices and these additional recommendations: *And provided further*, That the department of social and rehabilitation services shall continue to develop service access points and distribute staff related to the redesign of local service delivery and workload requirements.

(u) (1) During the fiscal year ending June 30, 2003, the position limitation established by section 131(a) of chapter 204 of the 2002 Session Laws of Kansas for Larned State Hospital of 725.8 full-time and regular part-time positions equated to full-time, excluding seasonal and tempo-

rary positions, shall not be exceeded, except upon approval of the state finance council.

(2) On July 1, 2003, the position limitation established by section 85(a) of 2003 Senate Bill No. 6 for Larned State Hospital is hereby increased from 663.0 to 792.8.

(v) In addition to the other purposes for which expenditures may be made by the department of social and rehabilitation services from moneys appropriated from the state general fund or any special revenue fund for fiscal year 2004 for the department of social and rehabilitation services as authorized by this or other appropriation act of the 2003 regular session of the legislature, expenditures shall be made by the department of social and rehabilitation services for fiscal year 2004 to prepare and submit an application for a federal waiver to increase the look-back period for the transfer of assets in determining medicaid eligibility from 3 years to 5 years.

Sec. 73.

DEPARTMENT ON AGING

(a) There is appropriated for the above agency from the state general fund for the fiscal year or years specified, the following:

Administration	
For the fiscal year ending June 30, 2004.....	\$5,358
Administration—assessments	
For the fiscal year ending June 30, 2004.....	\$1,072
Administration—Medicaid	
For the fiscal year ending June 30, 2004.....	\$16,716
Administration—older Americans act match	
For the fiscal year ending June 30, 2004.....	\$2,114
Nursing facilities regulation	
For the fiscal year ending June 30, 2004.....	\$8,704
Nursing facilities regulation	
For the fiscal year ending June 30, 2004.....	\$270,665
LTC—medicaid assistance—HCBS/FE	
For the fiscal year ending June 30, 2004.....	\$2,925,294

(b) On July 1, 2003, the position limitation established by section 85(a) of 2003 Senate Bill No. 6 for the department on aging is hereby decreased from 233.0 to 221.0.

(c) The director of accounts and reports shall not make the transfer of \$180,000 from the health care stabilization fund of the health care stabilization fund board of governors to the health facilities review fund of the department on aging which was directed to be made on July 1, 2003, by section 49(f) of 2003 Senate Bill No. 6.

(d) In addition to the other purposes for which expenditures may be made by the department on aging from the senior care act account of the state general fund for fiscal year 2004 as authorized by section 49(a) of 2003 Senate Bill No. 6, expenditures shall be made by the above agency from the senior care act account of the state general fund for fiscal year 2004 for the senior companion program: *Provided*, That expenditures for such purpose from the senior care act account of the state general fund for fiscal year 2004 shall not exceed \$25,000.

(e) During the fiscal years ending June 30, 2004, June 30, 2005, and June 30, 2006, the secretary of aging shall allocate the moneys appropriated for the department on aging from the state general fund program grants for the in-home nutrition program in excess of any appropriation required to match federal funds under the federal older Americans act during each such fiscal year so that no area agency on aging receives an aggregate amount of moneys from the state general fund for the federal older Americans act nutrition program for such fiscal year that is less than 92% of the aggregate amount received by such area agency on aging for the immediately preceding fiscal year.

~~(f) During the fiscal year ending June 30, 2004, the secretary of aging shall make expenditures from the moneys appropriated for fiscal year 2004 from the state general fund for the department on aging in the LTC—medicaid assistance—HCBS/FE account to reduce the HCBS/FE medicaid waiver waiting list. *Provided*, That expenditures from the LTC—medicaid assistance—HCBS/FE account to reduce the HCBS/FE medicaid waiver waiting list shall not be less than \$2,925,294.~~

Sec. 74.

JUDICIAL COUNCIL

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified, all moneys now or hereafter lawfully credited to and available in such fund or funds,

except that expenditures other than refunds shall not exceed the following:

Judicial council fund
For the fiscal year ending June 30, 2004..... No limit

(b) In addition to the other purposes for which expenditures may be made by the judicial council from moneys appropriated from the state general fund or any special revenue fund for the fiscal year ending June 30, 2004, by this or any other appropriation act of the 2003 regular session of the legislature, expenditures shall be made by the judicial council to study the issue of board of indigents defense services expenditures for death penalty defense cases. Such study shall make comparison with other states that have recently executed individuals and include information on the manner in which those states addressed associated indigent defense costs in death penalty cases. Such study shall include an examination of the effect of recent United States supreme court decisions, including *Atkins v. Virginia*, 122 S. Ct. 2242 (2002), on state statutory and constitutional law concerning execution of developmentally disabled persons.

Sec. 75.

STATE BOARD OF TAX APPEALS

(a) There is appropriated for the above agency from the state general fund for the fiscal year or years specified, the following:

Operating expenditures	
For the fiscal year ending June 30, 2004.....	\$9,760

(b) On July 1, 2003, the expenditure limitation established by section 41(b) of 2003 Senate Bill No. 6 on the BOTA filing fee fund is hereby increased from \$300,000 to \$303,538.

(c) During the fiscal year ending June 30, 2004, on the date that the aggregate amount of revenue credited to the BOTA filing fee fund is equal to or exceeds \$300,000, as certified by the executive director of the state board of tax appeals to the director of accounts and reports, the expenditure limitation for the BOTA filing fee fund for fiscal year 2004 shall be increased by \$36,802.

Sec. 76.

BEHAVIORAL SCIENCES REGULATORY BOARD

(a) On July 1, 2003, the expenditure limitation established for the fiscal year ending June 30, 2004, by section 6(a) of 2003 Senate Bill No. 6 on the behavioral sciences regulatory board fee fund is hereby increased from \$492,147 to \$496,053.

(b) On July 1, 2004, the expenditure limitation established for the fiscal year ending June 30, 2005, by section 6(a) of 2003 Senate Bill No. 6 on the behavioral sciences regulatory board fee fund is hereby increased from \$536,449 to \$540,883.

Sec. 77.

BOARD OF NURSING

(a) On July 1, 2003, the expenditure limitation established for the fiscal year ending June 30, 2004, by section 13(a) of 2003 Senate Bill No. 6 on the board of nursing fee fund is hereby increased from \$1,327,001 to \$1,338,001.

(b) On July 1, 2004, the expenditure limitation established for the fiscal year ending June 30, 2005, by section 13(a) of 2003 Senate Bill No. 6 on the board of nursing fee fund is hereby increased from \$1,425,835 to \$1,438,267.

Sec. 78.

STATE BOARD OF TECHNICAL PROFESSIONS

(a) On July 1, 2003, the expenditure limitation established for the fiscal year ending June 30, 2004, by section 19(a) of 2003 Senate Bill No. 6 on the technical professions fee fund is hereby increased from \$523,044 to \$525,936.

(b) On July 1, 2004, the expenditure limitation established for the fiscal year ending June 30, 2005, by section 19(a) of 2003 Senate Bill No. 6 on the technical professions fee fund is hereby increased from \$556,422 to \$559,699.

Sec. 79.

GOVERNMENTAL ETHICS COMMISSION

(a) There is appropriated for the above agency from the state general fund for the fiscal year or years specified, the following:

Operating expenditures	
For the fiscal year ending June 30, 2004.....	\$3,978
For the fiscal year ending June 30, 2005.....	\$4,038

(continued)

(b) On July 1, 2003, the expenditure limitation established for the fiscal year ending June 30, 2004, by section 21(b) of 2003 Senate Bill No. 6 on the governmental ethics commission fee fund is hereby increased from \$129,871 to \$131,427.

(c) On July 1, 2004, the expenditure limitation established for the fiscal year ending June 30, 2005, by section 21(b) of 2003 Senate Bill No. 6 on the governmental ethics commission fee fund is hereby increased from \$130,892 to \$132,449.

(d) On and after the effective date of this act, during the fiscal year ending June 30, 2003, or the fiscal year ending June 30, 2004, notwithstanding the provisions of subsection (i)(2) of K.S.A. 25-4186 and amendments thereto, of the amount of residual funds that are remitted to the state treasurer before the filing of a termination report pursuant to subsection (i) of K.S.A. 25-4186 and amendments thereto, after depositing such remittance in the state treasury and after crediting the amount prescribed to be credited to the inaugural expense fund of the adjutant general pursuant to subsection (i)(1) of K.S.A. 25-4186 and amendments thereto, the state treasurer (1) shall not credit any remaining balance to the governmental ethics commission fee fund of the governmental ethics commission, and (2) shall credit the entire amount of any such remaining balance to the state general fund.

Sec. 80.

SECRETARY OF STATE

(a) There is appropriated from the above agency from the state general fund for the fiscal year or years specified, the following:

Operating expenditures	
For the fiscal year ending June 30, 2004.....	\$5,465
HAVA match	
For the fiscal year ending June 30, 2004.....	\$225,000

(b) There is appropriated from the above agency from the following special revenue fund or funds for the fiscal year or years specified, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

HAVA federal fund	
For the fiscal year ending June 30, 2003.....	No limit
For the fiscal year ending June 30, 2004.....	No limit

(c) During the fiscal year ending June 30, 2004, all expenditures by the secretary of state from the democracy fund shall be to provide matching funds to implement title II of the federal help America vote act of 2002, public law 107-252, as prescribed under such act.

(d) In addition to the other purposes for which expenditures may be made by the secretary of state from moneys appropriated for the secretary of state from the state general fund or any special revenue fund for fiscal year 2004 as authorized by this or any other appropriation act of the 2003 regular session of the legislature, expenditures may be made by the secretary of state to fix, charge and collect a fee from each county in the state to provide part of the matching moneys required for the implementation of title II of the federal help America vote act of 2002, public law 107-252: *Provided*, That such fee shall be fixed for each county in an amount proportional to the voting age population of the county as prescribed by the 2000 decennial census, except that such fee shall be not less than \$250 for any county: *Provided further*, That such fees shall be fixed to provide an aggregate amount of not to exceed the amount equal to 2% of the aggregate amount of federal moneys for title II of the federal help America vote act of 2002, public law 107-252: *And provided further*, That all moneys received from such fees shall be deposited in the state treasury and credited to the democracy fund: *And provided further*, That all such fees imposed on such counties shall be remitted to the secretary of state on or before June 30, 2004.

(e) In addition to the other purposes for which expenditures may be made by the secretary of state from moneys appropriated in the operating expenditures account of the state general fund for fiscal year 2004 as authorized by this or any other appropriation act of the 2003 regular session of the legislature, expenditures may be made by the secretary of state for fiscal year 2004 to provide part of the state matching requirement for the implementation of title II of the federal help America vote act of 2002, public law 107-252.

Sec. 81.

HEALTH CARE STABILIZATION FUND BOARD OF GOVERNORS

(a) On July 1, 2003, the expenditure limitation established by section 32(b) of 2003 Senate Bill No. 6 on the operating expenditures account of

the health care stabilization fund is hereby increased from \$1,047,954 to \$1,056,882.

(b) The director of accounts and reports shall not make the transfer of \$57,385 from the health care stabilization fund of the health care stabilization fund board of governors to the state general fund which was directed to be made on July 1, 2003, by section 32(c) of 2003 Senate Bill No. 6.

Sec. 82.

KANSAS STATE SCHOOL FOR THE BLIND

(a) There is appropriated from the above agency from the state general fund for the fiscal year or years specified, the following:

Operating expenditures	
For the fiscal year ending June 30, 2004.....	\$260,254

Sec. 83.

KANSAS STATE SCHOOL FOR THE DEAF

(a) There is appropriated from the above agency from the state general fund for the fiscal year or years specified, the following:

Operating expenditures	
For the fiscal year ending June 30, 2004.....	\$428,815

Sec. 84. (a) On July 1, 2003, the \$10,219,351 appropriated for the state finance council for the fiscal year ending June 30, 2003, by subsection (o)(2) of section 87 of 2003 Senate Bill No. 6 from the state general fund is hereby lapsed.

(b) The state finance council shall not exercise the powers, duties and functions delegated to the council by subsections (o)(3) and (o)(4) of section 87 of 2003 Senate Bill No. 6 to approve the transfer of moneys appropriated by subsection (o)(2) of section 87 of 2003 Senate Bill No. 6 and to approve increases in expenditure limitations on special revenue funds and accounts, respectively, for the purposes of paying from such funds or accounts the proportionate share of the cost to such funds or accounts of salary increases that have been funded on an agency-by-agency manner by this act.

(c) The state agencies of the executive branch of state government shall not prepare and submit budget estimates as prescribed by subsection (o)(5) of section 87 of 2003 Senate Bill No. 6 for purposes of salary increases that have been funded on an agency-by-agency manner by this act.

Sec. 85.

LEGISLATIVE COORDINATING COUNCIL

(a) There is appropriated from the above agency from the state general fund for the fiscal year or years specified, the following:

Legislative coordinating council—operations	
For the fiscal year ending June 30, 2004.....	\$100,000

(b) There is appropriated from the above agency from the following special revenue fund or funds for the fiscal year or years specified, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Legislative research department special revenue fund	
For the fiscal year ending June 30, 2003.....	No limit
For the fiscal year ending June 30, 2004.....	No limit

Sec. 86. (a) On July 1, 2003, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$1,144,144 from the children's initiatives fund to the state general fund.

Sec. 87. On July 1, 2003, K.S.A. 2002 Supp. 79-3425c is hereby amended to read as follows: 79-3425c. (a) On July 15, 2003, October 15, 2003, February 15, 2004, and May 15, 2004, and on each January 15, April 15, July 15 and October 15 of each year thereafter, the director of accounts and reports shall transfer \$625,000 to the county equalization and adjustment fund from the special city and county highway fund and on such dates the state treasurer shall apportion and pay to the several counties of the state 57% of the moneys in the special city and county highway fund, created by K.S.A. 79-3425, and amendments thereto, and shall apportion and pay to the several cities of the state the remaining 43% of such moneys.

(b) The allocation and payment to each county under the provisions of this section shall be made in the following manner:

- First*, Each county of the state shall receive a payment of \$5,000;
- Second*, Of the balance remaining, 44.06% thereof shall be apportioned and paid to each county on February 15, 2004, and May 15, 2004, and on each January 15 and April 15 of each year thereafter in the proportion

that the total amount of money collected in such county from motor vehicle registration fees for the second preceding calendar year bears to the total amount of money collected in all counties from motor vehicle registration fees for the second preceding calendar year, and on July 15 and October 15 of each year in the proportion that the total amount of money collected in such county from motor vehicle registration fees for the preceding calendar year bears to the total amount of money collected in all counties from motor vehicle registration fees for the preceding calendar year;

Third, 44.06% of such balance shall be apportioned and paid to each county on *February 15, 2004, and May 15, 2004, and on each* January 15 and April 15 of each year *thereafter* in the proportion that the average daily vehicle miles traveled in such county for the second preceding calendar year bears to the average daily vehicle miles traveled in all counties of the state for the second preceding calendar year, and on July 15 and October 15 of each year in the proportion that the average daily vehicle miles traveled in such county for the preceding calendar year bears to the average daily vehicle miles traveled in all counties of the state for the preceding calendar year; and

Fourth, the remaining 11.88% of such balance shall be apportioned and paid to each county on *February 15, 2004, and May 15, 2004, and on each* January 15 and April 15 of each year *thereafter* in the proportion that the total road miles in such county for the second preceding calendar year bears to the total road miles in all counties of the state for the second preceding calendar year; and on July 15 and October 15 of each year in the proportion that the total road miles in such county for the preceding calendar year bears to the total road miles in all counties of the state for the preceding calendar year.

If the total amount of money received by any county pursuant to the foregoing distribution formula during the period from July 15 of any year to April 15 of the next succeeding year is less than the total amount received by such county from the special city and county highway fund and the county equalization and adjustment fund for fiscal year 1999, the state treasurer shall apportion and pay to each such county from the county equalization and adjustment fund an amount which together with the amount received pursuant to the foregoing distribution formula will equal the total amount received from the two aforementioned funds during such period of time. In the event that there is insufficient funds in the county equalization and adjustment fund to pay each county the amount to which it is entitled, each county shall receive a payment in the proportion that the amount to which such county is entitled bears to the amount to which all such counties are entitled. If there is money remaining in such fund after such distribution, the state treasurer shall distribute the balance to the several counties in the manner provided in the second and third clauses of the foregoing formula for distributing moneys to counties from the special city and county highway fund.

All payments shall be made to the county treasurers of the respective counties, and upon receipt of the same:

(1) The county treasurers of Sedgwick and Shawnee counties shall credit 50% of the moneys received to the road and bridge fund of such counties and apportion and pay the remainder of such moneys to the several cities located in such counties;

(2) the county treasurer of Wyandotte county shall credit 10% of the moneys received to the road and bridge fund of such county and apportion and pay the remainder of such moneys to the several cities located in such county;

(3) the county treasurers of Lyon, Cowley, Crawford, Montgomery, Butler, Saline, Leavenworth, Riley, Reno and Douglas counties shall credit 90% of the moneys so received to the road and bridge fund of such counties and apportion and pay the remainder of such moneys to the several cities located in such counties except that no persons residing within the Fort Riley military reservation shall be included or considered in determining the population of any city located within Geary or Riley county; and

(4) the county treasurers of Johnson county and all other counties not listed in paragraphs (1), (2) or (3) shall credit all of the moneys received to the road and bridge fund of such counties.

Not less than 25% of the amount received by each county and credited to the county road and bridge fund under the provisions of this section shall be expended by the county on mail and school bus routes on county roads as defined in K.S.A. 68-101, and amendments thereto. Payments to the cities under the provisions of this subsection shall be in the pro-

portion that the population of each city bears to the total population of all cities located in the same county as such city.

In counties which have not adopted the county-unit road system, the amount of money retained by such counties after distribution to the cities within such county pursuant to this subsection shall be distributed to each township within such county in not less than the proportion that the amount of money received by each township from the county and township road fund during the period from July 1, 1969, to June 30, 1970, bears to the total amount of money received by such county from the county and township road fund, the county road and city street funds, the special motor carrier fee county road fund and the special city and county highway fund during the period from July 1, 1969, to June 30, 1970, plus the amount such county would have received on July 15, 1970, from the special city and county highway fund based on the formula for distributing such fund in effect on June 30, 1970. All payments to townships hereunder shall be made to the treasurers thereof, and all moneys so received shall be deposited in the general road fund of such township.

(c) The allocation and payment of moneys to the several cities of the state from the special city and county highway fund shall be in the proportion that the population of each city bears to the total population of all cities in the state except that the population of any military reservation which has been annexed to a city after the date of December 31, 1981, shall not be included in the population of such city for the purpose of this allocation. All such payments shall be to the city treasurers of the respective cities. Upon receipt of same unless a consolidated street and highway fund is established pursuant to K.S.A. 12-1,119, and amendments thereto, the city treasurer of each city shall credit the same to a separate fund to be used for the construction, reconstruction, alteration, repair and maintenance of the streets and highways of such city and for the payment of bonds, and interest thereon, issued pursuant to K.S.A. 79-3425g, and amendments thereto.

(d) For the purposes of this section, the average daily vehicle miles traveled in each county shall be determined by the secretary of transportation, but it shall not include miles traveled on interstate highways, and the population of each city shall be reported in the annual enumeration by the state board of agriculture for the preceding calendar year.

(e) In order to reduce vehicular traffic and congestion on its streets and highways, the board of county commissioners of any county, the governing body of any city or the township board of any township may use for the purpose of constructing, repairing and maintaining footpaths and bicycle paths not to exceed 10% of the moneys such government receives under K.S.A. 79-3425c, and amendments thereto, except that such limitation shall not apply to moneys received by a county that the county is required to distribute to a city or a township. Such moneys shall not be expended on any recreational trail, as defined in subsection (b) of K.S.A. 2002 Supp. 58-3211, and amendments thereto.

Sec. 88. On July 1, 2003, K.S.A. 75-6702 is hereby amended to read as follows: 75-6702. (a) The last appropriation bill passed in any regular session of the legislature shall be the omnibus reconciliation spending limit bill. Each bill which is passed during a regular session of the legislature and which appropriates or transfers money from the state general fund for the ensuing fiscal year shall contain a provision that such bill shall take effect and be in force from and after the effective date of the omnibus reconciliation spending limit bill for that regular session of the legislature or from and after such effective date and a subsequent date or an event occurring after such effective date.

(b) *Except as provided in subsection (c)*, the maximum amount of expenditures and demand transfers from the state general fund that may be authorized by act of the legislature during the ~~1994~~ 2004 regular session of the legislature and each regular session of the legislature thereafter, is hereby fixed so that there will be an ending balance in the state general fund for the ensuing fiscal year that is equal to 7½% or more of the total amount authorized to be expended or transferred by demand transfer from the state general fund in such fiscal year.

(c) *The provisions of subsection (b) are hereby suspended for the fiscal year ending June 30, 2004, and shall not prescribe a maximum amount of expenditures and demand transfers from the state general fund that may be authorized by act of the legislature during the 2003 regular session of the legislature.*

Sec. 89. *Appeals to exceed position limitations.* (a) The limitations imposed by this act on the number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions,

(continued)

paid from appropriations for the fiscal years ending June 30, 2003, or June 30, 2004, made in chapter 204 or 205 of the 2002 Session Laws of Kansas or in this act or in any other appropriation act of the 2003 regular session of the legislature may be exceeded upon approval of the state finance council.

(b) The limitations imposed by this act on the number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, paid from appropriations for the fiscal year ending June 30, 2005, made in this act or in any other appropriation act of the 2003 regular session of the legislature may be exceeded upon approval of the state finance council.

Sec. 90. *Appeals to exceed expenditure limitations.* (a) Upon written application to the governor and approval of the state finance council, expenditures from special revenue funds may exceed the amounts specified in this act.

(b) This section shall not apply to the state economic development initiatives fund, the children's initiatives fund or the state water plan fund or to any account thereof.

Sec. 91. *Savings.* (a) Any unencumbered balance as of June 30, 2003, in any special revenue fund, or account thereof, of any state agency named in this act which is not otherwise specifically appropriated or limited by this or other appropriation act of the 2003 regular session of the legislature, is hereby appropriated for the fiscal year ending June 30, 2004, for the same use and purpose as the same was heretofore appropriated.

(b) Any unencumbered balance as of June 30, 2004, in any special revenue fund, or account thereof, of any state agency named in section 22 of 2003 Senate Bill No. 6 which is not otherwise specifically appropriated or limited for fiscal year 2005 by this or other appropriation act of the 2003 or 2004 regular session of the legislature, is hereby appropriated for fiscal year 2005 for the same use and purpose as the same was heretofore appropriated.

(c) This section shall not apply to the state economic development initiatives fund, the children's initiatives fund or the state water plan fund or any account of any of such funds.

Sec. 92. During the fiscal year ending June 30, 2004, all moneys which are lawfully credited to and available in any bond special revenue fund, which are not otherwise specifically appropriated or limited by this or other appropriation act of the 2003 regular session of the legislature, are hereby appropriated for the fiscal year ending June 30, 2004, for the state agency for which the bond special revenue fund was established for the purposes authorized by law for expenditures from such bond special revenue fund. As used in this subsection, "bond special revenue fund" means any special revenue fund or account thereof established in the state treasury prior to or on or after the effective date of this act for the deposit of the proceeds of bonds issued by the Kansas development finance authority, for the payment of debt service for bonds issued by the Kansas development finance authority, or for any related purpose in accordance with applicable bond covenants.

Sec. 93. *Federal grants.* (a) During the fiscal year ending June 30, 2004, each federal grant or other federal receipt which is received by a state agency named in this act and which is not otherwise appropriated to that state agency by this or other appropriation act of the 2003 regular session of the legislature, is hereby appropriated for the fiscal year ending June 30, 2004, for that state agency for the purpose set forth in such federal grant or receipt, except that no expenditure shall be made from and no obligation shall be incurred against any such federal grant or other federal receipt, which has not been previously appropriated or reappropriated or approved for expenditure by the governor, until the governor has authorized the state agency to make expenditures therefrom.

(b) During the fiscal year ending June 30, 2005, each federal grant or other federal receipt which is received by a state agency named in section 22 of 2003 Senate Bill No. 6 and which is not otherwise appropriated to that state agency for fiscal year 2005 by this or other appropriation act of the 2003 or 2005 regular session of the legislature, is hereby appropriated

for fiscal year 2005 for that state agency for the purpose set forth in such federal grant or receipt, except that no expenditure shall be made from and no obligation shall be incurred against any such federal grant or other federal receipt, which has not been previously appropriated or reappropriated or approved for expenditure by the governor, for fiscal year 2005, until the governor has authorized the state agency to make expenditures from such federal grant or other federal receipt for fiscal year 2005.

(c) In addition to the other purposes for which expenditures may be made by any state agency which is named in this act and which is not otherwise authorized by law to apply for and receive federal grants, expenditures may be made by such state agency from moneys appropriated for fiscal year 2004 by this or other appropriation act of the 2003 regular session of the legislature to apply for and receive federal grants during fiscal year 2004, which federal grants are hereby authorized to be applied for and received by such state agencies: *Provided*, That no expenditure shall be made from and no obligation shall be incurred against any such federal grant or other federal receipt, which has not been previously appropriated or reappropriated or approved for expenditure by the governor, until the governor has authorized the state agency to make expenditures therefrom.

Sec. 94. Any correctional institutions building fund appropriation heretofore appropriated to any state agency named in this or other appropriation act of the 2003 regular session of the legislature, and having an unencumbered balance as of June 30, 2003, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 2004, for the same uses and purposes as originally appropriated unless specific provision is made for lapsing such appropriation.

Sec. 95. Any Kansas educational building fund appropriation heretofore appropriated to any institution named in this or other appropriation act of the 2003 regular session of the legislature and having an unencumbered balance as of June 30, 2003, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 2004, for the same use and purpose as originally appropriated, unless specific provision is made for lapsing such appropriation.

Sec. 96. Any state institutions building fund appropriation heretofore appropriated to any state agency named in this or other appropriation act of the 2003 regular session of the legislature and having an unencumbered balance as of June 30, 2003, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 2004, for the same use and purpose as originally appropriated, unless specific provision is made for lapsing such appropriation.

Sec. 97. Any transfers of money during the fiscal year ending June 30, 2003, from any special revenue fund of any state agency named in this act to the audit services fund of the division of post audit under K.S.A. 46-1121 and amendments thereto shall be in addition to any expenditure limitation imposed on any such fund for the fiscal year ending June 30, 2004.

Sec. 98. During the fiscal year ending June 30, 2004, each state agency named in this act that has a cost reduction for which an employee suggestion bonus is paid pursuant to subsection (f) of K.S.A. 2002 Supp. 75-37,105, and amendments thereto, shall transfer (1) from each state general fund appropriation or reappropriation account for fiscal year 2004 from which all or part of such cost reduction has been realized to the state general fund, in accordance with subsection (f) of K.S.A. 2002 Supp. 75-37,105, and amendments thereto, the amount equal to 80% of the cost reduction which is attributed to such account, and (2) from each special revenue fund for fiscal year 2004 from which all or part of such cost reduction has been realized to the state general fund, in accordance with subsection (f) of K.S.A. 2002 Supp. 75-37,105, and amendments thereto, the amount equal to 80% of the cost reduction which is attributed to such special revenue fund.

Sec. 99. On July 1, 2003, K.S.A. 75-6702 and K.S.A. 2002 Supp. 79-3425c are hereby repealed.

Sec. 100. This act shall take effect and be in force from and after its publication in the Kansas register.

State of Kansas

Office of the Governor

Message to the House of Representatives of the State of Kansas on Senate Substitute for HB 2444:

Board of Regents: Sec. 45(b)

After considering this proviso carefully, I have decided not to veto it. Its effect on Regents institutions will be slight. It is an acceptable balance that will both preserve academic freedom and require university administrators to adopt policies on issues of concern to many Kansans.

More importantly, the proviso, unlike its predecessor, returns the Legislature to its proper role regarding curriculum at Regents institutions. The Legislature should not attempt to regulate Regents institutions course-by-course, professor-by-professor. That would both chill speech at our universities and shortchange our students by giving them a lackluster, second-rate education. Merely asking the Board of Regents to adopt policies on certain topics, however, as this proviso does, keeps the Legislature within appropriate boundaries.

Academic freedom at institutions of higher learning is essential to our democratic way of life and to our future prosperity. As Governor, I will continue to ensure that our universities have that freedom, and that they exercise it responsibly.

I look forward to returning our focus to issues of genuine concern to Kansas families, such as creating jobs, streamlining government, and ensuring that our children will have the same opportunities and blessings we have had. This is the work Kansans have called on us to do.

Pursuant to Article 2, Section 14 of the Constitution of the State of Kansas, I hereby return Senate Substitute for House Bill No. 2444 with my signature approving the bill, except for the items enumerated below.

Sentencing Commission

Required Budget Recommendation for SB 123

Section 16(c) has been line-item vetoed in its entirety.

To implement alternative penalties for drug possession contained in 2003 SB 123, I stated to the Legislature that my staff, over the next year, would examine drug rehabilitation money throughout the state budget to determine whether any of these funds could be utilized for this purpose. Section 16(c) would require me to prepare and submit a recommendation for additional funding for SB 123 in the amount of \$852,598. This section interferes with the practice of the Governor making budget recommendations and the Legislature approving budget. By attempting to dictate what I can recommend this proviso violates the principle of separation of powers.

Ombudsman for Corrections

Operating Expenditures

Section 21 has been line-item vetoed in its entirety.

I veto the budget approved for the Ombudsman for Corrections for FY 2004. In my original budget recommendations I did not include funding for continuation of the Ombudsman. This program, along with many others, certainly provides a worthy service. However, the level of financial resources currently available to the state has

necessitated difficult budget decisions based on our best judgment of priorities. Accordingly, I made the decision not to recommend continuation of this office. Committing limited funds to such a low priority program is not a prudent use of the state's financial resources.

Department of Administration

Payroll Advices

Section 36(e) has been line-item vetoed in its entirety.

Over the last several years, the State of Kansas has grown in technological abilities. The Department of Administration has developed a more efficient, paperless method of delivering pay advice information to state employees in FY 2004. Paycheck and leave information will be available online through the Employee Self Service Center on the Monday prior to a Friday payday, which is several days earlier than the current mailing process. Additionally, the Department of Administration, along with many other state agencies, has experienced significant budget reductions and has had to take extraordinary measures to realize efficiencies and cut costs. This proviso would require the Department to continue mailing an advice to anyone who makes a request. Initiating a special process for those requesting a mailed pay advice would require automation changes. Such a provision, if allowed to take effect, would clearly undermine the efficiency and cost effectiveness of the new policy. I therefore find it necessary to veto this proviso.

Fee for KANS-A-N Directory

Section 36(f) has been line-item vetoed in its entirety.

Another initiative by the Department of Administration, which takes advantage of technology and cuts costs, has been to eliminate printing of the KANS-A-N Directory and make it accessible through the Internet. The provision in HB 2444 presumes that the directory would continue to be printed and authorizes a fee to be charged to cover the cost. It is rapidly becoming standard practice to make information of this kind available through the most modern means of telecommunications not only because it is less expensive, but because it can be updated more efficiently as well as timely. Not to take advantage of the technology available to us is wasteful of the state's resources. This provision is an obstacle to progress and ignores current budget constraints when paying for a hard copy directory that is out of date shortly after its distribution. For these reasons, I veto this proviso.

Department on Aging

HCBS/FE Waiver Waiting List Requirement

Section 73(f) has been line-item vetoed in its entirety.

This section requires the Department on Aging to expend \$2,925,294 from the State General Fund to reduce the waiting list for the HCBS/FE Waiver Program in FY 2004. This amount is equal to the increase in program funding from FY 2003 to FY 2004. Additional appropriations made for the HCBS/DD Waiver Program and the HCBS/PD Waiver Program in the Department of Social and Rehabilitation Services did not include similar requirements. Because this requirement would unreasonably restrict the agency's flexibility in its management of this program, I find it necessary to veto this section.

Dated: May 23, 2003

Kathleen Sebelius
Governor

INDEX TO ADMINISTRATIVE REGULATIONS

This index lists in numerical order the new, amended and revoked administrative regulations and the volume and page number of the *Kansas Register* issue in which more information can be found. Temporary regulations are designated with a (T) in the Action column. This cumulative index supplements the 2000 Volumes and 2002 Supplement to the *Kansas Administrative Regulations*.

AGENCY 1: DEPARTMENT OF ADMINISTRATION

Reg. No.	Action	Register
1-2-31	Amended	V. 21, p. 767
1-2-42	Amended	V. 21, p. 767
1-2-42a	Amended	V. 21, p. 767
1-2-48	Revoked	V. 21, p. 767
1-5-22	Amended	V. 21, p. 767
1-5-29	Amended	V. 21, p. 767
1-6-3	Amended	V. 21, p. 767
1-6-21	Amended	V. 21, p. 768
1-6-23	Amended (T)	V. 22, p. 466
1-6-26a	New	V. 21, p. 768
1-9-4	Amended	V. 21, p. 768
1-9-5	Amended	V. 21, p. 769
1-9-7b	Amended	V. 21, p. 2048
1-11-1	Amended	V. 21, p. 770
1-14-12a	Revoked	V. 21, p. 770
1-16-18	Amended	V. 21, p. 146
1-45-1 through 1-45-7	Revoked	V. 22, p. 226
1-45-7a	Revoked	V. 22, p. 226
1-45-8 through 1-45-14	Revoked	V. 22, p. 226
1-45-15	Amended (T)	V. 21, p. 1942
1-45-15	Revoked	V. 22, p. 226
1-45-16	Amended (T)	V. 21, p. 1942
1-45-16	Revoked	V. 21, p. 226
1-45-17	Revoked	V. 22, p. 226
1-45-18 through 1-45-24	New	V. 22, p. 226-228
1-47-1	Amended	V. 22, p. 850
1-49-1	Amended	V. 22, p. 851
1-49-12	New	V. 22, p. 851

AGENCY 3: KANSAS STATE TREASURER

Reg. No.	Action	Register
3-2-2	Amended	V. 21, p. 1944
3-2-3	Amended	V. 21, p. 1944

AGENCY 4: DEPARTMENT OF AGRICULTURE

Reg. No.	Action	Register
4-1-17	Amended (T)	V. 21, p. 1174
4-1-17	Amended	V. 21, p. 1749
4-4-2	Amended	V. 21, p. 1749
4-7-2	Amended	V. 21, p. 2020
4-7-3	Amended	V. 21, p. 2020
4-7-4	Amended	V. 21, p. 2020
4-7-6	Amended	V. 21, p. 2021
4-7-213	Amended	V. 21, p. 2021
4-7-213a	Revoked	V. 21, p. 2021
4-7-214	Amended	V. 21, p. 2021
4-7-216	Amended	V. 21, p. 2021
4-7-408	Revoked	V. 21, p. 2021
4-7-507	Amended	V. 21, p. 2021
4-7-510	Amended	V. 21, p. 2021
4-7-511	Revoked	V. 21, p. 2021
4-7-512	Revoked	V. 21, p. 2022
4-7-513	Revoked	V. 21, p. 2022
4-7-530	Amended	V. 21, p. 2022
4-7-531	Amended	V. 21, p. 2022
4-7-532	Amended	V. 21, p. 2022

4-7-533	Amended	V. 21, p. 2022
4-7-715	Amended	V. 21, p. 2022
4-7-716	Amended	V. 21, p. 2022
4-7-717	Amended	V. 21, p. 2023
4-7-718	Amended	V. 21, p. 2023
4-7-719	Amended	V. 21, p. 2023
4-7-720	Revoked	V. 21, p. 2023
4-7-721	Revoked	V. 21, p. 2023
4-7-722	Revoked	V. 21, p. 2023
4-7-802	Revoked	V. 21, p. 2023
4-7-804	New	V. 21, p. 2023
4-7-900	Amended	V. 21, p. 2024
4-7-901	Amended	V. 21, p. 2024
4-7-902	Amended	V. 21, p. 2024
4-7-903	Amended	V. 21, p. 2024
4-7-904	Amended	V. 21, p. 2024
4-7-905	Revoked	V. 21, p. 2024
4-7-1000	Amended	V. 21, p. 2024
4-7-1001	Revoked	V. 21, p. 2025
4-8-43	New (T)	V. 22, p. 82
4-8-43	New	V. 22, p. 432
4-13-9	Amended (T)	V. 21, p. 1174
4-13-9	Amended	V. 21, p. 1749
4-13-20 through 4-13-24	Amended (T)	V. 21, p. 1174, 1175
4-13-20 through 4-13-24	Amended	V. 21, p. 1749, 1750
4-13-25	Amended	V. 21, p. 2043
4-13-25a through 4-13-25l	New	V. 21, p. 2044-2047
4-13-33	Amended (T)	V. 21, p. 1175
4-13-33	Amended	V. 21, p. 1750
4-14-1	Revoked	V. 21, p. 1705
4-14-2	Revoked	V. 21, p. 1705
4-14-3	Revoked	V. 21, p. 1705
4-15-1	Revoked	V. 21, p. 1705
4-15-2	Revoked	V. 21, p. 1705
4-15-3	Revoked	V. 21, p. 1705
4-15-4 through 4-15-14	New	V. 21, p. 1705-1708
4-16-7a	Amended	V. 22, p. 12
4-18-1	Revoked	V. 21, p. 1708
4-19-1	Amended (T)	V. 21, p. 1175
4-19-1	Amended	V. 21, p. 1750
4-20-11	Amended	V. 22, p. 385
4-20-15	Amended	V. 22, p. 385
4-21-1	Amended	V. 22, p. 385
4-21-3	Amended	V. 22, p. 386
4-21-4	Amended	V. 22, p. 386
4-21-5	Amended	V. 22, p. 387
4-21-6	Amended	V. 22, p. 387
4-21-7	New	V. 22, p. 387
4-25-2 through 4-25-18	New	V. 21, p. 232-235

AGENCY 5: DEPARTMENT OF AGRICULTURE—DIVISION OF WATER RESOURCES

Reg. No.	Action	Register
5-3-26	Amended (T)	V. 21, p. 1131
5-3-26	Amended	V. 21, p. 1704
5-15-1 through 5-15-4	New (T)	V. 21, p. 690-692
5-15-1 through 5-15-4	New	V. 21, p. 1307-1309
5-16-1 through 5-16-7	New	V. 21, p. 1667-1669
5-21-6	New	V. 22, p. 41
5-21-7	New	V. 22, p. 42
5-22-2	Amended	V. 21, p. 2133
5-22-4	Amended	V. 21, p. 2133
5-22-4a	New	V. 21, p. 2134
5-22-5	Revoked	V. 21, p. 2134
5-22-12	New	V. 21, p. 2134
5-23-6	Amended	V. 21, p. 2134
5-24-5	Amended	V. 21, p. 2135

5-24-7	Amended	V. 21, p. 2135
5-24-8	New	V. 21, p. 2135
5-24-9	New	V. 21, p. 2136
5-24-10	New	V. 21, p. 2136

AGENCY 7: SECRETARY OF STATE

Reg. No.	Action	Register
7-23-13	Amended	V. 21, p. 1056
7-37-2	Amended	V. 21, p. 1056

AGENCY 9: ANIMAL HEALTH DEPARTMENT

Reg. No.	Action	Register
9-7-19	New	V. 21, p. 265
9-18-1	Amended	V. 22, p. 794
9-22-4	New	V. 22, p. 795
9-22-5	New	V. 22, p. 796

AGENCY 10: KANSAS BUREAU OF INVESTIGATION

Reg. No.	Action	Register
10-12-1	Amended	V. 21, p. 454
10-13-1	Amended	V. 21, p. 454
10-20-2a	New	V. 21, p. 454
10-21-1 through 10-21-6	Amended	V. 21, p. 454-456

AGENCY 11: STATE CONSERVATION COMMISSION

Reg. No.	Action	Register
11-1-6	Amended	V. 21, p. 1318
11-1-7	Amended	V. 21, p. 1318
11-1-8	Amended	V. 21, p. 1318
11-1-9 through 11-1-14	New	V. 21, p. 1319-1321
11-2-4 through 11-2-6	Revoked	V. 21, p. 1321
11-5-1 through 11-5-4	Revoked	V. 21, p. 1321
11-7-6	Amended	V. 21, p. 1321
11-7-7	Amended	V. 21, p. 1321
11-7-12 through 11-7-15	Amended	V. 21, p. 1322, 1323
11-7-16	New	V. 21, p. 1323
11-9-2	Amended	V. 21, p. 1323
11-9-5	Amended	V. 21, p. 1323
11-9-10	Amended	V. 21, p. 1323
11-10-1 through 11-10-6	New	V. 21, p. 1323-1324

AGENCY 14: DEPARTMENT OF REVENUE—DIVISION OF ALCOHOLIC BEVERAGE CONTROL

Reg. No.	Action	Register
14-12-1 through 14-12-18	Revoked	V. 21, p. 2095
14-13-14	New	V. 21, p. 1054
14-13-15	New	V. 21, p. 1055
14-14-6	Revoked	V. 21, p. 2095
14-14-6a	New	V. 21, p. 2095
14-15-1	New	V. 22, p. 123
14-15-2	New	V. 22, p. 123

AGENCY 17: STATE BANK COMMISSIONER

Reg. No.	Action	Register
17-11-18	Amended	V. 22, p. 798
17-24-3	New	V. 21, p. 212

AGENCY 22: STATE FIRE MARSHAL

Reg. No.	Action	Register
22-24-1 through 22-24-18	New	V. 21, p. 147-150

**AGENCY 25: STATE GRAIN
INSPECTION DEPARTMENT
(By Department of Agriculture)**

Reg. No.	Action	Register
25-1-3 through 25-1-6	Revoked	V. 21, p. 235, 236
25-1-12	Revoked	V. 21, p. 236
25-1-15	Revoked	V. 21, p. 236
25-1-19 through 25-1-28	Revoked	V. 21, p. 236
25-2-4	Revoked	V. 21, p. 236
25-3-2 through 25-3-6	Revoked	V. 21, p. 236
25-3-8	Revoked	V. 21, p. 236
25-3-10 through 25-3-13	Revoked	V. 21, p. 236
25-3-15	Revoked	V. 21, p. 236
25-3-16	Revoked	V. 21, p. 236
25-3-17	Revoked	V. 21, p. 236
25-4-4	Revoked	V. 21, p. 236
25-5-1	Revoked	V. 21, p. 236

AGENCY 26: DEPARTMENT ON AGING

Reg. No.	Action	Register
26-1-1	Amended	V. 21, p. 743
26-1-4	Revoked	V. 21, p. 745
26-1-5	Amended	V. 21, p. 745
26-2-4	Amended	V. 21, p. 745
26-3-2	Revoked	V. 21, p. 745
26-5-1	Revoked	V. 21, p. 745
26-5-6	Amended	V. 21, p. 745
26-8-1	Amended (T)	V. 21, p. 1222
26-8-1	Amended	V. 21, p. 1747
26-8-2	Amended (T)	V. 21, p. 1172
26-8-2	Amended	V. 21, p. 1747
26-8-3	Revoked (T)	V. 21, p. 1173
26-8-3	Revoked	V. 21, p. 1748
26-8-5	Amended (T)	V. 21, p. 1173
26-8-5	Amended	V. 21, p. 1748
26-8-6	Revoked (T)	V. 21, p. 1173
26-8-6	Revoked	V. 21, p. 1748
26-8-7	Amended (T)	V. 21, p. 1173
26-8-7	Amended	V. 21, p. 1748
26-8-8	Amended (T)	V. 21, p. 1173
26-8-8	Amended	V. 21, p. 1748
26-8-9	Revoked (T)	V. 21, p. 1173
26-8-9	Revoked	V. 21, p. 1748
26-8-12	Revoked (T)	V. 21, p. 1173
26-8-12	Revoked	V. 21, p. 1748
26-8-13	Revoked (T)	V. 21, p. 1173
26-8-13	Revoked	V. 21, p. 1748
26-8-14	Revoked (T)	V. 21, p. 1173
26-8-14	Revoked	V. 21, p. 1748
26-8-15	New (T)	V. 21, p. 1173
26-8-15	New	V. 21, p. 1748
26-11-1	New	V. 21, p. 1405
26-11-2	New	V. 21, p. 1405
26-11-3	New	V. 21, p. 1405

**AGENCY 28: DEPARTMENT OF HEALTH
AND ENVIRONMENT**

Reg. No.	Action	Register
28-1-18	Amended (T)	V. 21, p. 1405
28-1-18	Amended	V. 21, p. 1920
28-4-269	Amended (T)	V. 21, p. 497
28-4-269	Amended	V. 21, p. 1167
28-4-331	Amended (T)	V. 21, p. 498
28-4-331	Amended	V. 21, p. 1168
28-4-351	Amended (T)	V. 21, p. 500
28-4-351	Amended	V. 21, p. 1170
28-4-576 through 28-4-596	New (T)	V. 21, p. 597-616
28-4-596	New	V. 21, p. 2138-2156
28-14-1	Amended	V. 21, p. 1791
28-14-2	Amended	V. 21, p. 1791

28-16-28b through 28-16-28e	Amended	V. 21, p. 2096-2012
28-17-6	Amended (T)	V. 21, p. 1171
28-17-6	Amended	V. 21, p. 1704
28-19-17	Amended	V. 21, p. 1892
28-19-17a through 28-19-17q	Revoked	V. 21, p. 1892
28-19-75	Revoked	V. 21, p. 1325
28-19-350	New	V. 21, p. 1892
28-19-564	Amended	V. 21, p. 1581
28-19-714	New	V. 21, p. 1325
28-29-3	Amended	V. 22, p. 798
28-29-18	Revoked	V. 21, p. 310
28-29-20	Amended	V. 22, p. 801
28-29-29	Amended	V. 21, p. 310
28-29-101	Revoked	V. 22, p. 802
28-29-109	Amended	V. 22, p. 802
28-29-2201	New	V. 21, p. 310
28-31-1	Amended	V. 21, p. 1511
28-31-2	Amended	V. 21, p. 1512
28-31-3	Amended	V. 21, p. 1512
28-31-4	Amended	V. 21, p. 1512
28-31-6	Amended	V. 21, p. 1517
28-31-8	Amended	V. 21, p. 1518
28-31-8b	Amended	V. 21, p. 1519
28-31-9	Amended	V. 21, p. 1519
28-31-10	Amended	V. 21, p. 1519
28-31-10a	Amended	V. 21, p. 1520
28-31-11	Revoked	V. 21, p. 1520
28-31-14	Amended	V. 21, p. 1520
28-31-15	Amended	V. 21, p. 1520
28-31-16	Amended	V. 21, p. 1520
28-38-18 through 28-38-23	Amended	V. 22, p. 7-9
28-38-28	Amended	V. 22, p. 10
28-38-29	Amended	V. 22, p. 10
28-38-30	Amended	V. 22, p. 11
28-45-2	Revoked (T)	V. 22, p. 531
28-45-2a	New (T)	V. 22, p. 531
28-45-3	Revoked (T)	V. 22, p. 532
28-45-3a	New (T)	V. 22, p. 532
28-45-4	Revoked (T)	V. 22, p. 533
28-45-4a	New (T)	V. 22, p. 533
28-45-5	Revoked (T)	V. 22, p. 533
28-45-5a	New (T)	V. 22, p. 533
28-45-6	Revoked (T)	V. 22, p. 534
28-45-6a	New (T)	V. 22, p. 534
28-45-7	Revoked (T)	V. 22, p. 535
28-45-7a	New (T)	V. 22, p. 535
28-45-8	Revoked (T)	V. 22, p. 536
28-45-8a	New (T)	V. 22, p. 536
28-45-9	Revoked (T)	V. 22, p. 536
28-45-9a	New (T)	V. 22, p. 536
28-45-10	Revoked (T)	V. 22, p. 536
28-45-10a	New (T)	V. 22, p. 536
28-45-11	Revoked (T)	V. 22, p. 537
28-45-11a	New (T)	V. 22, p. 537
28-45-12 through 28-45-30	New (T)	V. 22, p. 537-548
28-45a-1 through 28-45a-19	New (T)	V. 22, p. 548-557
28-55-3	Amended	V. 21, p. 311
28-55-5	Amended	V. 21, p. 311
28-72-1 through 28-72-4	Amended	V. 21, p. 1944-1948
28-72-4a	Amended	V. 21, p. 1952
28-72-4b	Amended	V. 21, p. 1954
28-72-4c	Amended	V. 21, p. 1955
28-72-5 through 28-72-18	Amended	V. 21, p. 1957-1971
28-72-18e	Amended	V. 21, p. 1973
28-72-19	Amended	V. 21, p. 1974
28-72-21	Amended	V. 21, p. 1974

**AGENCY 30: SOCIAL AND
REHABILITATION SERVICES**

Reg. No.	Action	Register
30-4-90	Amended	V. 21, p. 1005
30-4-96	Revoked	V. 22, p. 249

30-5-64	Amended	V. 22, p. 584
30-5-81u	Amended (T)	V. 22, p. 83
30-5-81u	Amended	V. 22, p. 432
30-5-94	Amended	V. 21, p. 2049
30-5-101	Revoked	V. 21, p. 1007
30-5-101a	Revoked	V. 21, p. 2049
30-5-102	Amended (T)	V. 22, p. 83
30-5-102	Amended	V. 22, p. 432
30-5-105	Amended (T)	V. 22, p. 83
30-5-105	Amended	V. 22, p. 433
30-5-108a	Amended	V. 21, p. 2049
30-5-300	Amended	V. 21, p. 1007
30-5-308	Amended	V. 21, p. 2049
30-6-86	Amended	V. 21, p. 2049
30-6-88	New	V. 21, p. 1010
30-6-94	Amended	V. 21, p. 506
30-6-103	Amended (T)	V. 22, p. 84
30-6-103	Amended	V. 22, p. 433
30-6-106	Amended	V. 22, p. 249
30-6-107	Amended	V. 21, p. 1011
30-6-109	Amended	V. 21, p. 1011
30-6-112	Amended	V. 21, p. 1013
30-10-1a	Amended	V. 21, p. 506
30-10-2	Amended	V. 21, p. 508
30-10-6	Amended	V. 21, p. 1014
30-10-7	Amended	V. 21, p. 509
30-10-11	Amended	V. 21, p. 1015
30-10-15a	Amended	V. 21, p. 1017
30-10-15b	Amended	V. 21, p. 1018
30-10-17	Amended	V. 21, p. 2050
30-10-18	Amended	V. 21, p. 2052
30-10-19	Amended	V. 21, p. 1023
30-10-21	Amended	V. 21, p. 1024
30-10-23a	Amended	V. 21, p. 2055
30-10-24	Amended	V. 21, p. 1025
30-10-25	Amended	V. 21, p. 1026
30-10-27	Amended	V. 21, p. 1027
30-10-29	Revoked	V. 21, p. 1028
30-12-16 through 30-12-22	Revoked	V. 21, p. 331
30-13-17 through 30-13-26	Revoked	V. 21, p. 331
30-14-28	Amended (T)	V. 22, p. 84
30-14-28	Amended	V. 22, p. 434
30-64-20	Amended	V. 21, p. 80
30-64-22	Amended	V. 21, p. 80
30-64-23	Amended	V. 21, p. 80
30-64-24	Amended	V. 21, p. 1310
30-64-30	Amended	V. 21, p. 81
30-64-31	Amended	V. 21, p. 81
30-64-32	Amended	V. 21, p. 82
30-64-34	Revoked	V. 21, p. 82

**AGENCY 40: KANSAS INSURANCE
DEPARTMENT**

Reg. No.	Action	Register
40-1-34	Amended	V. 21, p. 2131
40-1-43	Amended	V. 21, p. 451
40-1-46	Amended	V. 21, p. 212
40-1-47	New	V. 21, p. 588
40-1-48	Amended	V. 21, p. 1056
40-1-49	New	V. 21, p. 1703
40-2-22	Revoked	V. 21, p. 589
40-4-36	Amended	V. 22, p. 465
40-4-37	Amended	V. 21, p. 741
40-4-37k	Amended	V. 21, p. 1272
40-4-37q	New	V. 21, p. 1272
40-4-37s	New	V. 21, p. 743
40-4-37t	New	V. 21, p. 1272
40-4-37u	New	V. 21, p. 1370

**AGENCY 44: DEPARTMENT OF
CORRECTIONS**

Reg. No.	Action	Register
44-4-103	Revoked	V. 21, p. 309
44-4-104	Revoked	V. 21, p. 309
44-4-106 through 44-4-109	Revoked	V. 21, p. 309
44-5-101	Revoked	V. 21, p. 309

(continued)

44-5-103	Revoked	V. 21, p. 309
44-5-107		
through		
44-5-110	Revoked	V. 21, p. 309
44-5-113	Revoked	V. 21, p. 309
44-5-114	Revoked	V. 21, p. 309
44-6-101	Amended	V. 21, p. 1406
44-6-106	Amended	V. 21, p. 1407
44-6-107	Amended	V. 21, p. 1407
44-6-108	Amended	V. 21, p. 1408
44-6-114c	Amended	V. 21, p. 1408
44-6-114d	New	v. 21, p. 1409
44-6-114e	New	V. 21, p. 1409
44-6-115	Revoked	V. 21, p. 1415
44-6-115a	New	V. 21, p. 1415
44-6-115a	Amended (T)	V. 22, p. 383
44-6-115b	New	V. 21, p. 1415
44-6-115c	New	V. 21, p. 1417
44-6-117	Revoked	V. 21, p. 1418
44-6-120	Revoked	V. 21, p. 1418
44-6-124	Revoked	V. 21, p. 1418
44-6-125	Amended	V. 21, p. 1418
44-6-126	Amended	V. 21, p. 1419
44-6-133	Revoked	V. 21, p. 1419
44-6-134	Amended	V. 21, p. 1419
44-6-136	Amended	V. 21, p. 1419
44-6-136a	Amended	V. 21, p. 1420
44-6-137	Amended	V. 21, p. 1420
44-6-138	Amended	V. 21, p. 1420
44-6-140	Amended	V. 21, p. 1421
44-6-140a	Amended	V. 21, p. 1421
44-6-141	Amended	V. 21, p. 1421
44-6-142	Revoked	V. 21, p. 1421
44-6-143	Amended	V. 21, p. 1421
44-6-146	Revoked	V. 21, p. 1422
44-7-102	Revoked	V. 21, p. 309
44-7-103	Revoked	V. 21, p. 309
44-7-105	Revoked	V. 21, p. 309
44-7-106	Revoked	V. 21, p. 309
44-7-107	Revoked	V. 21, p. 309
44-7-109	Revoked	V. 21, p. 309
44-7-112	Revoked	V. 21, p. 309
44-7-114	Revoked	V. 21, p. 309
44-7-115	Revoked	V. 21, p. 309
44-7-116	Revoked	V. 21, p. 309
44-8-110		
through		
44-8-114	Revoked	V. 21, p. 309
44-11-111	Amended	V. 21, p. 335
44-11-112	Revoked	V. 21, p. 336
44-11-113	Amended	V. 21, p. 336
44-11-114	Revoked	V. 21, p. 336
44-11-115	Revoked	V. 21, p. 336
44-11-119	Amended	V. 21, p. 336
44-11-120	Amended	V. 21, p. 336
44-11-121	Amended	V. 21, p. 337
44-11-122	Revoked	V. 21, p. 337
44-11-123	Amended	V. 21, p. 337
44-11-124	Revoked	V. 21, p. 337
44-11-127	Amended	V. 21, p. 337
44-11-129	Amended	V. 21, p. 338
44-11-130	Amended	V. 21, p. 338
44-11-131	Amended	V. 21, p. 339
44-11-132	Amended	V. 21, p. 339
44-11-133	Amended	V. 21, p. 339
44-11-135	Amended	V. 21, p. 339
44-12-103	Amended	V. 21, p. 117
44-12-105	Amended	V. 21, p. 117
44-12-106	Amended	V. 21, p. 117
44-12-107	Amended	V. 21, p. 117
44-12-201		
through		
44-12-205	Amended	V. 21, p. 118
44-12-210	Amended	V. 21, p. 118
44-12-303	Amended	V. 21, p. 118
44-12-305	Amended	V. 21, p. 118
44-12-306	Amended	V. 21, p. 119
44-12-307	Amended	V. 21, p. 119
44-12-309	Amended	V. 21, p. 119
44-12-310	Amended	V. 21, p. 119
44-12-312	Amended	V. 21, p. 119
44-12-313	Amended	V. 21, p. 119
44-12-314	Amended	V. 21, p. 119
44-12-318	Amended	V. 21, p. 120
44-12-320	Revoked	V. 21, p. 120

44-12-321	Amended	V. 21, p. 120
44-12-325	Amended	V. 21, p. 120
44-12-326	Revoked	V. 21, p. 120
44-12-327	Amended	V. 21, p. 120
44-12-328	Amended	V. 21, p. 120
44-12-401	Amended	V. 21, p. 120
44-12-501	Amended	V. 21, p. 121
44-12-503	Amended	V. 21, p. 121
44-12-504	Amended	V. 21, p. 121
44-12-505b	Amended	V. 21, p. 121
44-12-601	Amended	V. 21, p. 121
44-12-602	Amended	V. 21, p. 123
44-12-702	Amended	V. 21, p. 123
44-12-801	Amended	V. 21, p. 123
44-12-902	Amended	V. 21, p. 123
44-12-1002	Amended	V. 21, p. 123
44-12-1002	Amended (T)	V. 22, p. 384
44-12-1306	Amended	V. 21, p. 123
44-12-1307	Amended	V. 21, p. 124
44-13-101	Amended	V. 21, p. 151
44-13-104	Revoked	V. 21, p. 151
44-13-105	Amended	V. 21, p. 151
44-13-106	Amended	V. 21, p. 151
44-13-201	Amended	V. 21, p. 152
44-13-201b	Amended	V. 21, p. 153
44-13-201b	Amended (T)	V. 22, p. 384
44-13-202	Amended	V. 21, p. 153
44-13-302a	Revoked	V. 21, p. 153
44-13-304	Revoked	V. 21, p. 153
44-13-306	New	V. 21, p. 154
44-13-307	New	V. 21, p. 154
44-13-401	Amended	V. 21, p. 154
44-13-401a	Revoked	V. 21, p. 154
44-13-402	Amended	V. 21, p. 154
44-13-403	Amended	V. 21, p. 155
44-13-404	Amended	V. 21, p. 156
44-13-405a	Amended	V. 21, p. 157
44-13-406	Amended	V. 21, p. 158
44-13-408	Amended	V. 21, p. 158
44-13-409	Amended	V. 21, p. 158
44-13-501	Amended	V. 21, p. 158
44-13-502a	Amended	V. 21, p. 158
44-13-506		
through		
44-13-509	Amended	V. 21, p. 158, 159
44-13-601	Amended	V. 21, p. 159
44-13-603	Amended	V. 21, p. 159
44-13-610	Amended	V. 21, p. 159
44-13-701		
through		
44-13-704	Amended	V. 21, p. 159, 160
44-13-705	Revoked	V. 21, p. 161
44-13-706	Amended	V. 21, p. 161
44-13-707	Amended	V. 21, p. 161
44-14-101	Revoked	V. 21, p. 83
44-14-102	Revoked	V. 21, p. 83
44-14-201	Revoked	V. 21, p. 83
44-14-202	Revoked	V. 21, p. 83
44-14-301		
through		
44-14-318	Revoked	V. 21, p. 83
44-15-101	Amended	V. 21, p. 84
44-15-101a	Amended	V. 21, p. 84
44-15-102	Amended	V. 21, p. 85
44-15-201	Amended	V. 21, p. 86
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
45-900-1	New	V. 21, p. 1901
45-1000-1	New	V. 21, p. 1901
45-1000-2	New	V. 21, p. 1901
45-1000-3	New	V. 21, p. 1901

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
60-1-104	Amended	V. 22, p. 42
60-2-101		
through		
60-2-106	Amended	V. 22, p. 43-47
60-2-108	Amended	V. 22, p. 47
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
60-9-107	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
60-16-102	Amended	V. 22, p. 47
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
68-2-9	Amended	V. 22, p. 118
68-2-10	Amended	V. 22, p. 118
68-2-11	Amended	V. 22, p. 118
68-2-12a	Amended	V. 22, p. 118
68-2-15	Amended	V. 22, p. 430
68-2-20	Amended	V. 22, p. 119
68-7-12	Amended	V. 22, p. 119
68-7-12a	Amended	V. 22, p. 120
68-7-12b	New	V. 22, p. 120
68-8-1	Amended	V. 22, p. 431
68-9-1	Amended	V. 21, p. 308
68-9-2	Amended	V. 22, p. 121
68-11-1	Amended	V. 22, p. 122
68-11-2	Amended	V. 22, p. 122
68-12-2	Amended	V. 22, p. 122
68-13-1	Amended	V. 22, p. 122

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
82-1-220a	New	V. 22, p. 39
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	
82-4-2	Amended	V. 22, p. 86	
82-4-20	Amended	V. 22, p. 86	
82-4-21	Amended	V. 22, p. 86	
82-4-22	Amended (T)	V. 21, p. 1329	
82-4-22	Amended	V. 21, p. 1702	
82-4-23	Amended	V. 22, p. 87	
82-4-26	Amended	V. 22, p. 87	
82-4-26a	Amended	V. 22, p. 88	
82-4-27	Amended	V. 22, p. 88	
82-4-27a	Amended	V. 22, p. 88	
82-4-27e	Amended	V. 22, p. 89	
82-4-28	Amended	V. 22, p. 89	
82-4-28a	Amended	V. 22, p. 89	
82-4-29	Amended	V. 22, p. 90	
82-4-29a	Amended	V. 22, p. 90	
82-4-30a	Amended	V. 22, p. 90	
82-4-32	Amended	V. 22, p. 90	
82-4-35	Amended	V. 22, p. 91	
82-4-46	Amended	V. 22, p. 91	
82-4-49b			
through			
82-4-49e	Revoked	V. 22, p. 91	
82-7-2			
through			
82-7-5	Revoked	V. 22, p. 91	
82-8-1	Amended	V. 22, p. 91	
82-8-2	Amended	V. 22, p. 91	
82-8-3	Amended	V. 22, p. 92	
82-13-1	New	V. 22, p. 40	
82-13-2	New	V. 22, p. 40	

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
91-1-200		
through		
91-1-204	Amended	V. 21, p. 1445-1453
91-1-205	Amended	V. 21, p. 1583
91-1-206	Amended	V. 21, p. 178
91-1-207	Amended	V. 21, p. 1453
91-1-212		
through		
91-1-214	New	V. 21, p. 1453-1456
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)

91-31-16		
through		
91-31-30	Revoked	V. 22, p. 124
91-31-31		
through		
91-31-42	New	V. 22, p. 124-128
91-32-1		
through		
91-32-9	Revoked	V. 21, p. 1867
91-38-1	Amended	V. 22, p. 356
91-38-2	Amended	V. 22, p. 356
91-38-3	Amended	V. 22, p. 357
91-38-5	Amended	V. 22, p. 357
91-38-6	Amended	V. 22, p. 358
91-38-7	Amended	V. 22, p. 360

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
92-5-20	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
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

(continued)

92-19-200		
through		
92-19-203	New	V. 22, p. 431
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
92-51-21	Amended	V. 21, p. 2092
92-51-23	Amended	V. 21, p. 2092
92-51-24	Amended	V. 21, p. 2092
92-51-27	Amended	V. 21, p. 2092
92-51-34	Revoked	V. 21, p. 2093
92-51-38	Amended	V. 21, p. 2093
92-51-39	Amended	V. 21, p. 2093
92-51-41	Amended	V. 21, p. 2093
92-51-53	Amended	V. 21, p. 2093
92-51-56	Amended	V. 21, p. 2093
92-51-57	Revoked	V. 21, p. 2094
92-51-58	Revoked	V. 21, p. 2094
92-51-60	Revoked	V. 21, p. 2094
92-51-61	Revoked	V. 21, p. 2094
92-52-2	Revoked	V. 21, p. 2094
92-52-3	Amended	V. 21, p. 2094
92-52-8	Revoked	V. 21, p. 2094
92-52-11	Revoked	V. 21, p. 2094
92-56-1		
through		
92-56-5	Amended	V. 21, p. 1057-1059

**AGENCY 93: DEPARTMENT OF REVENUE—
DIVISION OF PROPERTY VALUATION**

Reg. No.	Action	Register
93-6-4	Amended	V. 22, p. 666
93-6-7	New	V. 22, p. 666

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
100-22-4	New	V. 22, p. 690
100-27-1	Amended	V. 21, p. 307
100-28a-1	Amended	V. 21, p. 1864
100-29-7	Amended	V. 21, p. 1864
100-49-1	Amended	V. 21, p. 2137
100-49-4	Amended (T)	V. 21, p. 1131
100-49-4	Amended	V. 21, p. 1864

100-49-6		
through		
100-49-9	New	V. 21, p. 2137
100-54-4	Amended	V. 21, p. 2138
100-55-4	Amended	V. 21, p. 2138
100-55-5	Amended	V. 22, p. 690
100-55-9	Amended	V. 22, p. 690
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
100-72-1		
through		
100-72-6	New	V. 22, p. 691, 692
100-75-1	New (T)	V. 22, p. 82
100-75-1	New	V. 22, p. 693

**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	Amended	V. 22, p. 360

**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
111-2-1	Amended	V. 22, p. 585
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
111-2-143	New	V. 22, p. 585
111-2-144	New	V. 22, p. 804
111-2-144a	New	V. 22, p. 586
111-2-145	New	V. 22, p. 804
111-2-146	New	V. 22, p. 804
111-2-147	New	V. 22, p. 804
111-3-12	Amended	V. 20, p. 40

111-3-27	Amended	V. 22, p. 660
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
111-4-1946		
through		
111-4-1951	New	V. 22, p. 48-52
111-4-1952		
through		
111-4-1964	New	V. 22, p. 439-448
111-4-1965		
through		
111-4-1975	New	V. 22, p. 586-593

111-4-1976		
through		
111-4-1986	New	V. 22, p. 660-665
111-4-1987		
through		
111-4-2009	New	V. 22, p. 804-820
111-4-2010		
through		
111-4-2014	New	V. 22, p. 854-857
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
111-5-99		
through		
111-5-103	New	V. 22, p. 593, 594
111-5-104	New	V. 22, p. 857
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
111-7-182	Amended	V. 22, p. 53
111-7-184	Amended	V. 22, p. 53
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
111-9-118	New	V. 22, p. 54
111-9-119	New	V. 22, p. 54

AGENCY 112: RACING AND GAMING COMMISSION

Reg. No.	Action	Register
112-4-1a	New	V. 22, p. 278
112-4-1b	New	V. 22, p. 279
112-6-4	Amended	V. 22, p. 85
112-9-44	Amended	V. 22, p. 279
112-10-2	Amended	V. 22, p. 85
112-11-20	Amended	V. 22, p. 281
112-12-10	Amended	V. 22, p. 86

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
115-4-6	Amended	V. 22, p. 434
115-4-11	Amended	V. 22, p. 436
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. 22, p. 437-439
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
115-18-10	Amended	V. 22, p. 439
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
117-1-1	Amended	V. 22, p. 684
117-2-1	Amended	V. 22, p. 684
117-3-1	Amended	V. 22, p. 685
117-4-1	Amended	V. 22, p. 686
117-6-1	Amended	V. 22, p. 687
117-6-2	Amended	V. 22, p. 688
117-6-3	Amended	V. 22, p. 688
117-8-1	Amended	V. 22, p. 689

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