



Kansas Register

Ron Thornburgh, Secretary of State

Vol. 23, No. 2 January 8, 2004 Pages 31-50

In this issue . . .	Page
Secretary of State	
Executive appointments	32
Code mortgage rate for January.....	33
Usury rate for January.....	33
Kansas Dental Board	
Notices of hearing on proposed administrative regulations.....	33, 34
Department of Health and Environment	
Requests for comments on proposed air quality permits	33, 34
Notice concerning Kansas water pollution control permits.....	35
Notice of hearing on the draft FY 2004 Priority System and List and Intended Use Plan	38
Information Network of Kansas	
Notice of meeting	35
Kansas, Inc.	
Notice of meeting	35
Department of Administration—Division of Purchases	
Notice to bidders for state purchases.....	35
Kansas Water Authority	
Notice of meeting	35
Pooled Money Investment Board	
Notice of investment rates.....	38
Office of the State Bank Commissioner	
Special Order 2003-1.....	38
Department of Administration	
Public notice.....	39
Permanent Administrative Regulations	
Department of Health and Environment.....	39
Department of Revenue.....	40
Governmental Ethics Commission.....	41
Index to administrative regulations	44

State of Kansas

Secretary of State

Executive Appointments

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

**Barber County Commissioner,
District 2**

Paul A. Harbaugh, 14862 S.E. Clairmont Road, Kiowa, 67070. Succeeds Robert K. Shklar, deceased.

Butler County Sheriff

Craig D. Murphy, 1010 W. 3rd Ave., El Dorado, 67042. Succeeds Stanley S. Cox, resigned.

**Wichita County Commissioner,
District 3**

Steven R. Baker, Route 1, Marienthal, 67863. Succeeds Walton Lee, resigned.

Kansas Animal Health Board

Vincent Traffas, 118 E. New York, Smith Center, 66967. Term expires July 1, 2006. Reappointed.

Bud White, 230 E. 7th, Garnett, 66032. Term expires July 1, 2006. Succeeds Terry E. Handke.

**Coordinating Council on Early
Childhood Developmental Services**

Jennifer J. Crow, 7199 W. 98th, Suite 130, Overland Park, 66212 (Governor's representative).

Thomas L. Kohmetscher, 1607 Western, Wellington, 67152. Term expires July 31, 2007. Succeeds Deborah K. Voth.

David P. Lindeman, 1501 Belmont, Parsons, 67357. Term expires July 31, 2007. Reappointed.

Richard J. Martinez, 1340 S.W. High Ave., Topeka, 66604. Term expires July 31, 2007. Succeeds Mimi Nagle.

Kansas Real Estate Appraisal Board

Ralph J. Leno, 117 Colleen Court, Gardner, 66030. Term expires June 30, 2006. Reappointed.

Gregg L. Lesh, 2442 N. Bellwood Court, Wichita 67205. Term expires June 30, 2006. Succeeds Kenneth J. Lickteig.

Ron Thornburgh
Secretary of State

Doc. No. 030236

The KANSAS REGISTER (USPS 0662-190) is an official publication of the State of Kansas, published by authority of K.S.A. 75-430. The Kansas Register is published weekly by the Kansas Secretary of State, 1st Floor, Memorial Hall, 120 S.W. 10th Ave., Topeka, KS 66612-1594. One-year subscriptions are \$80 (Kansas residents must include \$5.76 state and local sales tax). Single copies may be purchased, if available, for \$2 each. **Periodicals postage paid at Topeka, KS.**

POSTMASTER: Send change of address form to Kansas Register, Secretary of State, 1st Floor, Memorial Hall, 120 S.W. 10th Ave., Topeka, KS 66612-1594.

© Kansas Secretary of State 2004. Reproduction of this publication in its entirety or for commercial purposes is prohibited without prior permission. Official enactments of the Kansas Legislature and proposed and adopted administrative regulations of state agencies may be reproduced in any form without permission.

PUBLISHED BY
Ron Thornburgh
Secretary of State
1st Floor, Memorial Hall
120 S.W. 10th Ave.
Topeka, KS 66612-1594
(785) 296-4564
www.kssos.org



Register Office:
1st Floor, Memorial Hall
(785) 296-3489
Fax (785) 368-8024
kansasregister@kssos.org

State of Kansas

Secretary of State

Code Mortgage Rate for January

Pursuant to the provisions of K.S.A. 2002 Supp. 16a-1-301, Section 11, the code mortgage rate during the period of January 1, 2004 through January 31, 2004, is 12 percent.

Ron Thornburgh
Secretary of State

Doc. No. 030224

State of Kansas

Department of Health
and Environment

Request for Comments

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality construction permit. Thoroughbred Associates LLC has applied for an air quality permit in accordance with the provisions of K.A.R. 28-19-300 for a natural gas compressor. Emissions of oxides of nitrogen (NO_x), carbon monoxide (CO), and nonmethane organic compounds (NMOC) were evaluated during the permit review process.

Thoroughbred Associates LLC, Wichita, owns and operates the stationary source located at Range 16 South, Township 32 South, Section 19, Comanche County, at which the natural gas compressor is installed.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during review of the permit application is available for public inspection for a period of 30 days from the date of publication during normal business hours at the KDHE, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka; and a copy of the proposed permit can be reviewed at the KDHE South Central District Office, 130 S. Market, Suite 6050, Wichita. To obtain or review the proposed permit and supporting documentation, contact John S. Ramsey, (785) 296-1992, at the KDHE central office; and to review the proposed permit only, contact Don Mies, (316) 337-6107, at the KDHE South Central District Office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to John S. Ramsey, KDHE, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka, 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received by the close of business February 9.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Donna Reno, Bureau of Air and Radiation, not later than the close of business February 9 in order for the Secretary of Health and Environment to consider the request.

Roderick L. Bremby
Secretary of Health
and Environment

Doc. No. 030229

State of Kansas

Secretary of State

Usury Rate for January

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 January 1, 2004 through January 31, 2004, is 7.20 percent.

Ron Thornburgh
Secretary of State

Doc. No. 030223

State of Kansas

Kansas Dental Board

Notice of Hearing on Proposed
Administrative Regulations

A public hearing will be conducted at 10 a.m. Friday, April 23, in Room 481-W of the Docking State Office Building, 915 S.W. Harrison, Topeka, to consider the amendment to a rule and regulation of the Kansas Dental Board.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed amendment of the rule and regulation. All parties may submit written comments prior to the hearing to the secretary-treasurer of the Kansas Dental Board, Room 564-S, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612. All interested parties will be given a reasonable opportunity to present their views orally on the amendment of the regulation during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request each participant to limit any oral presentation to five minutes.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the regulation proposed for amendment in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting the Dental Board office at the address above, (785) 296-6400. Handicapped parking is located at the south end of Landon State Office Building, and the north entrance to the building is accessible to individuals with disabilities.

Copies of the regulation and the economic impact statement may be obtained by contacting the Kansas Dental Board. A summary of the proposed amendment follows:

K.A.R. 71-2-7. Additional requirements and qualifications for specialist. This amendment eliminates unnecessary language and eliminates the requirement of a demonstration of practical skills in the specialty in which certification is sought.

Ron Sterk
Executive Director

Doc. No. 030234

State of Kansas

Department of Health
and Environment

Request for Comments

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality operating permit. Monarch Cement has applied for a Class I operating permit in accordance with the provisions of K.A.R. 28-19-510 et seq. The purpose of a Class I permit is to identify the sources and types of regulated air pollutants emitted from the facility; the emission limitations, standards and requirements applicable to each source; and the monitoring, record keeping and reporting requirements applicable to each source as of the effective date of permit issuance.

Monarch Cement, Humboldt, owns and operates a portland cement manufacturing facility located at 449 1200th St., Humboldt.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during the permit application review process is available for a 30-day public review during normal business hours at the KDHE, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka; and a copy of the proposed permit can be reviewed at the KDHE Southeast District Office, 1500 W. 7th, Chanute. To obtain or review the proposed permit and supporting documentation, contact William Stone, (785) 296-6427, at the KDHE central office; and to review the proposed permit only, contact David Stutt, (620) 431-2390, at the KDHE Southeast District Office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to William Stone, KDHE, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka, 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received by the close of business February 9.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Donna Reno, Bureau of Air and Radiation, not later than the close of business February 9 in order for the Secretary of Health and Environment to consider the request.

The U.S. Environmental Protection Agency has a 45-day review period, which will start concurrently with the 30-day public comment period, within which to object to the proposed permit. If the EPA has not objected in writing to the issuance of the permit within the 45-day review period, any person may petition the administrator of the EPA to review the permit. The 60-day public petition period will directly follow the EPA 45-day review period. If the EPA waives its 45-day review period, the 60-day public petition period will start directly after the 30-day public comment period. Interested parties may contact KDHE to determine if the EPA's 45-day review period has been waived.

Any such petition shall be based only on objections to the permit that were raised with reasonable specificity

during the public comment period provided for in this notice, unless the petitioner demonstrates that it was impracticable to raise such objections within such period, or unless the grounds for such objection arose after such period. Contact Gary Schlicht, U.S. EPA, Region VII, Air Permitting and Compliance Branch, 901 N. 5th St., Kansas City, KS 66101, (913) 551-7097, to determine when the 45-day EPA review period ends and the 60-day petition period commences.

Roderick L. Bremby
Secretary of Health
and Environment

Doc. No. 030228

State of Kansas

Kansas Dental Board

Notice of Hearing on Proposed
Administrative Regulations

A public hearing will be conducted at 10 a.m. Friday, April 23, in Room 481-W of the Docking State Office Building, 915 S.W. Harrison, Topeka, to consider the amendment to a rule and regulation of the Kansas Dental Board.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed amendment of the rule and regulation. All parties may submit written comments prior to the hearing to the secretary-treasurer of the Kansas Dental Board, Room 564-S, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612. All interested parties will be given a reasonable opportunity to present their views orally on the amendment of the regulation during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request each participant to limit any oral presentation to five minutes.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the regulation proposed for amendment in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting the Dental Board office at the address above, (785) 296-6400. Handicapped parking is located at the south end of Landon State Office Building, and the north entrance to the building is accessible to individuals with disabilities.

Copies of the regulation and the economic impact statement may be obtained by contacting the Kansas Dental Board. A summary of the proposed amendment follows:

K.A.R. 71-6-5. Duty to notify board. This amendment reorganizes current language and requires a person completing a course pursuant to K.S.A. 65-1423(a)(8)(E) to send a copy of the certificate within 30 days of obtaining it.

Ron Sterk
Executive Director

Doc. No. 030239

State of Kansas

Information Network of Kansas

Notice of Meeting

The Information Network of Kansas Board of Directors will meet at 1 p.m. Thursday, January 15, in the offices of the Kansas Technology Enterprise Corporation, second floor conference room, 214 S.W. 6th, Topeka. The meeting is open to the public. For more information, call (785) 296-1460.

Jim Hollingsworth
Executive Director

Doc. No. 030232

State of Kansas

Kansas, Inc.

Notice of Meeting

The Kansas, Inc. Board of Directors will meet at 10 a.m. Thursday, January 15, in the offices of the Kansas Technology Enterprise Corporation, second floor conference room, 214 S.W. 6th, Topeka. The meeting is open to the public. For more information, call (785) 296-1460.

Jerry Lonergan
President

Doc. No. 030233

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) 296-2113:

01/20/2004	06954	Plotter Supplies
01/20/2004	06959	Crane and Hoist Inspection
01/20/2004	06976	Emergency Response Portable Tower/Trailer
01/21/2004	06964	Ammunition

The above referenced bid documents can be downloaded at the following Web site:

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

Additional files may be located at the following Web site (please monitor this Web site on a regular basis for any changes/addenda):

<http://da.state.ks.us/purch/adds/default/htm>

The following bid documents may be obtained by calling (785) 296-8899:

01/27/2004	A-9704	Wheatland Utility Tunnel
------------	--------	--------------------------

Keith Meyers
Director of Purchases

Doc. No. 030235

State of Kansas

Kansas Water Authority

Notice of Meeting

The Kansas Water Authority will hold its quarterly meeting January 21-22 in the Kansas Department of Agriculture's Training Center, fourth floor, 109 S.W. 9th, Topeka. The Authority's Committee of the Whole will meet at 1 p.m. Wednesday, January 21, and the full Authority will meet at 9 a.m. Thursday, January 22.

Committee of the Whole agenda items include:

- Review of public hearing comments on the proposed state acquisition of the Circle K Ranch in Edwards County
- Water Marketing and Water Assurance Program Technical Advisory Committee updates
- High Plains Aquifer Modeling
- Consideration of a new multi-purpose reservoir in the Grouse Creek watershed in Cowley County

The Authority at its Thursday meeting will consider recommendations made by the Committee of the Whole. Updates will be presented on the Circle K Ranch, the Kansas Water Plan and Hays/Russell water supply. Recognition awards will be presented.

A copy of the complete agenda may be obtained from the Kansas Water Office's Web site, kwo.org, or by calling the Kansas Water Office at (888) KAN-WATER.

Joseph Harkins, Acting Director
Kansas Water Office

Doc. No. 030238

State of Kansas

Department of Health
and Environment

Notice Concerning Kansas
Water Pollution Control Permits

In accordance with Kansas Administrative Regulations 28-16-57 through 63, 28-18-1 through 15, 28-18a-1 through 32, 28-16-150 through 154, 28-46-7, and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, draft permits have been prepared and/or permit applications have been received for discharges to the waters of the United States and the State of Kansas for the class of discharges described below.

The determinations for permit content are based on staff review, applying the appropriate standards, regulations and effluent limitations of the State of Kansas and the EPA, and when issued will result in a State Water Pollution Control Permit and National Pollutant Discharge Elimination System Authorization subject to certain conditions.

All Kansas Department of Health and Environment district office addresses and telephone numbers are listed below.

(continued)

Public Notice No. KS-AG-04-016
Application(s) for New or Expansion of Existing Swine Facilities

Name and Address of Applicant	Owner of Property Where Facility Will Be Located
Prairie Pork Development, LLC 522 17th Road Haddam, KS 66944	Robert D. Allen 522 17th Road Haddam, KS 66944
Legal Description	Receiving Water
NW/4 of Section 14, T03S, R01E, Washington County	Lower Republican River Basin
Kansas Permit No. A-LRWS-H009	Federal Permit No. KS0096156

This is an application for a permit for the expansion of an existing swine facility. The operation has restructured its operations to include the use of the existing four hoop buildings for swine. The additional use of the hoops will increase the capacity of the operation from 4,800 head [1,920 animal units (a.u.)] of swine weighing more than 55 pounds to 5,600 head (2,240 a.u.) of swine weighing more than 55 pounds. There are no modifications being made to the enclosed swine units or the waste control system. A new or modified permit will not be issued without additional public notice.

Public Notice No. KS-AG-04-017/018
Pending Permits for Confined Feeding Facilities

Name and Address of Applicant	Legal Description	Receiving Water
Sauvage Feedyard Route 1, Box 27 Danbury, NE 69026	NW/4 of Section 06, T01S, R28W, & NE/4 of Section 01, T01S, R29W, Decatur County	Upper Republican River Basin

Kansas Permit No. A-URDC-C003 Federal Permit No. KS0092541
 This is a new permit for an existing facility for a modification of the pollution control system and reduction in head capacity from 15,000 head (15,000 animal units) of beef cattle weighing more than 700 pounds to 12,000 head (12,000 animal units) of beef cattle weighing more than 700 pounds.

Permeability tests shall be conducted on the earthen wastewater retention structure Pond 3 and on Pond 2. Permeability tests on Pond 3 shall be completed within six months of the effective date of the permit. Permeability tests on Pond 2 shall be completed within 60 days after the soil liner(s) have been compacted.

Name and Address of Applicant	Legal Description	Receiving Water
Seaboard Farms, Inc. Beachner Boar Al/ Isolation Unit 9000 W. 67th St., Suite 200 Shawnee Mission, KS 66202	SW/4 of Section 14, T33S, R43W, Morton County	Cimarron River Basin

Kansas Permit No. A-CIMT-S007
 This is a new permit for a new facility for 400 head (160 animal units) of swine.
 Permeability tests shall be conducted on the 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 into service.

Public Notice No. KS-04-003/010

Name and Address of Applicant	Waterway	Type of Discharge
Florence, City of 100 E. 4th St. Florence, KS 66851	Cottonwood River via Doyle Creek	Treated Domestic Wastewater
Kansas Permit No. M-NE26-0001		Federal Permit No. KS0093068

Legal: NW¼, SE¼, S7, T21S, R5E, Marion County
 Facility Description: The proposed action is to reissue an existing permit for operation of an existing wastewater treatment facility treating primarily domestic wastewater. This facility was previously permitted as nondischarging. The permittee desires to change to discharging status. The proposed permit includes limits for biochemical oxygen demand, total suspended solids and pH. Monitoring for fecal coliform and ammonia also will be required. Included in this permit is a schedule of compliance requiring the permittee upgrade the classification of the KDHE-certified wastewater treatment plant operator to achieve compliance with 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 technology based.

Name and Address of Applicant	Waterway	Type of Discharge
Goddard, City of P.O. Box 667 Goddard, KS 67052	Cowskin Creek via Dry Creek via Unnamed Tributary	Treated Domestic Wastewater
Kansas Permit No. M-AR37-0001		Federal Permit No. KS0024791

Legal: NE¼, NW¼, SW¼ and NW¼, NE¼, SW¼, S29, T27S, R2W, Sedgwick County

Facility Description: The proposed action is to reissue an existing permit for operation of an existing wastewater treatment facility treating primarily domestic wastewater. The proposed permit includes limits for biochemical oxygen demand, total suspended solids, fecal coliform and pH. Monitoring for ammonia 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
Kansas Turnpike Authority 9401 E. Kellogg Wichita, KS 67207-1804	NW¼, SE¼, NW¼, S22, T18S, R11E, Lyon County	Treated Domestic Wastewater

Kansas Permit No. C-NE24-0002
 Facility Name: KTA - Emporia Service Area
 Facility Description: The proposed action is to issue a new permit for operation of a new wastewater treatment facility treating primarily domestic wastewater. The proposed permit includes limits for biochemical oxygen demand, total suspended solids, fecal coliform and pH. Monitoring for ammonia 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
Osage City, City of P.O. Box 250 Osage City, KS 66523	Salt Creek	Treated Domestic Wastewater

Kansas Permit No. M-MC29-0001 Federal Permit No. KS0022675
 Legal: NE¼, NW¼, S36, T16S, R14E, Osage County
 Facility Description: The proposed action is to reissue an existing permit for operation of an existing wastewater treatment facility treating primarily domestic wastewater. The proposed permit includes limits for biochemical oxygen demand, total suspended solids and pH. Monitoring for fecal coliform and ammonia also will be required. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are technology based.

Name and Address of Applicant	Waterway	Type of Discharge
Peabody, City of 300 N. Walnut Peabody, KS 66866	Cottonwood River via Doyle Creek	Treated Domestic Wastewater

Kansas Permit No. M-NE56-0001 Federal Permit No. KS0051705
 Legal: NW¼, SW¼, S3, T22S, R3E, Marion County
 Facility Description: The proposed action is to reissue an existing permit for operation of an existing wastewater treatment facility treating primarily domestic wastewater. This facility is being replaced by a

new three-cell wastewater lagoon system already permitted under M-NE56-OO03. The proposed permit includes limits for biochemical oxygen demand, total suspended solids and pH. Monitoring for fecal coliform, ammonia and effluent flow also will be required. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are technology based.

Name and Address of Applicant	Legal Description	Receiving Water
Tipton, City of P.O. Box 22 Tipton, KS 67485	South Fork Solomon River via Carr Creek via Unnamed Tributary	Treated Domestic Wastewater

Kansas Permit No. M-SO42-OO01 Federal Permit No. KS0085219
Legal: SE¼, NW¼, NW¼, S29, T8S, R10W, Mitchell County

Facility Description: The proposed action is to reissue an existing permit for operation of an existing wastewater treatment facility treating primarily domestic wastewater. The proposed permit includes limits for biochemical oxygen demand, total suspended solids, fecal coliform and pH. Monitoring for ammonia 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
Willowbrook, City of P.O. Box 1067 Willowbrook, KS 67504-1067	Cow Creek	Treated Domestic Wastewater

Kansas Permit No. M-AR95-OO02 Federal Permit No. KS0093050
Legal: W½, NW¼, NE¼, S33, T22S, R6W, Reno County

Facility Description: The proposed action is to issue a new permit for operation of a new wastewater lagoon treatment facility treating primarily domestic wastewater. This lagoon system will replace the existing mechanical plant. The proposed permit includes limits for biochemical oxygen demand, total suspended solids, fecal coliform and pH. Monitoring for ammonia and chlorides 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
St. Marys, City of P.O. Box 146 St. Marys, KS 66536	Doyle Creek	Contaminated Groundwater

Kansas Permit No. I-KS67-PO05 Federal Permit No. KS0090280
Legal Description: NW¼, S16, T10S, R12E, Pottawatomie County

Facility Description: The proposed action is to reissue an existing permit for operation of an existing groundwater pollution control project. Nitrate contaminated groundwater is pumped from the Park Well at a rate of approximately 150 gallons per minute to contain a contaminated plume that is migrating toward Public Water Supply Well No. 7. The contaminated groundwater pumped from the Park Well is discharged to Doyle Creek. The proposed permit includes limits for pH and monitoring for nitrate and effluent flow. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

Persons wishing to comment on or object to the draft permits and/or permit applications must submit their comments in writing to the Kansas Department of Health and Environment if they wish to have the comments or objections considered in the decision making process. Comments or objections should be submitted to the attention of 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 February 7 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate Kansas permit number (KS-AG-04-016/018, KS-04-003/010) 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) 431-239

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. 030230

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 1-5-04 through 1-11-04

Term	Rate
1-89 days	0.97%
3 months	0.90%
6 months	1.04%
1 year	1.30%
18 months	1.63%
2 years	1.90%

Derl S. Treff
Director of Investments

Doc. No. 030221

State of Kansas

Office of the State Bank Commissioner

Special Order 2003-1

THIS ORDER is hereby issued this 23rd day of December, 2003 by the Kansas State Bank Commissioner (Commissioner) pursuant to K.S.A. 9-1715, as amended.

WHEREAS, pursuant to Office of the Comptroller of the Currency's ("OCC") Bulletin 2000-23, issued July 20, 2000, a national banking association may purchase life insurance when such purchases are incidental to the business of banking, are consistent with safe and sound banking practices, and are made in accordance with the guidelines set out in the OCC Bulletin; and

WHEREAS, pursuant to Office of Thrift Supervision ("OTS") Regulatory Bulletin RB 32-26, issued July 31, 2002, a federal savings association may purchase life insurance if such purchases are useful in connection with the conduct of the savings association's business, are consistent with safe and sound banking practices, and are made in accordance with the guidelines set out in the OTS Bulletin; and

WHEREAS, no provision of Kansas law presently allows a state-chartered bank to purchase life insurance within the same parameters and for all of the purposes allowed for national banks and federal savings associations who operate in the same markets as state-chartered banks; and

WHEREAS, K.S.A. 9-1715, as amended, grants to the Commissioner the power to authorize state banks "to engage in any activity in which such banks could engage were they operating as any insured depository institution at the time such authority is granted . . ."; and

WHEREAS, the Commissioner deems the issuance of this special order to be reasonably required to preserve the welfare of state banks and to promote competitive equality of state-chartered banks with other insured depository institutions;

IT IS THEREFORE ORDERED, that notwithstanding any restrictions currently contained in the Kansas Banking Code, K.S.A. 9-501 et seq., Kansas state-chartered

banks are hereby authorized to purchase and hold life insurance in a manner consistent with the parameters outlined in OCC Bulletin 2000-23, and consistent with safe and sound banking practices;

IT IS FURTHER ORDERED, that Kansas state-chartered banks shall not invest in life insurance policies where the aggregate cash surrender value of the policies from any one insurance company would exceed 15% of the bank's capital, or where the cash surrender value of policies from all insurance companies would exceed 25% of the bank's capital unless approval is obtained from the Commissioner to exceed the limits, and that such limits shall apply both at the time of purchase and throughout the life of the insurance policies; and

IT IS FURTHER ORDERED, that for purposes of this special order, "capital" shall consist of a bank's capital stock, surplus, undivided profits, allowance for loan and lease losses, capital notes and debentures, and reserve for contingencies;

IT IS FURTHER ORDERED, that the limitations prescribed in this special order shall not apply to any such life insurance policies in place before July 1, 1993; and

IT IS FURTHER ORDERED, that pursuant to K.S.A. 9-1715(b), as amended, the terms of this special order shall become effective December 23, 2003 and shall remain in full force and effect until amended or revoked by the Commissioner.

IT IS SO ORDERED.

Clarence W. Norris
State Bank Commissioner

Doc. No. 030225

State of Kansas

Department of Health
and Environment

Notice of Hearing

A public hearing will be conducted at 10 a.m. Wednesday, February 11, in Conference Room 530 of the Curtis State Office Building, 1000 S.W. Jackson, Topeka, to discuss the draft fiscal year 2004 Priority System and Project Priority List and the draft FY 2004 Intended Use Plan for the Kansas Water Pollution Control Revolving Loan Fund.

The Bureau of Water has made minor modifications and clarifications to the priority system. Comments on the List and the Intended Use Plan can be presented at the hearing or in writing, or by e-mail prior to the hearing. Written comments should be addressed to Rod Geisler, Bureau of Water, Kansas Department of Health and Environment, Suite 420, Curtis State Office Building, 1000 S.W. Jackson, Topeka, 66612-1367, or by e-mail to rgeisler@kdhe.state.ks.us.

Roderick L. Bremby
Secretary of Health
and Environment

Doc. No. 030231

State of Kansas

Department of Administration

Public Notice

Under requirements of K.S.A. 65-34,117 (c), records of the Division of Accounts and Reports show the unobligated balances are \$4,947,745.61 in the underground petroleum storage tank release trust fund and \$625,508.96 in the aboveground petroleum storage tank release trust fund at December 31, 2003.

Howard R. Fricke
Secretary of Administration

Doc. No. 030237

State of Kansas

Department of Health
and EnvironmentPermanent Administrative
RegulationsArticle 16.—SURFACE WATER
QUALITY STANDARDS

28-16-28d. Surface water use designation and classification. (a) Designated uses of surface waters other than stream segments shall be defined as follows:

(1) "Agricultural water supply use" means the use of surface waters other than stream segments for agricultural purposes, including the following:

(A) "Irrigation," which means the withdrawal of surface waters other than stream segments for application onto land; and

(B) "livestock watering," which means the provision of surface waters other than stream segments to livestock for consumption.

(2) "Aquatic life support use" means the use of surface waters other than stream segments for the maintenance of the ecological integrity of lakes, wetlands, and ponds, including the sustained growth and propagation of native aquatic life; naturalized, important, recreational aquatic life; and indigenous or migratory semiaquatic or terrestrial wildlife directly or indirectly dependent on surface waters other than stream segments for survival.

(A) "Special aquatic life use waters" means either surface waters other than stream segments that contain combinations of habitat types and indigenous biota not found commonly in the state or surface waters other than stream segments that contain representative populations of threatened or endangered species.

(B) "Expected aquatic life use waters" means surface waters other than stream segments containing habitat types and indigenous biota commonly found or expected in the state.

(C) "Restricted aquatic life use waters" means surface waters other than stream segments containing indigenous biota limited in abundance or diversity by the physical quality or availability of habitat, due to natural deficiencies or artificial modifications, compared to more suitable habitats in adjacent waters.

(3) "Domestic water supply use" means the use of surface waters other than stream segments, after appropriate treatment, for the production of potable water.

(4) "Food procurement use" means the use of surface waters other than stream segments for obtaining edible forms of aquatic or semiaquatic life for human consumption.

(5) "Groundwater recharge use" means the use of surface waters other than stream segments for replenishing fresh or usable groundwater resources. This use may involve the infiltration and percolation of surface waters other than stream segments through sediments and soils or the direct injection of surface waters other than stream segments into underground aquifers.

(6) "Industrial water supply use" means the use of surface waters other than stream segments for nonpotable purposes by industry, including withdrawals for cooling or process water.

(7) "Recreational use" means the use of surface waters other than stream segments for primary or secondary contact recreation.

(A) "Primary contact recreational use for surface waters other than classified stream segments" means use of a surface water other than a classified stream segment for recreation during the period from April 1 through October 31 of each year during which the body is immersed to the extent that some inadvertent ingestion of water is probable. This use shall include boating, mussel harvesting, swimming, skin diving, waterskiing, and windsurfing.

(B) "Secondary contact recreational use for surface waters other than classified stream segments" means recreation during which ingestion of surface water other than classified stream segments is not probable. This use shall include wading, fishing, trapping, and hunting.

(b) Designated uses of stream segments shall be those defined in K.S.A. 82a-2001(c), and amendments thereto.

(c) Surface water classification. Surface waters shall be classified as follows:

(1) Classified stream segments shall be those stream segments defined in K.S.A. 82a-2001(a), and amendments thereto.

(2) Classified lakes shall be all lakes owned by federal, state, county, or municipal authorities and all privately owned lakes that serve as public drinking water supplies or that are open to the general public for primary or secondary contact recreation.

(3) Classified wetlands shall be the following:

(A) All wetlands owned by federal, state, county, or municipal authorities;

(B) all privately owned wetlands open to the general public for hunting, trapping, or other forms of secondary contact recreation; and

(C) all wetlands classified as outstanding national resource waters or exceptional state waters, or designated as special aquatic life use waters according to subsection (d).

Wetlands created for the purpose of wastewater treatment shall not be considered classified wetlands.

(4) Classified ponds shall be all ponds owned by federal, state, county, or municipal authorities and all privately owned ponds that impound water from a classified stream segment as defined in paragraph (c)(1).

(d) Assignment of uses to surface waters.

(continued)

(1) Classified surface waters shall be designated for uses based upon the results of use attainability analyses conducted in accordance with K.S.A. 82a-2005(a), and amendments thereto. The provisions of the federal water quality standards regulation, 40 C.F.R. 131.10 as in effect on July 1, 2000, shall be followed and are hereby adopted by reference.

(2) A register of surface water classifications and use designations shall be maintained by the department. This register shall identify the designated uses of all listed major classified streams, lakes, wetlands, and ponds and shall list those streams, lakes, wetlands, and ponds recognized by the department as outstanding national resource waters or exceptional state waters. Use designations of listed surface waters or water bodies recognized as outstanding national resource waters or exceptional state waters shall be those identified in the "Kansas surface water register," dated December 15, 2003, which is hereby adopted by reference.

(3) Use designations for classified streams, lakes, wetlands, and ponds not listed in the surface water register shall be determined by the department on a case-by-case basis in accordance with the requirements of paragraph (d)(1). (Authorized by K.S.A. 65-171d, as amended by L. 2003, Ch. 118, Sec. 2; implementing K.S.A. 65-165 and 65-171d, as amended by L. 2003, Ch. 118, Sec. 2, and K.S.A. 2002 Supp. 82a-2001, as amended by L. 2003, Ch. 105, Sec. 1; effective May 1, 1986; amended, T-87-8, May 1, 1986; amended May 1, 1987; amended Aug. 29, 1994; amended July 30, 1999; amended Aug. 31, 2001; amended Jan. 3, 2003; amended Jan. 23, 2004.)

Roderick L. Bremby
Secretary of Health
and Environment

Doc. No. 030227

State of Kansas

Department of Revenue

Permanent Administrative Regulations

Article 51.—TITLES AND REGISTRATION

92-51-24. Mailing of titles. (a) Each title without a lien or security interest processed by the division of vehicles shall be mailed directly to the owner unless the division is otherwise instructed by the owner.

(b) Each title with a lien or security interest held in electronic format shall be mailed to the owner once the lien or security interest is satisfied, unless the division is otherwise instructed by a person who satisfies the lien or security interest but who is not the owner. (Authorized by K.S.A. 74-2011, K.S.A. 8-134, as amended by 2003 HB 2189, § 1, and K.S.A. 2002 Supp. 8-135d; implementing K.S.A. 2002 Supp. 8-135, as amended by 2003 HB 2193, § 1, and K.S.A. 2002 Supp. 8-135d; effective, E-82-26, Dec. 16, 1981; effective May 1, 1982; amended Jan. 3, 2003; amended Jan. 23, 2004.)

92-51-25. Applications for title on used, foreign vehicles. (a) To secure a certificate of title on a used, for-

foreign vehicle, the applicant shall provide the following documentation to the county treasurer:

(1) A form evidencing that the vehicle identification number has been verified by the Kansas highway patrol; and

(2) (A) The foreign title in the applicant's name and an affidavit of date of entry into Kansas;

(B) a foreign title that has been properly assigned to the applicant; or

(C) a foreign title that has been properly assigned to a registered dealer of the state in which the title was issued and that has been properly reassigned by the dealer of that state to the Kansas resident.

(b) If the foreign state does not have a title law, the applicant shall present a bill of sale from the seller of the vehicle and a foreign registration receipt. The foreign registration receipt shall meet one of the following requirements:

(1) Be in the applicant's name;

(2) be properly assigned to the applicant; or

(3) be reassigned by a registered dealer of the issuing state. The foreign registration receipt and the bill of sale shall be surrendered to the county treasurer.

(c) If a foreign title is held by an out-of-state lienholder, a title shall not be issued by the division unless the out-of-state lienholder forwards the foreign title to the division. A faxed copy of the foreign title may be used for inspection and registration purposes pending receipt of the foreign title. (Authorized by K.S.A. 74-2011, K.S.A. 2002 Supp. 8-116a, K.S.A. 8-134, as amended by 2003 HB 2189, § 1, and K.S.A. 2002 Supp. 8-135d; implementing K.S.A. 2002 Supp. 8-116a and 8-135, as amended by 2003 HB 2193, § 1; effective, E-82-26, Dec. 16, 1981; effective May 1, 1982; amended, T-85-40, Dec. 19, 1984; amended May 1, 1985; amended Jan. 23, 2004.)

92-51-28. Printing of electronic titles. (a) Any title with a security interest that is held in an electronic format may be printed if the owner is not currently a Kansas resident and if all the following conditions are met:

(1) The owner moved from the state of Kansas and notified the lienholder of the owner's change of address.

(2) The lienholder provides the division with written or electronic permission to print the title.

(3) The titling authority of the owner's new jurisdiction requests that the title be printed and mailed directly to the titling authority and provides mailing instructions.

(b) Any title with a security interest held in electronic format may be printed if the owner, as defined by K.S.A. 8-1,100(h) and amendments thereto, is a Kansas resident and all of the following conditions are met:

(1) The owner is a motor carrier that has entered into a lease agreement for the vehicle for more than 28 days with a foreign state motor carrier.

(2) The foreign state will not accept an electronic title receipt for purposes of registration under the international registration plan.

(3) The titling authority of the foreign state requests that the title be printed and mailed directly to the titling authority. (Authorized by K.S.A. 8-134, as amended by 2003 HB 2189, § 1, K.S.A. 2002 Supp. 8-135d and 58-4204a; implementing K.S.A. 2002 Supp. 8-135, as amended by

2003 HB 2193, § 1, K.S.A. 2002 Supp. 8-135d and 58-4204a; effective Jan. 23, 2004.)

92-51-29. Eliminating title for manufactured or mobile home; fee required. A certificate of title shall be eliminated by the division upon receipt of the following:

(a) The owner's affidavit stating that the manufactured or mobile home has been permanently affixed to a foundation; and

(b) payment of a \$10.00 fee. (Authorized by K.S.A. 2002 Supp. 58-4215; implementing K.S.A. 2002 Supp. 58-4214; effective Jan. 23, 2004.)

92-51-34a. License plates; extension of time for new issuance. (a) The current issuance cycle for new license plates shall be extended for an additional one-year period by the director of vehicles. During calendar year 2006, one decal shall be furnished for the license plate issued for each new registration of a vehicle, as provided in K.S.A. 8-134 and amendments thereto, and for each renewal registration of a vehicle. New license plates shall be issued during calendar year 2007 and during every fifth calendar year after 2007, for each new registration of a vehicle and for each renewal registration of a vehicle.

(b) During each of the four years following 2007 and during each of the four years following any year in which new license plates are issued, one decal shall be furnished for the license plate issued for each new registration of a vehicle and for each renewal registration of a vehicle. (Authorized by and implementing K.S.A. 2002 Supp. 8-132; effective Jan. 23, 2004.)

Article 52.—MOTOR VEHICLE DRIVERS' LICENSES

92-52-9. Definition of moving violation. (a) "Moving violation" means a conviction for violating any of the following:

(1) Any of the following Kansas statutes, and amendments thereto:

- (A) K.S.A. 8-235;
- (B) K.S.A. 8-237;
- (C) K.S.A. 8-244;
- (D) K.S.A. 8-262;
- (E) K.S.A. 8-287;
- (F) K.S.A. 8-291;
- (G) K.S.A. 8-296;
- (H) K.S.A. 8-1503;
- (I) K.S.A. 8-1507 through K.S.A. 8-1511;
- (J) K.S.A. 8-1514 through K.S.A. 8-1524;
- (K) K.S.A. 8-1526 through K.S.A. 8-1531a;
- (L) K.S.A. 8-1533;
- (M) K.S.A. 8-1535;
- (N) K.S.A. 8-1539 through K.S.A. 8-1540;
- (O) K.S.A. 8-1542;
- (P) K.S.A. 8-1545 through K.S.A. 8-1553;
- (Q) K.S.A. 8-1555 through K.S.A. 8-1560b;
- (R) K.S.A. 8-1561 through K.S.A. 8-1563;
- (S) K.S.A. 8-1565 through K.S.A. 8-1567;
- (T) K.S.A. 8-1568;
- (U) K.S.A. 8-1573 through K.S.A. 8-1576;
- (V) K.S.A. 8-1578 through K.S.A. 8-1578a;
- (W) K.S.A. 8-1580 through K.S.A. 8-1581;
- (X) K.S.A. 8-1584;

(Y) K.S.A. 8-1595;

(Z) K.S.A. 8-1599;

(AA) K.S.A. 8-1703;

(BB) K.S.A. 8-1725;

(CC) K.S.A. 8-1759;

(DD) K.S.A. 8-1910;

(EE) K.S.A. 21-3405;

(FF) K.S.A. 21-3442; or

(GG) any other Kansas statute that specifically provides that conviction for a violation of such statute is a moving violation;

(2) any similar municipal ordinance or county resolution in this state; or

(3) any similar statute, municipal ordinance, or regulation in another state.

(b) Nothing in this regulation shall be construed to prevent the division of vehicles from recording on individual driving records other administrative actions or convictions relating to vehicles. (Authorized by K.S.A. 8-249; implementing K.S.A. 8-249 and 8-255; effective, E-82-26, Dec. 16, 1981; effective May 1, 1982; amended June 1, 1992; amended, T-92-7-2-01, July 2, 2001; amended Oct. 26, 2001; amended Jan. 23, 2004.)

Joan Wagnon
Secretary of Revenue

Doc. No. 030222

State of Kansas

Governmental Ethics Commission

Permanent Administrative Regulations

Article 2.—ADVISORY OPINION REQUESTS

19-2-2. Advisory opinion. (a) Each advisory opinion request shall be submitted in writing and shall contain the full name, address, and telephone number of the applicant, a statement of how the applicant may be subject to relevant law, and a description of the opinion requested in sufficient detail to allow an opinion to be expressed on it.

(b) Only those advisory opinion requests received in the commission's office 10 or more days before the commission's next regularly scheduled commission meeting shall be considered at that meeting, unless the commission finds that a longer or shorter period of time is necessary.

(c) Advisory opinion requests may be amended or withdrawn by the applicant. If the commission finds that the commission lacks jurisdiction, the advisory opinion request shall be denied. If denied, a copy of the order denying issuance of an advisory opinion and stating the grounds for that denial shall be issued by the commission and caused to be served upon the applicant. (Authorized by K.S.A. 2002 Supp. 25-4119a, K.S.A. 46-253, K.S.A. 2002 Supp. 75-4303a; implementing K.S.A. 25-4159, 46-254, K.S.A. 2002 Supp. 75-4303a; effective, E-76-52, Oct. 24, 1975; effective, E-77-20, May 1, 1976; amended, E-77-47, Sep. 30, 1976; effective Feb. 15, 1977; amended May 1, 1980; amended Jan. 1, 1982; amended Jan. 23, 2004.)

(continued)

**Article 20.—CAMPAIGN FINANCE ACT;
GENERAL PROVISIONS**

19-20-4. Disclosures required on political advertising. (a) Any disclosure required pursuant to K.S.A. 25-4156(b)(1)(A)-(C) and amendments thereto shall appear at the bottom of the advertisement or item and shall contain both the name of the chairperson, treasurer, or other responsible party and the name of the organization that the responsible party represents. With regard to the required disclosure, the following requirements shall apply:

(1) The name of the organization alone shall not be sufficient.

(2) If a political committee is responsible for the advertisement or item, the chairperson's name and the name of the political committee shall be disclosed.

(3) If a candidate or candidate committee is responsible for the advertisement or item, the treasurer's name and the name of the candidate or candidate committee shall be disclosed.

(4) If an organization that has a chairperson, other than a political committee, candidate, or candidate committee, is responsible for the advertisement or item, the chairperson's name and the name of the responsible organization shall be disclosed.

(5) If an organization that does not have a chairperson, other than a political committee, candidate, or candidate committee, is responsible for the advertisement or item, then the responsible individual listed shall be one of the following:

(A) The individual who is the primary funding source;

(B) if no individual is the primary funding source, then the individual who controlled the decision to place the advertisement or produce the item; or

(C) if no one individual controlled the decision, then the individual who controlled the funds.

(6) If an individual is responsible for the item, that individual's name shall be disclosed, unless the advertisement or item is a brochure, flier, or other political fact sheet and the individual makes expenditures in an aggregate amount of less than \$2,500 within a calendar year.

(7) The following disclosures shall be considered adequate when placed at the bottom of the advertisement or item:

(A) Paid for by the (name of candidate) campaign, (name of treasurer), treasurer;

(B) paid for by (name of candidate) for (title of office sought), (name of treasurer), treasurer;

(C) sponsored by the committee to elect (name of candidate), (name of chairperson), chairperson;

(D) paid for by (name of political action committee) political action committee, (name of treasurer), treasurer; and

(E) advertisement: paid for by committee to elect (name of candidate), (name of chairperson), chairperson.

(b) The phrase "brochure, flier or other political fact sheet," as used in K.S.A. 25-4156 and amendments thereto, shall include the following items if they expressly advocate the nomination, election, or defeat of a clearly identified candidate:

(1) Business cards;

(2) "push" cards;

(3) door hangers;

(4) windshield fliers;

(5) postcards;

(6) fund-raiser invitations; and

(7) traditional brochures, fliers, or mailers.

(c) The phrase "brochure, flier or other political fact sheet" shall not include any of the following:

(1) Yard signs;

(2) billboards;

(3) bumper stickers;

(4) envelopes;

(5) t-shirts;

(6) pens, pencils, rulers, magnets, or other trinket items; or

(7) fund-raiser invitations, "push" cards, business cards, brochures, or fliers if they do not expressly advocate the nomination, election, or defeat of a clearly identified candidate. (Authorized by K.S.A. 2002 Supp. 25-4119a; implementing K.S.A. 25-4156; effective Jan. 23, 2004.)

**Article 60.—LOBBYING REGULATION
PROVISIONS**

19-60-3. Definitions. The following words and phrases shall have these meanings:

(a) "Employer" means any of the following:

(1) A person who employs another person to a considerable degree for the purpose of lobbying;

(2) a person who formally appoints a person as the primary representative of an organization or of other persons to lobby in person on state-owned or state-leased property; or

(3) a person on whose behalf a person otherwise registers or is required to register as a lobbyist. If a lobbyist has more than one employer, the provisions of articles 60, 61, 62, and 63 of these regulations that relate to employers shall apply independently to each of the lobbyist's employers.

(b) "Expenditure" means a payment or a contract to pay for any of the following:

(1) The provision of hospitality in the form of recreation, food, and beverage to any state officers or employees of the legislative branch, candidates for the legislature, or legislators-elect, or their spouses, except bona fide personal or business entertainment as defined in subsection (c) below;

(2) the provision of any entertainment, gift, honoraria, or payment to any state officers or employees of the legislative branch, candidates for the legislature, or legislators-elect, or their spouses, except bona fide personal or business gifts, entertainment, honoraria, or payments;

(3) the production and communication of lobbying information to any state officer or employee of the legislative branch, candidate for the legislature, or legislator-elect by any person other than an individual; or

(4) the production and dissemination of mass media communications, letter-writing campaigns, and similar transactions that explicitly promote or oppose a clearly identified legislative matter or regulation and that urge or request the recipient to communicate directly with

state officers or employees of the legislative branch, candidates for the legislature, or legislators-elect regarding that matter.

A person shall be considered to have made an expenditure if the person does so directly or if another person does so on the person's behalf. In addition, in the case of membership organizations, associations, or similar entities, the entity shall be deemed to make an expenditure associated with membership events if the entity plays an integral role initiating, planning, or operating these membership events.

(5) The term "expenditure" shall not mean a payment or contract that meets any of the following conditions:

(A) Is made for the preparation of proposals, position papers, and similar documents;

(B) is made to employ another to lobby on one's behalf;

(C) is made for personal travel and subsistence of an individual engaged in lobbying;

(D) is reported in compliance with the campaign finance act;

(E) is made in association with any news story, commentary, or editorial distributed in the ordinary course of business by a broadcasting station, newspaper, or other periodical publication; or

(F) is made for contributions to membership organizations, associations, or similar entities in which the funds are used to make expenditures attributable to the entity or its representatives.

(c) "Bona fide personal or business entertainment or gifts" means entertainment or gifts provided to state officers or employees of the legislative branch, candidates for the legislature, or legislators-elect, or their spouses, that are based solely on a business or personal relationship totally unrelated to the duties of the state officer or employee of the legislative branch, candidate for the legislature, or legislator-elect. The factors that shall be taken into consideration in determining whether a specific entertainment or gift falls within this definition include the following:

(1) The intent of the parties;

(2) the length of time a business or personal relationship has existed;

(3) the topics of discussion;

(4) the setting;

(5) the persons attending;

(6) the reimbursement of the person providing the entertainment or gift by an organization that engages in lobbying; and

(7) the deduction by the person providing the entertainment or gift, or that person's principal, of the expenditures as lobbying expenditures.

(d) (1) "Gift" means the transfer of money or anything of value without receiving legal consideration of a reasonably equal or greater value in return. The value of a gift shall be the fair market value or a reasonable estimate of it. If a transfer is made for less than reasonable consideration, the amount by which the value of the transfer exceeds the value of the consideration received shall be deemed a gift.

(2) The term "gift" shall not include any of the following:

(A) The provision of hospitality in the form of recreation with a value of less than \$100, food, or beverage;

(B) any bona fide personal or business gift or entertainment; or

(C) any contribution reported in compliance with the campaign finance act.

(e) "Hospitality in the form of recreation, food and beverage" means the provision of recreation to or consumption of food and beverage by a state officer or employee of the legislative branch, candidate for the legislature, or legislator-elect while the state officer or employee of the legislative branch, candidate for the legislature, or legislator-elect is in the company of the donor or the donor's authorized agent.

(f) "Entertainment" means the provision of recreation, food, or beverage to a state officer or employee of the legislative branch, candidate for the legislature, or legislator-elect, when the state officer or employee of the legislative branch, candidate for the legislature, or legislator-elect is not in the company of the donor or the donor's authorized agent.

(g) Invitations. In order for an invitation to comply with K.S.A. 46-269(c)(2)(E)(i) or (c)(2)(E)(ii) and amendments thereto, an invitation shall be meaningful and issued in good faith. In determining whether an invitation is meaningful and issued in good faith, the factors that shall be considered include the following:

(1) Actual notice. The person extending the invitation shall provide notification in a manner that ensures that the majority of the invitees received actual notice. The manner in which the invitation is distributed or communicated to the invitees shall remain within the discretion of the invitor.

(2) Timeliness of notice. The invitees shall receive notice in a manner sufficiently timely to allow them a reasonable likelihood of attending the event. Considerations shall include the location of the event, the location of the invitees, the necessity of travel to the event, and the scheduling of other events generally attended by a significant portion of the invitees.

(3) Likelihood of attendance. There shall be a reasonable likelihood that the majority or a reasonable mix of the invitees will or reasonably could attend the event. An invitation to an event that is historically attended only by certain individuals and that carries no reasonable likelihood that the majority or a reasonable mix of the invitees will attend shall not be deemed to be an invitation pursuant to K.S.A. 46-269(c)(2)(E)(i) or (c)(2)(E)(ii) and amendments thereto. (Authorized by K.S.A. 46-253; implementing K.S.A. 46-237 and 46-271; effective, E-77-7, March 19, 1976; effective, E-77-20, May 1, 1976; effective Feb. 15, 1977; amended May 1, 1980; amended June 22, 1992; amended Jan. 23, 2004.)

Article 63.—LOBBYIST REPORTING PROVISIONS

19-63-6. Lobbyist's records. Records in support of every report or statement filed shall be maintained and preserved by the lobbyist for five years from the date of filing the report or statement and may be inspected by

(continued)

and under conditions determined by the commission. At a minimum, each lobbyist shall maintain the following records: (a) A detailed account of all lobbying expenditures, including the following:

- (1) The full name and address of each person to whom the payment is made;
- (2) the purpose of the expenditure;
- (3) the date of the expenditure, including both the date of contracting and the date of payment; and
- (4) the amount of the expenditure;
- (b) receipts and invoices to substantiate all expenditures and reimbursements;
- (c) all bills, statements, contracts, or other documentation for services relating to reportable lobbying activities;
- (d) the canceled check or copy supplied from a financial institution or other instrument by which payment for reportable lobbying activities was made;
- (e) a chart of accounts, if applicable;
- (f) a general ledger;

(g) the following documentation for all bank and credit card accounts held or used in connection with lobbying activities, including any personal accounts used in connection with lobbying:

- (1) Account statements;
- (2) deposit slips; and
- (3) canceled checks or copies supplied from a financial institution;
- (h) lists of persons accepting gifts that shall be reported pursuant to K.S.A. 46-269 and amendments thereto;
- (i) lists of persons consuming meals or attending entertainment or recreational events that shall be reported pursuant to K.S.A. 46-269 and amendments thereto; and
- (j) contracts or agreements for lobbying services between the lobbyist and the lobbyist's employer or appointing authority. (Authorized by K.S.A. 46-253; implementing K.S.A. 46-269; effective June 22, 1992; amended Jan. 23, 2004.)

Carol E. Williams
Executive Director

Doc. No. 030226

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 2003 Volumes of the *Kansas Administrative Regulations*.

AGENCY 1: DEPARTMENT OF ADMINISTRATION

Reg. No.	Action	Register
1-6-21	Amended	V. 22, p. 1968
1-6-23	Amended (T)	V. 22, p. 466
1-6-23	Amended	V. 22, p. 1230
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	Revoked	V. 22, p. 226
1-45-16	Revoked	V. 22, 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 4: DEPARTMENT OF AGRICULTURE

Reg. No.	Action	Register
4-4-900	Amended	V. 22, p. 1191
4-4-956	Amended	V. 22, p. 1192
4-4-982	Amended	V. 22, p. 1192
4-4-983	Amended	V. 22, p. 1192
4-4-985	New	V. 22, p. 1193
4-4-986	New	V. 22, p. 1194
4-8-43	New (T)	V. 22, p. 82
4-8-43	New	V. 22, p. 432
4-13-1	Amended	V. 22, p. 1194
4-13-2	Amended	V. 22, p. 1195
4-13-4a	Amended	V. 22, p. 1195
4-13-6	Amended	V. 22, p. 1196

4-13-7	Amended	V. 22, p. 1196
4-13-26	Amended	V. 22, p. 1196
4-20-5	Amended	V. 22, p. 1747
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
4-25-16	Amended (T)	V. 22, p. 2176

AGENCY 5: DEPARTMENT OF AGRICULTURE—DIVISION OF WATER RESOURCES

Reg. No.	Action	Register
5-1-1	Amended	V. 22, p. 1747
5-1-4	Amended	V. 22, p. 1751
5-1-6	Amended	V. 22, p. 1752
5-1-9	Amended	V. 22, p. 1753
5-1-12	Amended	V. 22, p. 1753
5-3-1	Amended	V. 22, p. 1753
5-3-1b	New	V. 22, p. 1754
5-3-3a	New	V. 22, p. 1754
5-3-4c	Amended	V. 22, p. 1754
5-3-4d	Amended	V. 22, p. 1754
5-3-5c	Amended	V. 22, p. 1755
5-3-7	Amended	V. 22, p. 1755
5-3-16a	New	V. 22, p. 1755
5-3-19	Amended	V. 22, p. 1756
5-5-2a	New	V. 22, p. 1756
5-5-16	Amended	V. 22, p. 1757
5-6-13a	New	V. 22, p. 1758
5-6-15	Amended	V. 22, p. 1758
5-7-1	Amended	V. 22, p. 1758
5-9-1	Amended	V. 22, p. 1759
5-9-6	Amended	V. 22, p. 1759
5-14-10	New	V. 22, p. 1759
5-14-11	New	V. 22, p. 1760
5-23-4	Amended	V. 22, p. 1933
5-23-4a	Amended	V. 22, p. 1933
5-23-4b	Amended	V. 22, p. 1934
5-23-5	Revoked	V. 22, p. 1935
5-25-1	Amended	V. 22, p. 1819
5-25-2	Amended	V. 22, p. 1819
5-25-2a	New	V. 22, p. 1819
5-25-3	Amended	V. 22, p. 1820
5-25-4	Amended	V. 22, p. 1820
5-25-5	Amended	V. 22, p. 1820
5-25-8	Amended	V. 22, p. 1821
5-25-10	Amended	V. 22, p. 1821
5-25-11	Amended	V. 22, p. 1821
5-25-12	Amended	V. 22, p. 1821
5-25-20	through New	V. 22, p. 1821-1824

AGENCY 7: SECRETARY OF STATE

Reg. No.	Action	Register
7-16-1	New (T)	V. 22, p. 1226
7-16-1	New	V. 22, p. 1650
7-16-2	New (T)	V. 22, p. 1226
7-16-2	New	V. 22, p. 1650

AGENCY 9: ANIMAL HEALTH DEPARTMENT

Reg. No.	Action	Register
9-18-1	Amended	V. 22, p. 794
9-18-2	New (T)	V. 22, p. 1260
9-18-2	New	V. 22, p. 1850
9-18-3	New (T)	V. 22, p. 1260
9-18-3	New	V. 22, p. 1850
9-19-1 through 9-19-11	Revoked (T)	V. 22, p. 1261
9-19-1 through 9-19-11	Revoked	V. 22, p. 1816
9-19-12	New (T)	V. 22, p. 1261
9-19-12	New	V. 22, p. 1816
9-22-4	Amended (T)	V. 22, p. 1261
9-22-4	Amended	V. 22, p. 1507
9-22-5	Amended (T)	V. 22, p. 1262
9-22-5	Amended	V. 22, p. 1508
9-25-2	Amended (T)	V. 22, p. 1264
9-25-3	Amended (T)	V. 22, p. 1264
9-25-5	Amended (T)	V. 22, p. 1265
9-25-5	Amended	V. 22, p. 1817
9-25-6	Amended (T)	V. 22, p. 1266
9-25-6	Amended	V. 22, p. 1818
9-25-12	Amended (T)	V. 22, p. 1267
9-25-12	Amended	V. 22, p. 1850
9-26-1	Amended (T)	V. 22, p. 1267
9-26-1	Amended	V. 22, p. 1818

AGENCY 14: DEPARTMENT OF REVENUE—DIVISION OF ALCOHOLIC BEVERAGE CONTROL

Reg. No.	Action	Register
14-13-9	Amended	V. 22, p. 1929
14-15-1	New	V. 22, p. 123
14-15-2	New	V. 22, p. 123

AGENCY 17: STATE BANK COMMISSIONER (see Agency 75, this index)

Reg. No.	Action	Register
17-8-1	New	V. 22, p. 1574
17-11-18	Amended	V. 22, p. 798
17-24-1	Amended	V. 22, p. 1574
17-24-4	New	V. 22, p. 1816

AGENCY 26: DEPARTMENT ON AGING

Reg. No.	Action	Register
26-2-3	Amended	V. 22, p. 1258

AGENCY 28: DEPARTMENT OF HEALTH AND ENVIRONMENT

Reg. No.	Action	Register
28-1-2	Amended (T)	V. 22, p. 2030
28-1-4	Amended (T)	V. 22, p. 2031
28-16-28b	Amended	V. 22, p. 1760
28-16-28e	Amended	V. 22, p. 1763
28-17-6	Amended (T)	V. 22, p. 1225
28-17-6	Amended	V. 22, p. 1711
28-29-3	Amended	V. 22, p. 798
28-29-20	Amended	V. 22, p. 801
28-29-101	Revoked	V. 22, p. 802
28-29-109	Amended	V. 22, p. 802
28-29-300	New	V. 22, p. 2131
28-29-302	New	V. 22, p. 2131
28-29-304	New	V. 22, p. 2133
28-29-308	New	V. 22, p. 2134
28-29-321	New	V. 22, p. 2137
28-29-325	New	V. 22, p. 2137
28-36-30	Amended	V. 22, p. 1771
28-38-18	Amended	V. 22, p. 1575
28-38-19	Amended	V. 22, p. 1575
28-39-164	through	
28-39-168	Amended	V. 22, p. 2094-2096
28-39-169	Revoked	V. 22, p. 2096
28-39-169a	New	V. 22, p. 2096
28-39-169b	New	V. 22, p. 2097
28-39-169c	New	V. 22, p. 2098
28-39-170	through	
28-39-174	Revoked	V. 22, p. 2099
28-45-2	Revoked (T)	V. 22, p. 531
28-45-2	Revoked	V. 22, p. 1304
28-45-2a	New (T)	V. 22, p. 531
28-45-2a	New	V. 22, p. 1304
28-45-3	Revoked (T)	V. 22, p. 532
28-45-3	Revoked	V. 22, p. 1305
28-45-3a	New (T)	V. 22, p. 532
28-45-3a	New	V. 22, p. 1305
28-45-4	Revoked (T)	V. 22, p. 533
28-45-4	Revoked	V. 22, p. 1306
28-45-4a	New (T)	V. 22, p. 533
28-45-4a	New	V. 22, p. 1306
28-45-5	Revoked (T)	V. 22, p. 533
28-45-5	Revoked	V. 22, p. 1306
28-45-5a	New (T)	V. 22, p. 533
28-45-5a	New	V. 22, p. 1306
28-45-6	Revoked (T)	V. 22, p. 534
28-45-6	Revoked	V. 22, p. 1306
28-45-6a	New (T)	V. 22, p. 534
28-45-6a	New	V. 22, p. 1306
28-45-7	Revoked (T)	V. 22, p. 535
28-45-7	Revoked	V. 22, p. 1308
28-45-7a	New (T)	V. 22, p. 535
28-45-7a	New	V. 22, p. 1308
28-45-8	Revoked (T)	V. 22, p. 536
28-45-8	Revoked	V. 22, p. 1309
28-45-8a	New (T)	V. 22, p. 536
28-45-8a	New	V. 22, p. 1309
28-45-9	Revoked (T)	V. 22, p. 536
28-45-9	Revoked	V. 22, p. 1309
28-45-9a	New (T)	V. 22, p. 536
28-45-9a	New	V. 22, p. 1309
28-45-10	Revoked (T)	V. 22, p. 536
28-45-10	Revoked	V. 22, p. 1309
28-45-10a	New (T)	V. 22, p. 536
28-45-10a	New	V. 22, p. 1309
28-45-11	Revoked (T)	V. 22, p. 537
28-45-11	Revoked	V. 22, p. 1310
28-45-11a	New (T)	V. 22, p. 537
28-45-11a	New	V. 22, p. 1310
28-45-12	through	
28-45-30	New (T)	V. 22, p. 537-548
28-45-12	through	
28-45-30	New	V. 22, p. 1310-1321

28-45a-1	through	
28-45a-19	New (T)	V. 22, p. 548-557
28-45a-1	through	
28-45a-19	New	V. 22, p. 1321-1331
28-51-100	Amended	V. 22, p. 2099
28-51-108	Amended	V. 22, p. 2100
28-51-113	through	
28-51-116	New	V. 22, p. 2100-2102

AGENCY 30: SOCIAL AND REHABILITATION SERVICES

Reg. No.	Action	Register
30-4-39	Amended	V. 22, p. 1533
30-4-55	Amended	V. 22, p. 1533
30-4-96	Revoked	V. 22, p. 249
30-4-110	Amended	V. 22, p. 1534
30-5-59	Amended	V. 22, p. 2087
30-5-64	Amended	V. 22, p. 2088
30-5-78	Amended	V. 22, p. 2090
30-5-81u	Amended (T)	V. 22, p. 83
30-5-81u	Amended	V. 22, p. 432
30-5-89	Amended	V. 22, p. 1355
30-5-89a	Amended	V. 22, p. 1355
30-5-102	Amended (T)	V. 22, p. 83
30-5-102	Amended	V. 22, p. 2090
30-5-105	Amended (T)	V. 22, p. 83
30-5-105	Amended	V. 22, p. 2091
30-5-107	Amended	V. 22, p. 1043
30-5-107a	Amended	V. 22, p. 1044
30-5-116	Amended	V. 22, p. 2091
30-5-300	Amended	V. 22, p. 2091
30-6-65	Amended	V. 22, p. 1044
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
30-6-108	Amended	V. 22, p. 1045
30-6-109	Amended	V. 22, p. 1045
30-10-14	Revoked	V. 22, p. 1355
30-10-15a	Amended	V. 22, p. 1355
30-10-17	Amended (T)	V. 22, p. 990
30-10-17	Amended	V. 22, p. 1233
30-10-18	Amended (T)	V. 22, p. 991
30-10-18	Amended	V. 22, p. 1234
30-10-19	Amended (T)	V. 22, p. 994
30-10-19	Amended	V. 22, p. 1236
30-10-21	Amended	V. 22, p. 1357
30-10-23b	Amended	V. 22, p. 1357
30-14-28	Amended (T)	V. 22, p. 84
30-14-28	Amended	V. 22, p. 434
30-44-5	New	V. 22, p. 1047
30-60-1	Amended	V. 22, p. 1090
30-60-2	Amended	V. 22, p. 1090
30-60-5	Amended	V. 22, p. 1090
30-60-6	Amended	V. 22, p. 1091
30-60-7	Amended	V. 22, p. 1092
30-60-8	New	V. 22, p. 1092
30-60-10	Amended	V. 22, p. 1093
30-60-11	Amended	V. 22, p. 1093
30-60-12	Amended	V. 22, p. 1093
30-60-13	New	V. 22, p. 1094
30-60-14	New	V. 22, p. 1094
30-60-15	New	V. 22, p. 1094
30-60-16	New	V. 22, p. 1094
30-60-17	Amended	V. 22, p. 1095
30-60-18	Amended	V. 22, p. 1095
30-16-19	Amended	V. 22, p. 1096
30-60-25	Amended	V. 22, p. 1096
30-60-26	Amended	V. 22, p. 1097
30-60-27	Amended	V. 22, p. 1097
30-60-28	Amended	V. 22, p. 1097
30-60-29	New	V. 22, p. 1097
30-60-30	New	V. 22, p. 1098
30-60-40	Amended	V. 22, p. 1098
30-60-41	Amended	V. 22, p. 1098
30-60-45	Amended	V. 22, p. 1099
30-60-46	Amended	V. 22, p. 1099
30-60-47	Amended	V. 22, p. 1099
30-60-48	New	V. 22, p. 1099
30-60-49	New	V. 22, p. 1100
30-60-50	Amended	V. 22, p. 1100
30-60-51	New	V. 22, p. 1101

30-60-55	Amended	V. 22, p. 1102
30-60-56	New	V. 22, p. 1103
30-60-57	New	V. 22, p. 1103
30-60-60	Revoked	V. 22, p. 1103
30-60-61	Revoked	V. 22, p. 1103
30-60-62	Amended	V. 22, p. 1103
30-60-63	New	V. 22, p. 1104
30-60-64	New	V. 22, p. 1105
30-60-70	Amended	V. 22, p. 1108
30-60-71	Amended	V. 22, p. 1108
30-60-72	Amended	V. 22, p. 1108
30-60-73	Amended	V. 22, p. 1108
30-60-74	Amended	V. 22, p. 1109
30-60-75	Revoked	V. 22, p. 1109
30-60-76	Amended	V. 22, p. 1109
30-61-1	Amended	V. 22, p. 1109
30-61-2	Amended	V. 22, p. 1109
30-61-5	Amended	V. 22, p. 1109
30-61-6	Amended	V. 22, p. 1110
30-61-10	Amended	V. 22, p. 1110
30-61-11	New	V. 22, p. 1110
30-61-15	Amended	V. 22, p. 1110
30-61-16	Revoked	V. 22, p. 1111

AGENCY 36: DEPARTMENT OF TRANSPORTATION

Reg. No.	Action	Register
36-40-1	through	
36-40-9	New	V. 22, p. 1806, 1807

AGENCY 40: KANSAS INSURANCE DEPARTMENT

Reg. No.	Action	Register
40-1-48	Amended	V. 22, p. 1709
40-3-48	Amended	V. 22, p. 2008
40-4-1	Amended	V. 22, p. 1709
40-4-36	Amended	V. 22, p. 465
40-5-110	Amended	V. 22, p. 1709

AGENCY 44: DEPARTMENT OF CORRECTIONS

Reg. No.	Action	Register
44-6-115a	Amended (T)	V. 22, p. 383
44-6-115a	Amended	V. 22, p. 1231
44-12-1002	Amended (T)	V. 22, p. 384
44-12-1002	Amended	V. 22, p. 1232
44-13-201b	Amended (T)	V. 22, p. 384
44-13-201b	Amended	V. 22, p. 1232

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

Reg. No.	Action	Register
51-9-7	Amended	V. 22, p. 1804
51-9-17	New	V. 22, p. 2031

AGENCY 61: BOARD OF BARBERING

Reg. No.	Action	Register
61-4-2	Amended (T)	V. 22, p. 1304
61-7-1	Amended (T)	V. 22, p. 1304

AGENCY 65: BOARD OF EXAMINERS IN OPTOMETRY

Reg. No.	Action	Register
65-5-6	Amended	V. 22, p. 1575

AGENCY 68: BOARD OF PHARMACY

Reg. No.	Action	Register
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
68-9-2	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

(continued)

68-13-1 Amended V. 22, p. 122

AGENCY 74: BOARD OF ACCOUNTANCY

Reg. No.	Action	Register
74-1-1	Amended	V. 22, p. 1894
74-1-2	Amended	V. 22, p. 1894
74-1-3	Amended	V. 22, p. 1894
74-1-6	Amended	V. 22, p. 1895
74-1-8	New	V. 22, p. 1895
74-2-1	Amended	V. 22, p. 1896
74-2-4	Revoked	V. 22, p. 1896
74-4-7	Amended	V. 22, p. 1896
74-4-8	Amended	V. 22, p. 1896
74-4-9	Amended	V. 22, p. 1897
74-5-202	Amended	V. 22, p. 1898
74-11-6	Amended	V. 22, p. 1898
74-11-7	Amended	V. 22, p. 1898
74-12-1	Amended	V. 22, p. 1898

AGENCY 75: STATE BANK COMMISSIONER—DIVISION OF CONSUMER AND MORTGAGE LENDING

Reg. No.	Action	Register
75-6-33	New	V. 22, p. 1815
75-6-34	New	V. 22, p. 1454

AGENCY 82: STATE CORPORATION COMMISSION

Reg. No.	Action	Register
82-1-201	Revoked	V. 22, p. 1650
82-1-202	Amended	V. 22, p. 1650
82-1-204	Amended	V. 22, p. 1650
82-1-204a	New	V. 22, p. 1652
82-1-205	Amended	V. 22, p. 1652
82-1-206	Amended	V. 22, p. 1652
82-1-207	Amended	V. 22, p. 1652
82-1-208	Amended	V. 22, p. 1652
82-1-212	Amended	V. 22, p. 1652
82-1-214	Amended	V. 22, p. 1653
82-1-215	Amended	V. 22, p. 1653
82-1-216	Amended	V. 22, p. 1653
82-1-218	Amended	V. 22, p. 1653
82-1-219	Amended	V. 22, p. 1654
82-1-220	Amended	V. 22, p. 1655
82-1-221	Amended	V. 22, p. 1655
82-1-221b	Revoked	V. 22, p. 1656
82-1-222	Amended	V. 22, p. 1656
82-1-224	Amended	V. 22, p. 1656
82-1-225	Amended	V. 22, p. 1656
82-1-226	Amended	V. 22, p. 1657
82-1-227	Amended	V. 22, p. 1657
82-1-228	Amended	V. 22, p. 1657
82-1-229	Amended	V. 22, p. 1658
82-1-230	Amended	V. 22, p. 1659
82-1-230a	New	V. 22, p. 1659
82-1-231	Amended	V. 22, p. 1660
82-1-231a	Amended	V. 22, p. 1663
82-1-231b	Amended	V. 22, p. 1664
82-1-232	Amended	V. 22, p. 1665
82-1-235	Amended	V. 22, p. 1666
82-1-237	Amended	V. 22, p. 1666
82-1-238	Amended	V. 22, p. 1666
82-1-239	Amended	V. 22, p. 1667
82-4-2	Amended	V. 22, p. 86
82-4-3a	New (T)	V. 22, p. 2175
82-4-20	Amended	V. 22, p. 86
82-4-21	Amended	V. 22, p. 87
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
82-11-1	Amended	V. 22, p. 1078
82-11-3	Amended	V. 22, p. 1079
82-11-4	Amended	V. 22, p. 1079
82-11-8	Amended	V. 22, p. 1084
82-11-10	Amended	V. 22, p. 1084

AGENCY 88: BOARD OF REGENTS

Reg. No.	Action	Register
88-23-7	New	V. 22, p. 1709

AGENCY 91: DEPARTMENT OF EDUCATION

Reg. No.	Action	Register
91-1-201	Amended	V. 22, p. 2125
91-1-203	Amended	V. 22, p. 2126
91-1-206	Amended	V. 22, p. 2129
91-1-213	Amended	V. 22, p. 2130
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
91-38-1	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
92-19-200		
through		
92-19-203	New	V. 22, p. 431

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
94-2-4	Amended (T)	V. 22, p. 1504
94-2-4	Amended	V. 22, p. 2009
94-2-19	Amended (T)	V. 22, p. 1504
94-2-19	Amended	V. 22, p. 2009
94-2-20	Amended (T)	V. 22, p. 1504
94-2-20	Amended	V. 22, p. 2010
94-2-21	New (T)	V. 22, p. 1505
94-2-21	New	V. 22, p. 2010

AGENCY 100: BOARD OF HEALING ARTS

Reg. No.	Action	Register
100-22-4	New	V. 22, p. 690
100-29-9	Amended	V. 22, p. 1892
100-29-10	Amended	V. 22, p. 1893
100-54-2		
through		
100-54-8	Amended	V. 22, p. 1926-1929
100-55-5	Amended	V. 22, p. 690
100-55-9	Amended	V. 22, p. 690
100-72-1		
through		
100-72-7	New (T)	V. 22, p. 79-81
100-72-1		
through		
100-72-6	New	V. 22, p. 691, 692
100-72-7	New	V. 22, p. 1893
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
102-1-3a	Amended (T)	V. 22, p. 1267
102-1-3a	Amended	V. 22, p. 1808

102-1-3b	New (T)	V. 22, p. 1268
102-1-3b	New	V. 22, p. 1809
102-1-8	Amended	V. 22, p. 1148
102-1-15	Amended	V. 22, p. 1149
102-1-10a	Amended	V. 22, p. 2179
102-2-2b	New (T)	V. 22, p. 1269
102-2-2b	New	V. 22, p. 1810
102-2-2c	New (T)	V. 22, p. 1270
102-2-2c	New	V. 22, p. 1811
102-2-4a	Amended	V. 22, p. 1150
102-2-7	Amended	V. 22, p. 2182
102-2-9	Amended	V. 22, p. 1151
102-2-11	Amended	V. 22, p. 1151
102-2-12	Amended	V. 22, p. 1084
102-3-4b	New (T)	V. 22, p. 1271
102-3-4b	New	V. 22, p. 1811
102-3-7a	Amended	V. 22, p. 1085
102-3-9a	Amended	V. 22, p. 1151
102-3-10a	Amended	V. 22, p. 1152
102-3-12a	Amended	V. 22, p. 2184
102-4-4b	New (T)	V. 22, p. 1272
102-4-4b	New	V. 22, p. 1812
102-4-6a	Amended	V. 22, p. 2186
102-4-9a	Amended	V. 22, p. 1153
102-4-10a	Amended	V. 22, p. 1153
102-4-12	Amended	V. 22, p. 2187
102-5-3	Amended	V. 22, p. 1087
102-5-4b	New (T)	V. 22, p. 1273
102-5-4b	New	V. 22, p. 1813
102-5-7a	Amended	V. 22, p. 1088
102-5-9	Amended	V. 22, p. 1155
102-5-10	Amended	V. 22, p. 1155
102-5-12	Amended	V. 22, p. 2189
102-5-16	New	V. 22, p. 1158
102-6-9	Amended	V. 22, p. 1159
102-6-10	Amended	V. 22, p. 1159

AGENCY 108: STATE EMPLOYEES HEALTH CARE COMMISSION

Reg. No.	Action	Register
108-1-4	Amended	V. 22, p. 2177

AGENCY 109: BOARD OF EMERGENCY MEDICAL SERVICES

Reg. No.	Action	Register
109-5-4	Amended	V. 22, p. 1805
109-7-1	Amended	V. 22, p. 1805

AGENCY 110: DEPARTMENT OF COMMERCE

Reg. No.	Action	Register
110-8-1		
through		
110-8-6	New	V. 22, p. 2032, 2033
110-8-8		
through		
110-8-11	New	V. 22, p. 2033, 2034
110-10-1	New (T)	V. 22, p. 1815

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. A list of regulations filed by the Kansas Lottery from 2001 through 2003 can be found in the Vol. 22, No. 52, December 25, 2003 Kansas Register.

AGENCY 112: RACING AND GAMING COMMISSION

Reg. No.	Action	Register
112-3-11	Amended	V. 22, p. 1427
112-4-1	Amended	V. 22, p. 2057
112-4-1a	New	V. 22, p. 278
112-4-1b	New	V. 22, p. 279
112-6-4	Amended	V. 22, p. 85
112-8-4	Amended	V. 22, p. 1428
112-8-5	Amended	V. 22, p. 1428
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
112-18-9	Amended	V. 22, p. 1710
112-18-11	Amended	V. 22, p. 1710
112-18-18	Amended	V. 22, p. 1710

AGENCY 115: DEPARTMENT OF WILDLIFE AND PARKS			AGENCY 117: REAL ESTATE APPRAISAL BOARD					
Reg. No.	Action	Register	Reg. No.	Action	Register			
115-1-1	Amended	V. 22, p. 1930	117-1-1	Amended	V. 22, p. 684	117-4-1	Amended	V. 22, p. 686
115-2-1	Amended	V. 22, p. 1932	117-2-1	Amended	V. 22, p. 684	117-5-2	Amended	V. 22, p. 2007
115-4-6	Amended	V. 22, p. 1227	117-3-1	Amended	V. 22, p. 685	117-6-1	Amended	V. 22, p. 687
115-4-11	Amended	V. 22, p. 436				117-6-2	Amended	V. 22, p. 688
115-17-6 through 115-17-9	Amended	V. 22, p. 437-439				117-6-3	Amended	V. 22, p. 688
						117-8-1	Amended	V. 22, p. 689

Order a custom-made loose-leaf binder for the Kansas Register!

Custom-made binders are available to attractively hold up to a year's worth of your copies of the Kansas Register for permanent use. The high quality, durable casebound swinge-hinge binders are manufactured by ABZ Binder. (A swinge-hinge binder has more capacity and allows for easier interfiling than standard ring binders.) The three-inch binder features dark blue supported vinyl covering and gold imprinting, with a label holder on the spine.

\$15 each, includes shipping and handling.

(Kansas residents must include an additional \$1.08 state and local sales tax.)



In this issue . . .

Kansas Department of Health and Environment Request for comments on proposed air quality permits	Page 34, 39
Annual Program Report for the Voluntary Cleanup and Property Redevelopment Program	35
Notice of hearing on proposed air quality permit	36
Notice concerning Kansas water pollution control permit	37
Pooled Money Investment Board Notice of investment rates	37
State Banking Board Notice of 2002 meeting schedule	37
Department of Administration Public notice	37
Wildlife and Parks Commission Notice of hearing on proposed administrative regulations	39
Attorney General Opinions 2001-48 through 2001-56	39
Information Network of Kansas Notice of meetings	40
City of Overland Park Notice to bidders	42
Department of Administration—Division of Purchases Notice to bidders for state purchases	42
	43

Clip and mail

Please send _____

Kansas Register Binders @ \$15

(Note: Kansas residents must include an additional \$1.08 state and local sales tax.)

Total enclosed _____

Ship to:

Shipping is by
U.P.S. Delivery Service—
Street address is necessary.

Mail this form, with payment, to: Kansas Register, Secretary of State, 1st Floor, Memorial Hall, 120 S.W. 10th Ave., Topeka, KS 66612-1594

**Kansas Register
Secretary of State
1st Floor, Memorial Hall
120 S.W. 10th Ave.
Topeka, KS 66612-1594**

Use this form or a copy of it to enter a subscription:

_____ **One-year subscription @ \$80 ea.**
(Kansas residents must include
\$5.76 state and local sales tax.)

Total Enclosed
(Make check payable to the Kansas Register)

Send to: _____

(Please, no more than 4 address lines.)

Zip code must be included

This space for Register office use only.

Rec. No. _____ Exp. _____ Code _____

Use this form or a copy of it to enter a name or address change:

Remove your mailing label (above) and affix it here:



Indicate change of name or address here:

**Mail either form to: Kansas Register, Secretary of State, 1st Floor,
Memorial Hall, 120 S.W. 10th Ave., Topeka, KS 66612-1594**