

Kansas Register

Ron Thornburgh, Secretary of State

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State of Kansas

Historic Sites Board of Review

Notice of Meeting

The Kansas Historic Sites Board of Review will meet at 9 a.m. Saturday, February 21, in classrooms A and B in the Kansas Museum of History on the grounds of the Kansas History Center, 6425 S.W. 6th Ave., Topeka. The board will evaluate the following properties for the National Register of Historic Places and/or the Register of Historic Kansas Places:

- John Drimmel Sr. Farm, 16339 290th Road, Atchison, Atchison County
- Lawrence Downtown Historic District, generally along Massachusetts Street between 6th Avenue and S. Park Street, Lawrence, Douglas County
- Pinckney I Historic District, west side of 400 & 500 blocks of Tennessee Street, east & west sides of 400-500 block of Ohio Street; 444 Louisiana Street; east & west side of 500 block of Louisiana Street; north sides of 400 & 500 blocks of West 6th Street, Lawrence, Douglas County
- Pinckney II Historic District, east & west sides of 300 block of Indiana Street, and 400 & 401 Indiana Street, Lawrence, Douglas County
- North Rhode Island Street Historic Residential District, east side of Rhode Island Street, 700-1144; west side of Rhode Island Street, 901-1047; 1201-1215, Lawrence, Douglas County
- South Rhode Island and New Hampshire Streets Historic Residential District, east side of Rhode Island Street, 1220-1340; west side of Rhode Island

Street, 1301-1345; east side of New Hampshire Street, 1300-1346; west side of New Hampshire Street, 1301-1347, Lawrence, Douglas County

- Wetzel Cabin Relocation, Roadside Park along I-70 at K-57 Intersection, Geary County
- Virginia School District #33, 71st Street & Clare Road, Shawnee, Johnson County
- Jenkins Building, 101 W. Mackenzie, White City, Morris County
- Carl Madsen Scholer House, 701 Pine Street, Wamego, Pottawatomie County
- Lyda-Jean Apartment House, 501 Houston Street, Manhattan, Riley County
- Morton Albaugh House, 1331 S.W. Harrison Street, Topeka, Shawnee County
- Harrison and Margaret Morgan House, 1335 S.W. Harrison Street, Topeka, Shawnee County
- Edwin Smith House, 114 S. Jefferson, Wellington, Sumner County

The board also will consider allocations of fiscal year 2004 Historic Preservation Fund grants. The Kansas State Historical Society welcomes individuals with disabilities to participate in its activities. If special accommodations are needed, contact Faye Johnson at the Cultural Resources Division, Kansas State Historical Society, 6425 S.W. 6th Ave., Topeka, 66615-1099, (785) 272-8681, ext. 240, by February 13 to discuss the nature of the disability and what the Kansas State Historical Society may do to ensure participation in the activity.

Mary R. Allman-Koernig
Executive Director

Doc. No. 030278

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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

Kansas Sentencing Commission

Notice of Meeting

The Kansas Sentencing Commission will meet from 1:30 to 3:30 p.m. Friday, February 13, in the Senate Room of the Jayhawk Tower, 700 S.W. Jackson, Topeka. For more information, call (785) 296-0923.

Patricia Biggs
Executive Director

Doc. No. 030266

State of Kansas

Kansas Development Finance Authority

Notice of Hearing

A public hearing will be conducted at 9 a.m. Thursday, February 5, in the offices of the Kansas Development Finance Authority, 555 S. Kansas Ave., Suite 202, Topeka, on the proposal for the KDFA 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. 000587—Maximum Principal Amount: \$200,000. Owner/Operator: Bryan D. Meier. Description: Acquisition of 360 acres of agricultural land and related improvements and equipment to be used by the owner/operator for farming purposes. The project located at Section 35, Beaver Township, Lincoln County, Kansas, approximately 3.5 miles east of Lincoln on Mink Lane.

The bond, when issued, will be a limited obligation of the KDFA and will not constitute a general obligation or indebtedness of the State of Kansas or any political subdivision thereof, including the KDFA, 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 KDFA 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 KDFA.

Any individual affected by the above-described project may, at or prior to the hearing, file a written request with the KDFA 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. 030286

State of Kansas

Board of Emergency Medical Services

Notice of Meeting

The Board of Emergency Medical Services will meet at 9 a.m. Friday, February 6, in Room 106, Landon State Office Building, 900 S.W. Jackson, Topeka. Committee meetings will begin at 10 a.m. Thursday, February 5. Agenda items include updates on the office, committee reports, 2004 legislative session, Advisory Committee on Trauma, FY 2004 and 2005 budgets, and election of officers.

All meetings of the board are open to the public. For more information, contact the administrator at Room 1031, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612, (785) 296-6237.

David Lake
Administrator

Doc. No. 030268

(Published in the Kansas Register January 22, 2004.)

City of Wichita, Kansas

Notice to Bidders

The City of Wichita will receive bids at the Purchasing Office, 455 N. Main, 12th Floor, Wichita, 67201, until 10 a.m. Friday, February 20, for the following project:

**(KDOT Project No. 87N-0301-01/472-83890 (706875)
Paving**

Improving 119th Street West from 160 ft. south of 17th Street North to 360 ft. south of 21st Street North to provide 2 and 3 lanes with center left turn lane, median, drainage and landscaping

Plans and specifications for this project will be available January 28. Requests for the bid documents and plans should be directed to City Blue Print, (316) 265-6224, or to Marty Murphy, (316) 268-4488. Other questions should be directed to the respective design engineer at (316) 268-4501.

All bids received will thereafter be publicly opened, read aloud and considered by the Board of Bids and Contracts. All work is to be done under the direction and supervision of the city manager and according to plans and specifications on file in the office of the city engineer. Bidders are required to enclose a bid bond in the amount of 5 percent with each bid as a guarantee of good faith. The Wichita City Council reserves the right to reject any and all bids.

The successful bidder may contact Pam Plank at (316) 268-4499 or Marty Murphy at (316) 268-4488 for extra sets of plans and specifications.

Marty Murphy
Administrative Aide
City of Wichita—Engineering

Doc. No. 030279

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:

02/03/2004	06977	Single Axle Tractor Truck
02/05/2004	07003	Source Technology Printer Drawers
02/05/2004	07009	Janitorial Services
02/12/2004	06880	Telecommunications Services
02/12/2004	07002	Service of Legal Process
02/12/2004	07006	Elevator Maintenance
02/16/2004	07026	Promotional Testing for Kansas Highway Patrol Lieutenant
02/18/2004	07011	Actuary Services

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:

02/17/2004	A-9381(B)	Grain Science Complex
02/17/2004	A-9669(B)	Reroof Auditorium
02/17/2004	A-9693	Replace Vinyl Tile/Base

Keith Meyers
Director of Purchases

Doc. No. 030284

State of Kansas

**Department of Health
and Environment**

**Notice Concerning the Environmental
Use Control Program**

Background

Governor Sebelius signed House Bill 2247 April 21, 2003. This bill establishes the use of environmental use controls for property with environmental contamination above unrestricted use standards. The bill was developed by KDHE, which had worked with a stakeholder committee in the fall of 2002. This committee consisted of the following stakeholders: Kansas Association of Counties, Sierra Club, Kansas Agricultural Remediation Board, Westar Energy, Kansas Agribusiness Retailers Association, Department of the Army, Kansas Natural Resource Council, Kansas Farm Bureau, Kansas Livestock Association, City of Wichita, Petroleum Marketers Association, Kansas Petroleum Council and KDHE. The bill was introduced during the 2003 Legislature and was subsequently passed by the House 111 to 12 and by the Senate 34 to 0. House Bill 2247 became law on July 1, 2003. New sections of HB 2247 are now referred to as Kansas Statutes Annotated 65-1,221 through 65-1,235.

Environmental use controls are commonly known as institutional controls intended to restrict or prohibit human activities and property use in such a way as to prevent or reduce exposures to contamination. Some examples of environmental use controls include: preventing disturbance of soil caps, covers, berms, etc.; prohibiting the drilling of water wells for domestic or other purposes; restricting and providing notification during utility excavation of an area; restricting use of a property for residential purposes; and restricting access to the property.

The bill, which was specifically written for property with environmental contamination, provides a mechanism for a landowner with contaminated property to voluntarily restrict certain activities to mitigate the risk posed to human health and the environment from contamination at their property. The landowner would apply to KDHE for such restrictions.

Report Summary

In accordance with K.S.A. 65-1,233, the Department of Health and Environment shall publish annually in the Kansas Register a summary of the number of approved environmental use control agreements pursuant to the act. This annual report describes the activities accomplished by KDHE for the period of July 31, 2003 to December 31, 2003.

K.S.A. 65-1,232 provides that the secretary of KDHE shall adopt rules and regulations to implement the provisions of the act. In response to this provision, KDHE initiated the process by convening a stakeholder committee to provide input in the development of regulations. The committee, consisting of representatives of the stakeholder group involved in the legislative process, has met on two occasions. The group met with KDHE October 14, 2003, to discuss the collective review of the first set of draft regulations. The group met again November 18, 2003, for further discussion and refinement of the draft regulations. The next meeting of the regulation development committee is anticipated to be scheduled for January 2004. KDHE anticipates having the draft regulations in a form to be issued by KDHE to the formal regulation promulgation process in mid-2004.

KDHE staff have been working on developing an Environmental Use Control (EUC) Program utilizing federal grant funding. The EUC Program will be managed within the KDHE's Bureau of Environmental Remediation. Staff have initiated developing program procedures and guidance, inspection forms, a tracking system, fact sheets and an EUC application form. Staff also have conducted presentations to interested groups and will initiate a public awareness campaign to educate the public about the program and its benefits.

As of December 12, 2003, two applications have been received by the department. The department is processing those applications in accordance with the statutes. There have been no environmental use control agreements that have been issued by the department.

Roderick L. Bremby
Secretary of Health
and Environment

Doc. No. 030271

State of Kansas

State Conservation Commission

Notice of Meeting

The State Conservation Commission will meet at 9 a.m. Monday, February 9, in the commission's conference room, Suite 500, 109 S.W. 9th, Topeka. Persons requiring special accommodations should contact the agency at (785) 296-3600 at least three days in advance of the meeting date.

Tracy Streeter
Executive Director

Doc. No. 030273

State of Kansas

Department of Health
and EnvironmentNotice Concerning the Voluntary Cleanup
and Property Redevelopment Program

Background

The Voluntary Cleanup and Property Redevelopment Act was enacted by the Kansas Legislature July 1, 1997 (Kansas Statutes Annotated 65-34,161 through 65-34,174). The purpose of the Act is to allow voluntary cleanups of contaminated properties with oversight by the Kansas Department of Health and Environment to promote the transfer, redevelopment and reuse of contaminated properties and protect public health and the environment. Article 71 of the Kansas Administrative Regulations, specifically K.A.R. 28-71-1 through 28-71-12, was promulgated June 26, 1998, officially establishing the Voluntary Cleanup and Property Redevelopment Program (VCPRP). The law and program is administered by the Kansas Department of Health and Environment.

Under the VCPRP, stakeholders performing cleanup of contaminated properties that meet the criteria in the law (low to medium priority sites with minimal risk) can receive a "no further action" determination from the department to provide some protection from potential liabilities. Adjacent property owners who did not contribute to the contamination also may receive protection from the department through such determinations. A streamlined process is utilized to address these sites in an expeditious manner to encourage the redevelopment or enhancement of such properties. Clearly-defined cleanup standards that identify the extent of cleanup have been developed and are provided to the voluntary party early in the program so the time and costs involved in cleanup can be determined. The VCPRP is truly voluntary and is designed for industry and businesses to properly address contamination on their property through a private/state partnership. There are no additional burdens or requirements placed on voluntary parties that participate in the program.

A Memorandum of Agreement (MOA) between KDHE and Region VII of the United States Environmental Protection Agency was executed effective March 2, 2001. The MOA provides the EPA's acknowledgment of the adequacy of Kansas' VCPRP program. The MOA also provides assurances to voluntary parties that there will be no federal involvement at properties properly addressed in the VCPRP. The additional assurance from the EPA enhances the department's actions in issuing a no further

action (NFA) determination in terms of appeasement of environmental liability.

Report Summary

In accordance with K.S.A. 65-34,173, the Department of Health and Environment shall publish annually in the Kansas Register a summary of the number of applicants, the general categories of those applicants and the number of cleanups completed pursuant to this act. This annual report describes the activities accomplished by the department in the VCPRP for the period of December 31, 2002 to December 31, 2003.

Since the inception of the Voluntary Cleanup Program on July 1, 1997, the department has received a total of 311 completed application packages of which 300 properties have been determined eligible to participate in the program. A total of 298 voluntary agreements have been signed. Voluntary cleanup investigations have been initiated and/or completed at 271 properties. Currently, 104 properties have entered the cleanup phase in either the preliminary cleanup proposal process, cleanup planning stage or the active cleanup phase; cleanups have been completed at 21 properties. To date, the department has issued a total of 72 NFA letters.

As of December 11, 2003, a total of 42 applications have been received by the VCPRP. The monthly average of new applications received by the department during the 2003 calendar year was 3.5 applications per month, which is the same monthly average as in 2002. The monthly average of new applications since the inception of the program is 4.2 applications per month. The slightly lower monthly average in 2002 and 2003 is likely attributable to economic-related factors, such as less business/property transactions occurring in the state than in previous years.

NFAs are issued for properties at various points in the VCPRP process, including: (1) following cleanup of contamination; (2) following investigation that indicates no or insignificant contamination; and (3) when a property might be impacted but the contamination is determined to have originated from an off-property source. The number of NFAs issued by the department for the 2003 calendar year was 13, which is slightly higher than the average number of NFAs issued by the department per year since the inception of the program, which is 11.8 NFAs issued per year.

Approximately 75 percent of the properties participating in the VCPRP are from three primary industrial categories, which include the oil and gas industry at 32 percent of the total, manufacturing at 22 percent and agri-business at 21 percent. Participation by other categories include commercial at 9 percent, railroad at 9 percent, government at 3 percent and private citizens at 4 percent.

Tables 1 and 2 summarize the number of applicants, the general categories of those applicants and the number of voluntary actions completed pursuant to K.S.A. 65-34,161 through 65-34,174. Figure 1 depicts the cumulative voluntary actions within the VCPRP, and Figure 2 depicts the percentage of applications received relative to applicant category.

(continued)

**TABLE 1
SUMMARY OF VOLUNTARY APPLICATIONS**

Applicant Category	Contaminant Class Category*				Total Applications
	Class I	Class II	Class III	Class IV	
Agri-Business	0	4	19	42	65
Industry	9	6	32	23	70
Commercial	12	4	7	4	27
Oil/Gas Related	0	10	50	41	101
Governmental Entity	1	4	2	1	8
Private Citizen	5	4	2	1	12
Railroad Related	1	1	13	13	28
Class Category Total	28	33	125	125	311

TOTAL APPLICATIONS: 311

***Definition of Classes:**

Class I - means suspected or confirmed contamination is determined to exist on the eligible property, and the eligible property is not a source of contamination or is located adjacent to a property with a known source of contamination.

Class II - means suspected or confirmed soil contamination is determined to exist on the eligible property, there is no known or suspected soil contamination emanating off the eligible property and there is no known or suspected ground water contamination.

Class III - means suspected or confirmed soil or ground water contamination, or both, is determined to exist on the eligible property, and there is no known or suspected soil or ground water contamination that has migrated off the eligible property.

Class IV - means suspected or confirmed soil or ground water contamination, or both, and the contamination exists on and off the eligible property.

**TABLE 2
SUMMARY OF VOLUNTARY ACTIONS**

Type of Voluntary Action	Cumulative Voluntary Action Totals						
	2003	2002*	2001*	2000*	1999*	1998*	1997*
Applications Denied/Withdrawn	9	5	4	2	1	1	0
Applications in Review	2	0	4	0	3	0	0
Applications Approved	300	265	219	173	100	56	6
Voluntary Agreements Signed	298	259	206	162	96	46	3
Voluntary Investigations Initiated	271	230	156	114	57	19	0
Voluntary Investigations Completed	133	121	83	41	23	5	0
Voluntary Cleanups Initiated	104	74	39	27	17	3	0
Voluntary Cleanups Completed	21	15	11	6	2	0	0
No Further Action Letters Issued	72	59	39	16	7	3	0

* From Annual Report to Legislature for respective year.

Figure 1 - Voluntary Actions

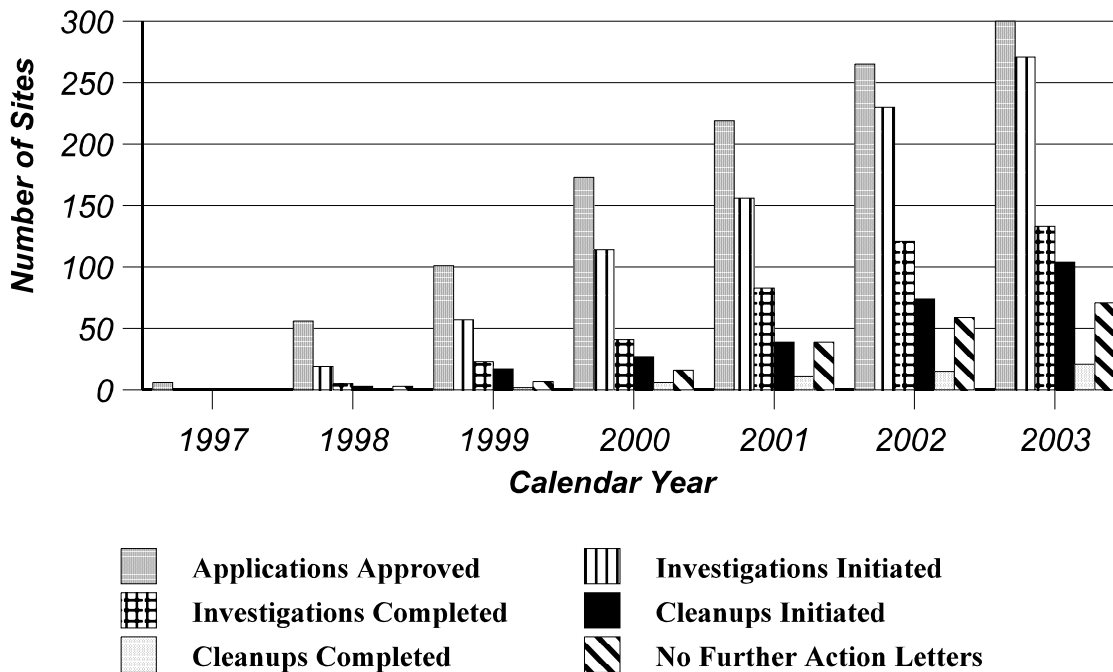
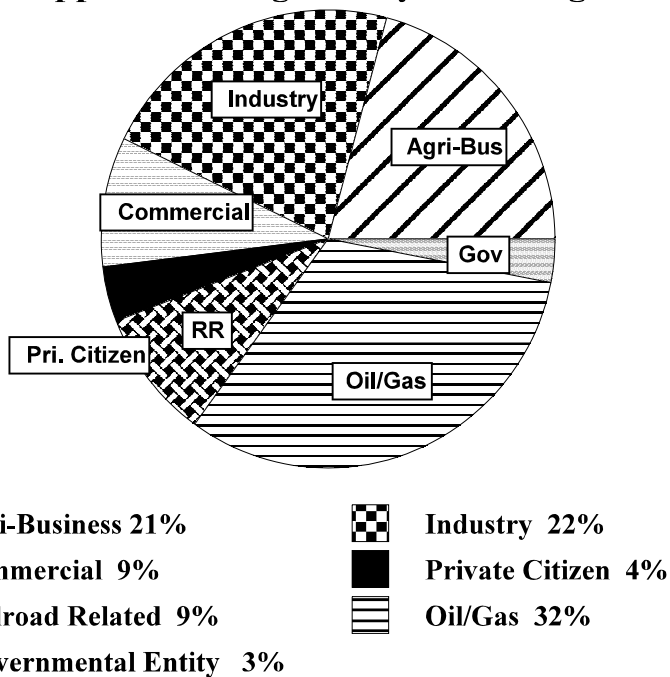


Figure 2 - Applicant Categories by Percentage of Participation



Roderick L. Bremby
Secretary of Health
and Environment

State of Kansas

Department of Health and Environment

Notice Concerning Kansas Water Pollution Control Permits

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

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

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

Public Notice No. KS-AG-04-024/033

Pending Permits for Confined Feeding Facilities

Name and Address of Applicant	Legal Description	Receiving Water
Bartlett Cattle Company, L.P. (Bartlett III) HCR 1, Box 14 Sublette, KS 67877	E/2 of Section 36, T28S, R33W, Haskell County	Cimarron River Basin
Kansas Permit No. A-CIHS-C004 Federal Permit No. KS0115291		

This is a renewal permit and expansion of an existing facility that is increasing its pen density from 50,000 head to 60,000 head (60,000 animal units) of beef cattle.

Permeability tests shall be conducted for each of the six existing lagoons within one year of permit issuance.

Name and Address of Applicant	Legal Description	Receiving Water
B & K Livestock Farms, Inc. Bruce Bauer 1471 15th Road Clay Center, KS 67432	NE/4 of Section 29, T08S, R03E, Clay County	Republican River Basin
Kansas Permit No. A-LRCY-S023		

This is a permit modification and new construction for an existing facility for a maximum of 650 head of swine weighing less than 55 pounds [65 animal units (a.u.)], 1,450 head of swine weighing more than 55 pounds (580 a.u.), 120 head of cattle weighing less than 700 pounds (60 a.u.) and 170 head of cattle weighing more than 700 pounds (170 a.u.), for a total of 2,100 head of swine and 290 head of cattle (875 a.u.) of swine and cattle. This permit includes cattle lots that were in existence but never included in previous water pollution control permits. A collection channel is proposed to divert the rainfall runoff and dry weather flow from the cattle open lots to the final cell of two cell earthen retention structure.

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

Name and Address of Applicant	Legal Description	Receiving Water
Stan Chipperfield 5069 E. McReynolds Road Gypsum, KS 67448	SE/4 of Section 23, T15S, R02W, Saline County	Smoky Hill River Basin
Kansas Permit No. A-SHSA-S005		

This is a permit renewal for an existing facility for a maximum of 250 head of swine weighing more than 55 pounds [100 animal units (a.u.)], 300 head of swine weighing less than 55 pounds (30 a.u.), 65 head of cattle weighing more than 700 pounds (65 a.u.) and 65 head of cattle weighing less than 700 pounds (32.5 a.u.), for a total of 680 head (227.5 a.u.) of cattle and swine. There are no proposed changes for the operation. The previous permit did not include the pigs on sows, therefore there are 140 additional swine weighing less than 55 pounds listed.

Name and Address of Applicant	Legal Description	Receiving Water
Cow Camp, Inc. 1611 100 Ave., PO Box 103 Ramona, KS 67475	SW/4 of Section 34, T16S, R03E, Dickinson County	Smoky Hill River Basin
Kansas Permit No. A-SHDK-C001 Federal Permit No. KS0086614		

This is a permit modification for an existing facility for a maximum of 7,999 head (7,999 animal units) of cattle. There are no proposed changes to the existing facility. This permit reflects modifications that were made to the facility in accordance with the previous permit. Modifications include improvements made to the waste control structures to provide more efficient use of the structures.

Name and Address of Applicant	Legal Description	Receiving Water
Fragar Farms (North Farm) 2779 King Road Morrowville, KS 66958	SW/4 of Section 01, T01S, R02E, Washington County	Big Blue River Basin
Kansas Permit No. A-BBWS-S034		

This is a permit renewal for an existing facility for a maximum of 2,400 head of swine weighing more than 55 pounds [960 animal units (a.u.)] of swine.

Name and Address of Applicant	Legal Description	Receiving Water
Galen Geyer 721 N. Main WaKeeney, KS 67672	SW/4 of Section 03, T11S, R24W, Trego County	Saline River Basin
Kansas Permit No. A-SATR-B001		

This is a renewal permit for an existing facility for 900 head (450 animal units) of cattle weighing 700 pounds or less.

Staff gauges shall be installed in each outdoor retention structure within six months from the effective date of the permit.

Name and Address of Applicant	Legal Description	Receiving Water
Richard Harder dba Harder Farms 14325 N.W. 80th St. Whitewater, KS 67154	NE/4 of Section 14, T24S, R03E, Butler County	Walnut River Basin
Kansas Permit No. A-WABU-S036		

This existing facility has changed ownership. A permit is proposed for the new owner for a maximum of 400 head (160 animal units) of swine greater than 55 pounds each. This is a decrease from the previous permitted capacity of 450 head of swine greater than 55 pounds each.

Name and Address of Applicant	Legal Description	Receiving Water
Hilltop Farms 387 N.W. 70th Ave. Great Bend, KS 67530	NE/4 of Section 07, T19S, R14W, Barton County	Upper Arkansas River Basin
Kansas Permit No. A-UABT-S001		

This is a renewal permit for an existing swine facility with a revised animal unit county due to changes in the law requiring hogs 55 pounds or less to be counted as 0.1 animal unit. The facility will have a maximum capacity of 300 head (30 animal units) of swine weighing

55 pounds or less each and 690 head (276 animal units) of swine weighing more than 55 pounds each, for a total of 990 head (306 animal units).

Name and Address of Applicant	Legal Description	Receiving Water
Paramount Farms 7682 County Road Z Quinter, KS 67752	SE/4 of Section 27, T11S, R26W, Gove County	Smoky Hill River Basin

Kansas Permit No. A-SHGO-S001

This is a permit renewal for an existing facility with a revised animal unit and head count due to changes in the law requiring hogs less than 55 pounds to be counted as .1 animal unit. The facility has a maximum capacity for 922 head (368.8 animal units) of swine weighing greater than 55 pounds each and 500 head (50 animal units) of swine weighing less than 55 pounds each, for a total of 1,422 (418.8 animal units) of swine.

Name and Address of Applicant	Legal Description	Receiving Water
Ron Schwertfeger / R & S Cattle Co. 21918 S. Salt Marsh Road Turon, KS 67583	NW/4 of Section 07, T26S, R10W, Reno County	Lower Arkansas River Basin

Kansas Permit No. A-ARRN-B004

This is a new permit for an existing facility for 999 head (499.5 animal units) of beef cattle less than 700 pounds each. A sedimentation basin and lagoon will be constructed to contain runoff from 6.2 acres of open lots.

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

Public Notice No. KS-04-011/018

Name and Address of Applicant	Waterway	Type of Discharge
Fort Scott, City of One E. Third St. Fort Scott, KS 66701	Marmaton River	Treated Domestic Wastewater

Kansas Permit No. M-MC11-OO02 Federal Permit No. KS0095923
Legal: SE¹/₄, S19, T25S, R25E, Bourbon County

Facility Description: The proposed action is to issue a new permit for operation of a newly constructed activated sludge mechanical treatment facility operating in parallel with an existing three-cell aerated lagoon system treating primarily domestic wastewater. The proposed permit includes limits for biochemical oxygen demand, total suspended solids, ammonia, fecal coliform and pH. Monitoring of dissolved oxygen, total phosphorus, nitrate, nitrite, total Kjeldahl nitrogen and effluent flow also will be required. In addition, the permittee is required to conduct a chronic whole effluent toxicity test annually, and a priority pollutant scan is required to be conducted once between January 1 and June 30, 2008. 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
Hays, City of P.O. Box 490 Hays, KS 67601	Big Creek via Chetolah Creek	Treated Domestic Wastewater

Kansas Permit No. M-SH16-OO02 Federal Permit No. KS0036684
Legal: NE¹/₄, SE¹/₄, SW¹/₄, S3, T14S, R18W, Ellis County

Facility Description: The proposed action is to reissue an existing permit for operation of an existing wastewater treatment facility treating primarily domestic wastewater. The proposed permit includes limits for biochemical oxygen demand, total suspended solids, ammonia, fecal coliform and pH. Monitoring of dissolved oxygen, total phosphorus, nitrate, nitrite, total Kjeldahl nitrogen and effluent flow also will be required. In addition, the permittee is required to conduct a chronic whole effluent toxicity test annually, and a priority pollutant

scan is required to be conducted once between January 1 and June 30, 2008. 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
Johnson County Unified Wastewater Districts 7311 W. 130th, Suite 100 Overland Park, KS 66213	Kansas River	Treated Domestic Wastewater

Facility Name: Mill Creek Regional Wastewater Treatment Facility
Kansas Permit No. M-KS68-OO04 Federal Permit No. KS0088269

Legal: Plant - NE¹/₄, S2, T12S, R23E, Johnson County
Outfall - SW¹/₄, S32, T11S, R24E, Wyandotte County

Facility Description: The proposed action is to re-public notice a draft permit for an existing wastewater treatment facility treating primarily domestic wastewater. The draft permit was initially public noticed on August 21, 2003. The permittee objected to the draft permit that included fecal coliform limits on the internal outfall 001M - the activated sludge unit effluent to the pump station. After further review of the draft permit, KDHE determined that the fecal coliform limits on the combined outfall 001X also were in error. This public notice corrects both errors - removing the fecal coliform limit on the internal outfall 001M and reducing the fecal coliform limit on the combined effluent outfall 001X. There are no other changes to the draft permit as public noticed on August 21, 2003. 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
Leavenworth County Commissioners 300 Walnut Leavenworth, KS 66048	Tributary of Wolf Creek	Treated Domestic Wastewater

Kansas Permit No. M-KS04-OO06 Federal Permit No. KS0091961
Legal: NE¹/₄, SW¹/₄, S11, T11S, R22E, Leavenworth County

Facility Description: The proposed action is to reissue an existing permit for operation of an existing wastewater treatment facility treating primarily domestic wastewater. The proposed permit includes limits for biochemical oxygen demand, total suspended solids and pH. Monitoring for ammonia and fecal coliform also will be required. This permit contains a schedule of compliance requiring the permittee to abandon the facility and to direct all the wastewater to the City of Basehor by October 1, 2004. 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
Unified School District #288 3521 Ellis Road Richmond, KS 66080	Pottawatomie Creek via Sac Branch Creek via North Fork Sac Branch Creek	Treated Domestic Wastewater

Kansas Permit No. M-MC43-OO02 Federal Permit No. KS0078891
Legal: SW¹/₄, SW¹/₄, S22, T18S, R20E, Franklin County

Facility Name: U.S.D. #288 - Central Heights School
Facility Description: The proposed action is to reissue an existing permit for operation of an existing wastewater treatment facility treating primarily domestic wastewater. The proposed permit includes limits for biochemical oxygen demand, total suspended solids and pH. Monitoring for ammonia and fecal coliform also will be required. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are technology based.

(continued)

Name and Address of Applicant	Waterway	Type of Discharge
Horton, City of 205 E. 8th St. Horton, KS 66439	Little Lake Municipal Reservoir L-43	Noncontact Cooling Water

Kansas Permit No. I-KS24-CO01 Federal Permit No. KS0092185
 Legal: SW¹/₄, S28, T4S, R17E, Brown County
 Facility Name: Horton Municipal Power Plant
 Facility Location: 602 E. 15th St., Horton, KS 66439

Facility Description: The proposed action is to reissue an existing permit for operation of an existing power plant. This facility is a standby electrical generating station used for peaking and emergency power. Untreated lake water is circulated through the single phase heat exchangers for cooling of the three diesel electric generators. The proposed permit includes generic water quality language to protect waters of the state. 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 Army Ammunition Plant 23018 Rooks Road, Suite AA Parsons, KS 67357		Process Wastewater, & Stormwater Runoff

Kansas Permit No. F-NE55-PO04 Federal Permit No. KS0029360
 Receiving Stream: Outfalls 002, 004, 007, 010 & 011 - Unnamed
 Tributaries to Labette Creek
 Outfalls 003 & 009 - Unnamed Tributary to
 Neosho River
 Operator/Permittee: Day and Zimmerman, Inc.
 Legal: Longitude 95.21208W / 37.32847N

Facility Description: The proposed action is to re-public notice a draft permit for an existing wastewater treatment facility treating primarily process wastewater and stormwater runoff. The draft permit was initially public noticed on November 13, 2003. During the public notice period, the permittee discovered that some of the information on which the draft permit was based was in error. The permittee provided corrected information and KDHE modified the draft permit as presented herein. The modifications resulted in reductions in permit limits for outfalls 003 (TSS), 004 (NH₃), 010 and 011 (TSS & WETc), and reactivated outfall 009 adding TSS and WETa limits. There are no other changes to the draft permit as previously public noticed. 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
Western Plains Energy, LLC P.O. Box 288 Oakley, KS 67748	South Fork Saline River via Unnamed Tributary	Process Wastewater

Kansas Permit No. I-SA24-PO01 Federal Permit No. KS0093076
 Legal: NW¹/₄, S2, T11S, R31W, Gove County
 Facility Name: Western Plains Energy, LLC - Ethanol Plant

Facility Description: The proposed action is to issue a new permit for operation of a new wastewater treatment facility treating primarily process wastewater. This facility uses grain (primarily corn) to manufacture ethanol by natural fermentation. The resulting products include 200-proof ethanol, animal feed and CO₂. Ethanol is blended with gasoline to yield oxygenated gasoline. The animal feed is sold either as dried distillers grains and solubles (DDGS) or wet cake (WEGS). CO₂ will be initially vented to the atmosphere but may, in the future, be captured and sold as a product. About 73,000 gallons/day of wastewater consisting of reverse osmosis concentrate, cooling tower blowdown, and softener backwash and regenerate are discharged from outfall 001. Domestic wastewater is connected to a septic tank/lateral field system. The proposed permit includes limits for total residual chlorine, total selenium and pH. Monitoring of temperature, chloride, sulfate, biochemical oxygen demand, total suspended solids, total recoverable metals and effluent flow also will be required. In addition, the permittee is required to conduct a chronic whole effluent toxicity test once before September 1, 2004.

The permit includes a schedule of compliance requiring the permittee to (1) develop and implement a stormwater pollution prevention plan within one year of the effective date of this permit; (2) construction on an approved earthen polishing pond by August 31, 2004; and (3) submit, by April 1, 2004, a completed water treatment chemical evaluation log. 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 21 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate Kansas permit number (KS-AG-04-024/033, KS-04-011/018) 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. 030280

State of Kansas

Department of Transportation

Notice to Contractors

Sealed proposals for the construction of road and bridge work in the following Kansas counties will be received at the Bureau of Construction and Maintenance, KDOT, Topeka, or at the Capitol Plaza Hotel, Topeka, until 2 p.m. February 18, and then publicly opened:

District One — Northeast

Brown—7 C-3778-01 — County road, 0.5 mile west of Hamlin, 0.2 mile, grading, bridge and surfacing. (Federal Funds)

Doniphan—36-22 K-7868-01 — U.S. 36, 0.7 mile east of the Brown-Doniphan county line east 14.5 miles, joint repair. (State Funds)

Doniphan—7-22 K-9537-01 — K-7 from the north city limits of Troy north to the east junction of U.S. 36, 0.3 mile, joint repair. (State Funds)

Douglas—33-23 K-8753-01 — K-33, 0.9 mile north of the Franklin-Douglas county line, culvert construction. (State Funds)

Jefferson—92-44 K-7381-01 — K-92, Prairie Creek bridge, 5 miles north and east of the east junction of K-16, bridge replacement. (Federal Funds)

Johnson—69-46 K-9134-01 — Eight U.S. 69 bridges in Johnson County, bridge repair. (State Funds)

Pottawatomie—63-75 K-8002-01 — K-63, Commercial Street from the south city limits to the north city limits in Havensville, 0.4 mile, milling and overlay. (State Funds)

Pottawatomie—24-75 K-9132-01 — U.S. 24, Deep Creek, bridge repair. (State Funds)

Wyandotte—105 C-3940-01 — Swartz Road over Betts Creek in Edwardsville, 0.1 mile, grading, bridge and surfacing. (Federal Funds)

Wyandotte—73-105 K-9136-01 — U.S. 73 southbound bridge over Piper Creek, bridge repair. (State Funds)

District Two — Northcentral

Jewell—14-45 K-7877-01 — K-14, West Buffalo Creek, 6.9 miles north of the Mitchell-Jewell county line, bridge replacement. (Federal Funds)

District Three — Northwest

Norton—36-69 K-6394-01 — U.S. 36 from the west junction of K-383 in Norton east 5.8 miles, grading, bridge and surfacing. (Federal Funds)

Thomas—184-97 K-9539-01 — K-184 from the junction of I-70 north to the south city limits of Brewster, 1.6 miles, overlay. (State Funds)

Thomas—24-97 K-9540-01 — U.S. 24, 0.6 mile south of I-70, northeast 4 miles, overlay. (State Funds)

District Four — Southeast

Anderson—31-2 K-7376-01 — K-31, north fork Little Osage River drainage, 1.3 miles east of the U.S. 59 junction, bridge replacement. (Federal Funds)

Cherokee—400-11 K-9161-01 — U.S. 400 Cow Creek drainage, culvert construction. (State Funds)

Linn—7-54 K-8752-01 — K-7, 1.5 miles north of the north city limits of Mound City, culvert construction. (State Funds)

Linn—152-54 K-8754-01 — K-152, 1.2 miles east of County Route 403, culvert. (State Funds)

Neosho—59-67 K-9156-01 — U.S. 59, Neosho River drainage, bridge repair. (State Funds)

District Five — Southcentral

Butler—254-8 K-8010-01 — Jones Street to High Street on K-254 in El Dorado, 0.6 mile, grading and surfacing. (State Funds)

Cowley—15-18 K-6413-01 — K-15, Grouse Creek bridge, 6.5 miles north of U.S. 166, bridge replacement. (Federal Funds)

District—106 K-5928-03 - Various locations in District 5, 160.2 miles, signing. (State Funds)

Rice—14-80 K-9162-01 — K-14 Arkansas River, bridge repair. (State Funds)

District Six — Southwest

Clark—34-13 K-7377-01 — K-34 Bluff Creek drainage bridge, 6.6 miles north of the junction of U.S. 160, bridge replacement. (Federal Funds)

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

Each bidder shall file a sworn statement executed by or on behalf of the person, firm, association or corporation submitting the bid, certifying that such person, firm, association or corporation has not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with the submitted bid.

This sworn statement shall be in the form of an affidavit executed and sworn to by the bidder before a person who is authorized by the laws of the state to administer oaths. The required form of affidavit will be provided by the state to each prospective bidder. Failure to submit the sworn statement as part of the bid approval package will make the bid nonresponsive and not eligible for award consideration.

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

Deb Miller
Secretary of Transportation

Doc. No. 030287

State of Kansas

Kansas Guardianship Program**Notice of Meeting**

The Kansas Guardianship Program will conduct its governing board meeting from 3:30 to 5 p.m. Monday, February 2, in Room 234-N, State Capitol, 300 S.W. 10th Ave., Topeka. For more information, call (785) 587-8555.

Jean Krahn
Executive Director

Doc. No. 030269

State of Kansas

Department of Agriculture**Notice of Board Meeting**

The Governor's Agricultural Advisory Board will conduct a conference call at 10 a.m. Tuesday, January 27. A meeting agenda is available by contacting Ginger Patterson at (785) 296-3902. The meeting is open to the public and will include time for public comment. To participate, individuals should contact the Department of Agriculture prior to the meeting at (785) 296-3902.

Adrian J. Polansky
Secretary of Agriculture

Doc. No. 030277

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 2004-2006 by adding the following projects:

Project X-2380-01 - Flashing light railroad crossing signal, Kansas City Southern and Kansas Avenue in Kansas City, Wyandotte County

Project K-9541-01 - Conduct bi-state planning and design study for Kansas City SmartPort and establish a concept plan for providing virtual or on-site access to trade facilities and business services in the Kansas City and surrounding regions

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 February 23.

Deb Miller
Secretary of Transportation

Doc. No. 030283

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 1-19-04 through 1-25-04

Term	Rate
1-89 days	1.00%
3 months	0.88%
6 months	0.97%
1 year	1.15%
18 months	1.39%
2 years	1.67%

Derl S. Treff
Director of Investments

Doc. No. 030264

(Published in the Kansas Register January 22, 2004.)

Statutory Notice of Bond Sale
City of Overland Park, Kansas
\$6,900,000*

Internal Improvement Refunding Bonds
Series 2004

(General obligations payable from
unlimited ad valorem taxes)

Sealed and Electronic Bids

Sealed bids, submitted in a sealed envelope marked "Bid for Series 2004 Bonds" will be received by the undersigned director of finance, budget and administration for the City of Overland Park, Kansas, at City Hall, 8500 Santa Fe Drive, Overland Park, KS 66212, until noon Wednesday, February 4, 2004, for the purchase of all of the city's \$6,900,000* principal amount of Internal Improvement Refunding Bonds, Series 2004, as hereinafter described. Electronic bids for all of the bonds will only be accepted through PARITY electronic bid submission system. Each bidder shall be solely responsible for making the necessary arrangements to access PARITY for the purpose of submitting its electronic bid in a timely manner and in compliance with the requirements of the complete notice of bond sale. If any provisions in this statutory notice of bond sale conflict with information provided by PARITY, this statutory notice of bond sale will control. Further information about PARITY, including any fee charged and registration requirements, may be obtained from PARITY, 40 W. 23rd St., 5th Floor, New York, NY 10010, Customer Support, (212) 404-8102. The city assumes no responsibility or liability for bids submitted through PARITY. The city is using the services of PARITY solely as a communication mechanism to conduct the electronic bidding for the bonds. PARITY is not an agent of the city.

All bids will be publicly opened on the date and at the time set forth above and acted upon by the city council of the city at a special meeting of the city council scheduled for 7:15 p.m., or as soon as thereafter practicable, on said sale date. No oral, telephone, telefax or auction bids

will be considered. Arrangements may be made with the city’s financial advisor, Public Financial Management, Inc., 650 Third Ave. South, Suite 1800, Minneapolis, MN 55402, (612) 338-3535, Attention: Heather Casperson, to deliver a sealed bid for the bonds to the city.

No bid of less than 99.30 percent nor more than 102 percent of the principal amount of the bonds plus accrued interest thereon to the date of delivery will be considered. The dollar amount of the purchase price proposed by the successful bidder will be changed if the aggregate principal amount of the bonds is adjusted as described below. Generally, any premium offered or discount taken will be increased or reduced by a percentage equal to the percentage by which the principal amount of the bonds is increased or reduced provided that the city’s financial advisor will make every effort to ensure that the net compensation to the successful bidder as a percentage of the adjusted par amount does not increase or decrease from what it would have been if no adjustment had been made to the principal amounts shown in the maturity schedule set forth below.

Bond Details

The bonds will be issued in book-entry form only. The bonds will be issued in the denomination of \$5,000 or any integral multiple thereof; will be dated February 15, 2004; will be issued in the principal amount of \$6,900,000*; and will become due serially on September 1 in each of the years as follows:

Maturity Schedule*

Maturity September 1	Principal Amount
2004	\$ 25,000
2005	80,000
2006	85,000
2007	435,000
2008	440,000
2009	450,000
2010	460,000
2011	475,000
2012	485,000
2013	505,000
2014	520,000
2015	545,000
2016	565,000
2017	585,000
2018	610,000
2019	635,000

The bonds will bear interest from their dated date at rates to be determined when the bonds are sold as provided in the notice of bond sale, which interest will be payable semiannually on September 1 and March 1 in each year, commencing September 1, 2004.

Delivery and Payment

The bonds will be delivered to the successful bidder properly prepared, executed and registered without cost within approximately 30 days after the date of their sale in New York, New York.

Good Faith Deposit

A good faith deposit for each bid for the bonds in the form of a certified or cashier’s check or financial surety

bond in the amount of \$138,000 must be furnished at or prior to the time of the sale.

Costs

The city will pay the cost of printing the bonds and the expense of all legal services, including the opinion of Stinson Morrison Hecker LLP, bond counsel, approving the legality of the bonds and the exclusion of the interest thereon (with specified minor exceptions) from federal and Kansas gross income taxes.

Assessed Valuation and Indebtedness

For the computation of the debt limitation relating to the bonds, the assessed valuation of the taxable tangible property within the city as determined by the county clerk’s office on December 31, 2003, is \$2,552,793,390. For computation of the debt limitation relating to the bonds, the total general obligation bonded indebtedness of the city as of the date of the bonds is \$115,320,000, which excludes the bonds and the city’s outstanding \$9,925,000 principal amount of refunding bonds, which are exempt from the general obligation debt limitation. Proceeds of the bonds will be used to retire \$6,280,000 of the outstanding principal amount of the city’s Internal Improvement Bonds, Series 1999C.

Additional Information

A complete notice of bond sale, official statement and bid forms approved by the city will be mailed to all interested parties. Additional information regarding the bonds may be obtained from the financial advisor, Public Financial Management, Inc., 650 Third Ave. South, Suite 1800, Minneapolis, MN 55402, (612) 338-3535, Attention: Heather Casperson; and from the City of Overland Park, 8500 Santa Fe Drive, Overland Park, KS 66212, (913) 895-6152, Attention: Kristy Stallings. Bidders may be required to be qualified in a manner established by the city before submitting a bid. Arrangements may be made with the financial advisor, Public Financial Management, Inc., to deliver a sealed bid for the bonds to the city. The preliminary official statement for the bonds may be viewed at the city’s Web site at www.opkansas.org and the Web site of Public Financial Management, Inc. at www.pfm.com.

Dated January 22, 2004.

City of Overland Park, Kansas
 By Kristy Stallings
 Director of Finance, Budget
 and Administration
 City Hall
 8500 Santa Fe Drive
 Overland Park, KS 66212

* The city reserves the right to increase or decrease the principal amount of the issue by \$200,000 in total or \$15,000 for the 2004 maturity or \$35,000 for the 2005 through 2019 maturities after the bids have been received. If the principal amount is changed, the purchase price will be adjusted accordingly.

Doc. No. 030281

(Published in the Kansas Register January 22, 2004.)

Summary Notice of Sale
City of Gardner, Kansas
\$1,710,000*
General Obligation Bonds, Series 2004A
(General obligation bonds payable from
unlimited ad valorem taxes)

Bids

Subject to the notice of sale dated January 19, 2004, bids will be received on behalf of the City of Gardner, Kansas, at the offices of Springsted Incorporated, 85 E. Seventh Place, Suite 100, St. Paul, Minnesota, or, in the case of electronic proposals, via *PARITY*, until 11:30 a.m. Monday, February 2, 2004, for the purchase of \$1,710,000* principal amount of General Obligation Bonds, Series 2004A. No bid of less than the entire par value of the bonds, less a discount of 1.0 percent, plus accrued interest to the date of delivery will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated February 1, 2004, and will become due on October 1 in the years as follows:

Maturity October 1	Principal Amount*
2004	\$170,000
2005	155,000
2006	160,000
2007	160,000
2008	165,000
2009	170,000
2010	175,000
2011	180,000
2012	185,000
2013	190,000

The bonds will bear interest from that date at rates to be determined when the bonds are sold as provided, which interest will be payable semiannually on April 1 and October 1 in each year, beginning October 1, 2004. A bidder may elect to have all or a portion of the bonds scheduled to mature in consecutive years issued as term bonds subject to the requirements set forth in the notice of sale.

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

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

Delivery

The city will pay for preparation of the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about February 12, 2004, at the offices of the Depository Trust Company, New York, New York.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 2003 is \$87,418,708. The total applicable general obligation indebtedness of the city as of the date of the bonds, including the bonds being sold and including certain notes being sold by the city simultaneously with the bonds, is \$8,785,385.50.

Approval of Bonds

The Bonds will be sold subject to the legal opinion of Kutak Rock LLP, Kansas City, Missouri, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the city and delivered to the successful bidder when the bonds are delivered.

Additional Information

Additional information regarding the bonds may be obtained from the finance director, (913) 856-7535; from the city's financial advisor, Springsted Incorporated of St. Paul, Minnesota, (651) 223-3000, Attention: Bruce Kimmel; or from bond counsel, Kutak Rock LLP, 444 W. 47th St., Suite 200, Kansas City, MO 64112-1914, (816) 960-0090, Attention: Dorothea Riley.

Dated January 22, 2004.

City of Gardner, Kansas
 By Bryan Kidney
 Finance Director
 Gardner City Hall
 120 E. Main
 Gardner, KS 66030

*Preliminary; subject to change.

Doc. No. 030282

(Published in the Kansas Register January 22, 2004.)

Summary Notice of Bond Sale
City of Mulvane, Kansas
\$845,235

General Obligation Internal Improvement Bonds
Series A, 2004

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

Details of the Sale

Subject to the terms and conditions of the complete official notice of bond sale dated as of January 19, 2004, of the City of Mulvane, Kansas, in connection with the city's General Obligation Internal Improvement Bonds, Series A, 2004, hereinafter described, written bids for the purchase of the bonds shall be received at the office of the city clerk at City Hall, 211 N. 2nd, Mulvane, KS 67110, 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 (316) 777-4081, until 7:30 p.m. Monday, February 2, 2004. All bids shall be disclosed publicly and tabulated or compared on said date at 7:30 p.m. at City Hall, 211 N. 2nd, Mulvane, Kansas, 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 (316) 777-4081, 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 \$845,235 and shall bear a dated date of February 15, 2004. 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 \$5,235 maturing September 1, 2005. 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 percent. Interest on the bonds shall be payable semiannually on March 1 and September 1 of each year, commencing March 1, 2005, and the bonds shall mature serially on September 1 in each of the years and principal amounts as follows:

Maturity Schedule

Principal Amount	Maturity Date
\$20,235	2005
45,000	2006
45,000	2007
45,000	2008
50,000	2009
50,000	2010
55,000	2011
55,000	2012
60,000	2013
60,000	2014
65,000	2015
70,000	2016
70,000	2017

75,000	2018
80,000	2019

Redemption of Bonds

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

Payment of Principal and Interest

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

Book-Entry Option

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

Security for the Bonds

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

Delivery of the Bonds

The bonds, duly printed, executed and registered, shall be furnished and delivered at the expense of the city to the successful bidder, or at its direction, on or about February 26, 2004, 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	\$24,977,881
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(continued)

Taxable Value of Motor Vehicles	5,685,905
Assessed Tangible Valuation for Debt Limit Computation	<u>\$30,663,786</u>

(Published in the Kansas Register January 22, 2004.)

K.S.A. 10-308 provides that the authorized and outstanding bonded indebtedness of any city shall not exceed 30 percent of the assessed valuation of the city. As of February 15, 2004, the city's gross outstanding debt, including the bonds, will be \$9,986,087, which excludes temporary notes outstanding in the amount of \$840,000 that will be retired with the proceeds of the bonds herein offered for sale. The city's total indebtedness that is subject to debt limitation, as of February 15, 2004, will be \$3,858,755.13, which is 12.58 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 Mulvane, Kansas
By Patty Gerwick
City Clerk
City Hall, 211 N. 2nd
Mulvane, KS 67110
(316) 777-1143
Fax (316) 777-4081

Doc. No. 030275

Summary Notice of Bond Sale City of Rose Hill, Kansas \$1,445,000

General Obligation Bonds, Series 2004 (General obligation bonds payable from unlimited ad valorem taxes)

Bids

Subject to the notice of bond sale dated January 5, 2004, sealed, facsimile and electronic bids will be received by the clerk of the City of Rose Hill, Kansas (the issuer), in the case of sealed and facsimile bids, on behalf of the governing body at City Hall, 306 N. Rose Hill, P.O. Box 185, Rose Hill, KS 67133, and in the case of electronic bids, through i-Deal's BiDCOMP/PARITY electronic bid submission system, until 3 p.m. February 2, 2004, for the purchase of \$1,445,000 principal amount of General Obligation Bonds, Series 2004. 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 February 1, 2004, and will become due on October 1 in the years as follows:

Year	Principal Amount
2005	\$ 40,000
2006	80,000
2007	85,000
2008	85,000
2009	90,000
2010	90,000
2011	100,000
2012	105,000
2013	110,000
2014	110,000
2015	100,000
2016	105,000
2017	110,000
2018	115,000
2019	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 April 1 and October 1 in each year, beginning April 1, 2005.

Book-Entry-Only System

The bonds shall be 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 \$28,900 (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 February 26, 2004, to DTC for the account of the successful bidder.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 2003 is \$20,259,242. The total general obligation indebtedness of the issuer as of the date of delivery of the bonds, including the bonds being sold but excluding temporary notes to be retired in conjunction therewith, is \$4,705,000.

Approval of Bonds

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

Additional Information

Additional information regarding the bonds may be obtained from the clerk, (316) 776-2712, fax (316) 776-2769, e-mail: kathy@cityofrosehill.com; or from the financial advisor, George K. Baum & Company, 100 N. Main, Suite 810, Wichita, KS 67202, Attention: Charles M. Bouilly, (316) 264-9351, fax (316) 264-9370, e-mail: bouilly@gkbaum.com.

Dated January 5, 2004.

City of Rose Hill, Kansas

Doc. No. 030274

State of Kansas**Legislature****Legislative Bills and Resolutions Introduced**

The following numbers and titles of bills and resolutions were introduced January 12-14 by the 2004 Kansas Legislature. Copies of bills and resolutions are available free of charge from the Legislative Document Room, 145-N, State Capitol, 300 S.W. 10th Ave., Topeka, 66612, (785) 296-4096. Full texts of bills, bill tracking and other information may be accessed at www.kslegislature.org.

House Bills

HB 2474, An act relating to drivers' licenses; concerning the contents thereof; amending K.S.A. 2003 Supp. 8-243 and repealing the existing section, by Representatives McKinney and Loyd.

HB 2475, An act making the Topeka convention and visitor's bureau, inc. subject to the open meetings act and open records act, by Representative Lane.

HB 2476, An act concerning emergency telephone service; enacting the wireless enhanced 911 act; imposing certain fees and taxes; providing for certain grants; amending K.S.A. 12-5302 and repealing the existing section, by Representatives Neighbor and Svaty.

HB 2477, An act concerning crimes and punishment; relating to stalking; amending K.S.A. 2003 Supp. 21-3438 and repealing the existing section, by Representative Barbieri-Lightner.

HB 2478, An act relating to health care; concerning self-medication by students in secondary schools, by Representative Barbieri-Lightner.

HB 2479, An act concerning employment of illegal aliens, by Representative Dillmore.

HB 2480, An act concerning membership of the Kansas water authority; amending K.S.A. 2003 Supp. 74-2622 and repealing the existing section, by Representative Sloan.

HB 2481, An act relating to school districts; concerning local option budgets, by Representative Carter.

HB 2482, An act concerning civil procedure; relating to the amount of damages; amending K.S.A. 60-19a01 and 60-19a02 and K.S.A. 2003 Supp. 60-1903 and repealing the existing sections, by Representative Swenson.

HB 2483, An act concerning appropriations for fiscal years June 30, 2005, and June 30, 2006, for a pilot program for dependents of state employees; amending K.S.A. 2003 Supp. 75-6506a and repealing the existing section, by Representative Gordon.

HB 2484, An act concerning public water supply systems; relating to certain fees and the disposition thereof; amending K.S.A. 2003 Supp. 82a-2101 and repealing the existing section, by Representative Sloan.

HB 2485, An act concerning crimes, criminal procedure and punishment; relating to the interstate compact for juveniles; repealing K.S.A. 38-1001, 38-1002, 38-1003, 38-1004, 38-1005, 38-1006 and 38-1007, by Representative Loyd.

HB 2486, An act concerning chemicals; relating to the registration of wholesalers, manufacturers and distributors; amending K.S.A. 65-7003 and repealing the existing section, by Joint Committee on Corrections and Juvenile Justice Oversight.

HB 2487, An act concerning the juvenile justice authority; relating to the abolishment thereof; repealing K.S.A. 2003 Supp. 75-7032, by Joint Committee on Corrections and Juvenile Justice Oversight.

HB 2488, An act concerning the developmental disabilities reform act; relating to intake and service referral functions and treatment and care service functions; amending K.S.A. 39-1801, 39-1803, 39-1804, 39-1805 and 39-1806 and K.S.A. 2003 Supp. 39-1811 and repealing the existing sections, by Legislative Budget Committee.

HB 2489, An act amending the open meetings act; relating to closed meetings; amending K.S.A. 2003 Supp. 75-4319 and repealing the existing section, by Special Committee on Kansas Security.

HB 2490, An act amending the open records act; relating to certain closed records; amending K.S.A. 2003 Supp. 45-221 and repealing the existing section, by Special Committee on Kansas Security.

HB 2491, An act concerning technical colleges; relating to the powers and duties of the governing bodies thereof; relating to adult education; amending K.S.A. 2003 Supp. 72-4470a and repealing the existing section, by Legislative Educational Planning Committee.

HB 2492, An act concerning technical colleges; relating to the powers and duties of the governing bodies thereof; relating to operating expenses; amending K.S.A. 2003 Supp. 72-4470a and repealing the existing section, by Legislative Educational Planning Committee.

HB 2493, An act concerning certain institutions of postsecondary education; relating to certain registration requirements; amending K.S.A. 74-3251 and repealing the existing section, by Legislative Educational Planning Committee.

HB 2494, An act concerning certain institutions of postsecondary education; relating to certain fees; amending K.S.A. 74-3250 and repealing the existing section, by Legislative Educational Planning Committee.

HB 2495, An act concerning district courts; amending K.S.A. 4-207, 4-209, 4-210, 4-214, 4-215, 4-218, 4-221, 4-222, 4-226, 4-229, 4-231, 4-232, 20-301b, 20-327, 20-333, 20-336, 20-354 and 20-2908 and K.S.A. 2003 Supp. 20-348 and repealing the existing sections; also repealing K.S.A. 2003 Supp. 20-338, by Special Committee on Judiciary.

HB 2496, An act concerning franchise taxes; relating to certain business entities; rates and maximums; amending K.S.A. 2003 Supp. 17-2036, 17-4634, 17-7503, 17-7504, 17-7505, 17-7507, 17-76,139, 56-1a606, 56-1a607, 56a-1201, 56a-1202 and 56a-1203 and repealing the existing sections, by Special Committee on Assessment and Taxation.

HB 2497, An act relating to children; authorizing a transfer from the Kansas endowment for youth fund; making appropriations relating thereto; amending K.S.A. 38-2102 and repealing the existing section, by Legislative Educational Planning Committee.

HB 2498, An act concerning income taxation; relating to employer health insurance or care credit; sale or assignment; amending K.S.A. 40-2246 and repealing the existing section, by Special Committee on Assessment and Taxation.

HB 2499, An act concerning taxation; relating to city, county or municipal university compensating use tax on services; amending K.S.A.

(continued)

2003 Supp. 12-198 and repealing the existing section, by Special Committee on Assessment and Taxation.

HB 2500, An act concerning retirement and pensions; relating to the Kansas public employees retirement system and systems thereunder; alternative investments; amending K.S.A. 74-4921 and repealing the existing section, by Joint Committee on Pensions, Investments and Benefits.

HB 2501, An act concerning retirement and pensions; relating to the Kansas public employees retirement system and systems thereunder; real estate investments; amending K.S.A. 74-4921 and repealing the existing section, by Joint Committee on Pensions, Investments and Benefits.

HB 2502, An act concerning retirement and pensions; relating to the Kansas public employees retirement system and systems thereunder; employer contributions; amending K.S.A. 74-4967 and K.S.A. 2003 Supp. 20-2605 and 74-4920 and repealing the existing sections, by Joint Committee on Pensions, Investments and Benefits.

HB 2503, An act concerning health care; establishing the managed care responsibility act, by Representative Swenson.

HB 2504, An act concerning school districts; relating to residency; amending K.S.A. 72-1046 and repealing the existing section, by Representative Neighbor.

HB 2505, An act relating to drugs; establishing the pharmacological standards commission and the pharmacological standards laboratory; and providing for the financing thereof, by Committee on Higher Education.

HB 2506, An act relating to the state board of regents supervised educational institutions; concerning tuition charges, by Committee on Higher Education.

HB 2507, An act relating to regents supervised institutions; concerning group health coverage for certain personnel, by Committee on Higher Education.

HB 2508, An act relating to community colleges; concerning remedial coursework for graduates of Kansas public high schools; providing for a reimbursement plan, by Committee on Higher Education.

HB 2509, An act relating to the Kansas board of regents; concerning recognition of certain educational programs in Kansas that are unique or exemplary, by Committee on Higher Education.

HB 2510, An act relating to technical colleges; providing for technical colleges to be merged with a community college; providing for financing related thereto; amending K.S.A. 2003 Supp. 72-4470 and repealing the existing section; also repealing K.S.A. 2003 Supp. 72-4470a, by Committee on Higher Education.

HB 2511, An act relating to community colleges; authorizing the transfer of certain programs from community colleges to state educational institutions; providing procedures relating thereto, by Committee on Higher Education.

HB 2512, An act relating to higher education; concerning property tax levies for the educational building fund; establishing a business workforce training advisory group; establishing the Kansas commission on higher education operations and opportunities; amending K.S.A. 76-6b02 and 76-6b03 and K.S.A. 2003 Supp. 76-6b01 and repealing the existing sections, by Committee on Higher Education.

HB 2513, An act concerning the secretary of health and environment; providing for the establishment of an electronic communicable disease reporting system; establishing criteria for the system, by Representatives Neighbor, Patterson, Reitz, Schwab, S. Sharp, Storm and Yonally.

HB 2514, An act concerning telecommunications; relating to availability of high-speed digital service; concerning wireless service towers; providing for administrative fines for certain violations; establishing an enhanced 911 fund, by Committee on Utilities.

HB 2515, An act concerning electricity generated from renewable resources or technologies; placing certain requirements on state agencies and certain electric service providers; providing penalties for noncompliance; prescribing the rate of return on investment in certain generation facilities, by Committee on Utilities.

HB 2516, An act concerning utilities; providing certain incentives to increase electric transmission system and electric generating capacity; relating to powers and duties of the state corporation commission; relating to inclusion of certain expenses in rates; amending K.S.A. 66-128 and K.S.A. 2003 Supp. 74-8946 and 79-32,117 and repealing the existing sections, by Committee on Utilities.

HB 2517, An act concerning retirement and pensions; relating to the Kansas public employees retirement system and systems thereunder; employment after retirement; requiring certain duties of state board of

education; amending K.S.A. 72-5437, 72-5445, 72-7513, 74-4914, 74-4922 and 74-4939 and repealing the existing sections, by Joint Committee on Pensions, Investments and Benefits.

HB 2518, An act concerning certain public utilities; relating to energy efficiency and conservation programs for certain customers; providing for recovery of certain amounts therefor, by Committee on Utilities.

HB 2519, An act concerning fire protection; relating to county fire districts; relating to the detachment of territory therefrom; amending K.S.A. 19-3631 and repealing the existing section, by Representative Toelkes (By Request).

HB 2520, An act concerning campaign finance; pertaining to campaign treasurer's reports; amending K.S.A. 25-4148 and 25-4151 and repealing the existing sections, by Representative Wilson.

HB 2521, An act concerning contracts for purchases by the state or municipalities; providing a preference for bidders domiciled in Kansas, by Representative Huff.

HB 2522, An act relating to crimes and punishment; concerning mobile infrared transmitters, by Representative Huff.

HB 2523, An act concerning certain electric public utilities; providing for an additional rate of return on certain assets under certain circumstances, by Committee on Utilities.

House Concurrent Resolutions

HCR 5022, A proposition to amend article 11 of the constitution of the state of Kansas by adding a new section thereto, prohibiting the increase of the rate of certain taxes.

HCR 5023, A concurrent resolution urging the Congress of the United States to pass the RU-486 suspension and review act of 2003.

HCR 5024, A proposition to amend section 8 of article 2 of the constitution of the state of Kansas, relating to the duration of sessions of the legislature.

HCR 5025, A concurrent resolution providing for a joint session of the Senate and House of Representatives for the purpose of hearing a message from the Governor.

HCR 5026, A concurrent resolution relating to a committee to inform the governor that the two houses of the legislature are duly organized and ready to receive communications.

House Resolutions

HR 6001, A resolution relating to the rules of the House of Representatives for the 2003-2004 biennium; amending Rule 101 and Rule 2311, relating to meeting times.

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

HR 6003, A resolution relating to assignment of seats of the House of Representatives.

HR 6004, A resolution honoring George Washington Carver.

HR 6005, A resolution providing for certain reports by the state board of regents; relating to state financial assistance; providing for the examination of tuition rates at certain educational institutions.

Senate Bills

SB 286, An act concerning sales taxation; relating to destination sourcing rules; amending K.S.A. 2003 Supp. 12-191, 79-3603, 79-3667, 79-3668, 79-3669, 79-3670, 79-3671, 79-3672, 79-3673 and 79-3682 and repealing the existing sections; also repealing K.S.A. 2003 Supp. 79-3603c, by Senators Schmidt, Vratil, Umbarger and Adkins, Allen, Barnett, Brungardt, Buhler, Bunten, Clark, Emler, Goodwin, Harrington, Jackson, Jordan, Lyon, Morris, O'Connor, Salmans, Schodorf, Taddiken and Teichman.

SB 287, An act concerning cities and counties; relating to zoning; amending K.S.A. 12-742 and 12-758 and repealing the existing sections, by Senator Lyon (By Request).

SB 288, An act making the Topeka convention and visitor's bureau, inc. subject to the open meetings act and open records act, by Senator Hensley.

SB 289, An act establishing the governors of Kansas hometown heritage act, by Senator Schmidt.

SB 290, An act concerning the membership of the capitol area plaza authority; amending K.S.A. 2003 Supp. 75-2237 and repealing the existing section, by Senator Jackson.

SB 291, An act amending the motor vehicle drivers' license act; pertaining to moving violations; amending K.S.A. 8-249, 8-2004 and 8-2118 and K.S.A. 2003 Supp. 28-172a and repealing the existing sections, by Joint Committee on Administrative Rules and Regulations.

SB 292, An act concerning fire protection; authorizing payment for acquisition, installation or maintenance of fire hydrants by fire districts and townships; amending K.S.A. 2003 Supp. 12-3915, 19-3601a, 19-3612e, 19-3616, 19-3620, 80-1501, 80-1514a, 80-1904, 80-1913, 80-1917 and 80-1921 and repealing the existing sections, by Senators Barnett and Schmidt.

SB 293, An act concerning schools; relating to the Kansas school safety and security act; amending K.S.A. 72-89a01 and repealing the existing section, by Senator Lyon (By Request).

SB 294, An act concerning land; relating to agritourism, by Senators Schmidt and Schodorf.

SB 295, An act concerning certain boards; relating to the terms of members thereof; amending K.S.A. 2-3709 and K.S.A. 2003 Supp. 76-3304 and repealing the existing sections, by Confirmation Oversight Committee.

SB 296, An act relating to the department of agriculture; renaming the department of agriculture; transferring powers and duties of the secretary of the department of health and environment to the secretary of agriculture, by Special Committee on Agriculture.

SB 297, An act concerning civil procedure; relating to docket fees; amending K.S.A. 2003 Supp. 20-367 and repealing the existing section, by Special Committee on Judiciary.

SB 298, An act concerning civil procedure; relating to docket fees; amending K.S.A. 2003 Supp. 60-729 and repealing the existing section, by Special Committee on Judiciary.

SB 299, An act concerning surety agents, by Special Committee on Judiciary.

SB 300, An act authorizing the state board of regents to convey certain real estate in Riley county, Kansas, by Legislative Educational Planning Committee.

SB 301, An act concerning state educational institutions; relating to tuition, fees and other charges and the use of moneys derived therefrom; amending K.S.A. 76-719 and repealing the existing section, by Legislative Educational Planning Committee.

SB 302, An act concerning public postsecondary education; concerning certain persons deemed to be residents for purposes of tuition and other fees at postsecondary educational institutions, by Legislative Educational Planning Committee.

SB 303, An act concerning the family postsecondary savings program; relating to accounts therein; relating to income tax exemptions; amending K.S.A. 2003 Supp. 75-646 and 79-32,117 and repealing the existing sections, by Legislative Educational Planning Committee.

SB 304, An act concerning school districts; relating to consolidation; relating to the computation of state aid, by Legislative Educational Planning Committee.

SB 305, An act concerning alcoholic beverages; relating to the regulation thereof; amending K.S.A. 41-208, 41-301, 41-302, 41-303, 41-710, 41-712, 41-714 and 41-2704 and K.S.A. 2003 Supp. 19-101a, 41-347, 41-501 and 41-719 and repealing the existing sections; also repealing K.S.A. 41-1111, 41-1112, 41-1114 through 41-1121, by Special Committee on Judiciary.

SB 306, An Act repealing K.S.A. 74-8840; relating to certain audits of the accounts and transactions of the racing and gaming commission, by Legislative Post Audit Committee.

SB 307, An act concerning sales taxation; relating to countywide retailers' sales tax in Clay county; amending K.S.A. 2003 Supp. 12-187 and repealing the existing section, by Committee on Assessment and Taxation.

SB 308, An act concerning taxation; relating to city and county retailer's sales tax; classes of cities; amending K.S.A. 12-195b and K.S.A. 2003 Supp. 12-187, 12-188, 12-189 and 12-192 and repealing the existing sections, by Special Committee on Assessment and Taxation.

Senate Concurrent Resolutions

SCR 1615, A proposition to amend section 5 of article 12 of the constitution of the state of Kansas, relating to the establishment of classes of cities by the legislature for purposes of imposing limitations and prohibitions as to levying of taxes, fees or charges.

Senate Resolutions

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

SR 1802, A resolution relating to assignments of seats of the Senate.

Doc. No. 030265

State of Kansas

Racing and Gaming Commission

Permanent Administrative Regulations

Article 10.—ANIMAL HEALTH

112-10-3. Practicing veterinarians. (a)(1) Each practicing veterinarian at a racetrack facility shall possess a current unrestricted license to practice veterinary medicine in the state of Kansas and shall secure an occupation license in accordance with the racing act and commission regulations. One condition of possessing an occupation license shall be the practicing veterinarian's compliance with the regulations of the Kansas board of veterinary medical examiners.

(2) Before an occupation license is issued, each practicing veterinarian shall meet with the animal health officer to verify that the practicing veterinarian has reviewed these racing regulations and is informed about existing medication practice. Each practicing veterinarian, the animal health officer, and each assistant animal health officer shall be the only individuals who may administer veterinary treatment, medicine, or medication to any horse at the racetrack facility or to any horse registered to race at the racetrack facility. Recognized feed supplements, oral tonics, and substances approved by the animal health officer shall not be subject to this regulation.

(b) Each practicing veterinarian at a racetrack facility who treats a horse for any contagious or communicable disease shall report the fact immediately in writing to the animal health officer or assistant animal health officers on a form approved by the animal health officer.

(c) Each practicing veterinarian who treats a horse at a racetrack facility shall record the treatment in a log that has been approved by the animal health officer. Each practicing veterinarian shall deliver the log by 10:00 a.m. of the day after the treatment to the assistant animal health officers' office at the racetrack facility. Each log shall be the practicing veterinarian's commission report.

(d) Each practicing veterinarian at a racetrack facility also shall maintain a treatment record on each horse that the practicing veterinarian treats during a race meeting. The records shall be compiled in a form similar to the treatment record ordinarily maintained by the practicing veterinarian in private practice. Each practicing veterinarian shall promptly surrender the treatment records to the commission upon its request. Information to be recorded in the treatment record shall include the following:

- (1) Name and location of the horse treated;
- (2) name of the trainer;
- (3) nature of the condition treated or probable diagnosis;
- (4) nature of the treatment and medication administered; and
- (5) date and hour of treatment.

(e) No veterinarian shall deliver to another individual at a racetrack facility a syringe or injectable medication except upon written authorization of the animal health officer or assistant animal health officer.

(continued)

(f) No practicing veterinarian who treats a horse at a racetrack facility shall wager on the outcome of any race in which the treated horse starts.

(g) Each drug and medication at a racetrack facility shall be in a container bearing a veterinarian's prescription or in the original container bearing the manufacturer's label with the serial or lot number. Each practicing veterinarian shall use only disposable syringes and needles to medicate horses. No veterinarian shall leave unattended a drug or medication or any equipment for administering the drug or medication. All equipment for administering the drug or medication shall be destroyed before it is discarded. All drugs, medication, and equipment shall be disposed of in a manner that is environmentally safe.

(h) The use of extracorporeal shock wave therapy (ESWT) shall be limited to practicing veterinarians and shall be subject to the following additional restrictions:

(1) Only practicing veterinarians may possess ESWT instruments and machines at the racetrack facility.

(2) Each ESWT treatment shall be recorded by the practicing veterinarian on a treatment log form approved by the animal health officer and in the format described in subsections (c) and (d) above.

(3) No horse receiving ESWT shall be allowed to race unless both of the following conditions are met:

(A) At least 10 calendar days have passed since the horse last received ESWT.

(B) The animal health officer or assistant animal health officer has examined the horse and approves it to race. (Authorized by K.S.A. 74-8804; implementing K.S.A. 74-8810 and 74-8816; effective, T-112-3-31-89, March 31, 1989; effective June 26, 1989; amended, T-112-8-13-92, Aug. 13, 1992; amended, T-112-12-10-92, Dec. 10, 1992; amended Feb. 15, 1993; amended Nov. 16, 2001; amended Feb. 6, 2004.)

Article 13.—KANSAS WHELPEd PROGRAM

112-13-2. Kansas-whelped program, certification.

(a) Each person who intends to register a greyhound as a Kansas-whelped greyhound shall meet the following requirements:

(1) Within 45 days of the date each female greyhound is bred, submit a copy of the national greyhound association breeding acknowledgment and the following information to the official registering agency on a form approved by the commission:

(A) The present location of the female bred;

(B) the name and address, including the zip code, of each owner or lessee of the female and of each person who will be responsible for the pregnant female or the puppies during the first six months of their lives, or both; and

(C) each location of the pregnant female or the puppies during the first six months of their lives, or both;

(2) if the identity of the person or persons responsible for the pregnant female or the puppies, or both, changes, submit the new name and address, including the zip code, of the person or persons responsible to the official registering agency within 10 days of the change. The pres-

ent location of the pregnant female or the puppies shall be reported at the same time; and

(3) notify the official registering agency within 80 days of the breeding whether the female greyhound has whelped or missed.

(b) In an emergency, the executive committee of the official registering agency may grant one extension of the deadline for submission of the Kansas greyhound registry breeding acknowledgment and one extension of the deadline for submission of the Kansas greyhound registry whelping report.

(c) Each female greyhound specified in subsection (a) shall be owned or leased by a Kansas-qualified breeder within 45 days of the breeding date. To be a Kansas-qualified breeder, the person owning or leasing the female greyhound shall have been a resident of the state of Kansas for a minimum of two years before breeding. Each pup shall be whelped and raised for the first six months of life in the state of Kansas. Kansas-whelped status shall remain with the greyhound and shall transfer to all subsequent owners of the greyhound.

(d) Each person who intends to register a greyhound as a Kansas-whelped greyhound shall submit the original individual registration application from the national greyhound association to the official registering agency after the greyhound is six months old. If the official registering agency certifies that the greyhound is a Kansas-whelped greyhound, the agency shall meet the following requirements:

(1) Collect the certification fee and affix the agency's official seal to the face of the original individual registration application; and

(2) return the registration application to the applicant.

(e) When the applicant registers each individual greyhound, the applicant shall submit the certified original individual registration application to the national greyhound association.

(f) Upon receiving the certified original individual registration application, the national greyhound association shall issue a certificate of registration to the official registering agency.

(g) The official registering agency shall process the certificate in accordance with procedures approved by the commission and shall issue the certificate of registration to the applicant within 30 days of its receipt.

(h) If the original individual registration application is lost or destroyed, each duplicate shall be recertified by the official registering agency.

(i) If information is altered or falsified on any registration or certification document, the official registering agency shall cancel the Kansas-whelped greyhound certification.

(j) Each schedule of fees for certification, membership, and penalties shall be established by the official registering agency and approved by the commission at least annually.

(k) The official registering agency shall file an annual report with the commission on or before July 1 each calendar year and any periodic reports that the commission may request. (Authorized by K.S.A. 74-8804; implementing K.S.A. 74-8832; effective, T-112-1-19-89, Jan. 19, 1989;

effective April 10, 1989; amended March 25, 1991; amended Feb. 6, 2004.)

Tracy T. Diel
Executive Director

Doc. No. 030267

State of Kansas
Board of Technical Professions

Permanent Administrative
Regulations

Article 8.—EXAMINATIONS

66-8-5. Landscape architectural examinations. (a) The examination required of an applicant for landscape architectural licensure shall be the landscape architect registration examination as prepared by the national council of landscape architectural registration boards (CLARB).

(b) The landscape architect registration examination shall be graded by the CLARB, subject to approval by the board.

(c) Each applicant who has passed any sections of previous registration examinations may be granted transfer credits if approved by the board.

(d) Each applicant for a professional license shall be required to take and pass all sections of the landscape architect examinations and to meet the landscape architectural experience requirements pursuant to K.S.A. 74-7020, and amendments thereto. (Authorized by K.S.A. 74-7013; implementing K.S.A. 74-7017; effective May 1, 1984; amended May 4, 1992; amended Feb. 22, 1993; amended Feb. 14, 1994; amended Feb. 6, 2004.)

Betty L. Rose
Executive Director

Doc. No. 030285

State of Kansas
Department of Agriculture

Permanent Administrative
Regulations

Article 25.—GRAIN WAREHOUSE

4-25-16. Fees and charges. (a) The annual fee for a public warehouse license shall be computed as follows, based on the capacity of the public warehouse:

Table with 2 columns: Capacity in Bushels, Annual Fee. Rows range from 1 to 100,000 to 1,750,001 to 2,500,000.

Table with 2 columns: Capacity in Bushels, Annual Fee. Rows range from 2,500,001 to 5,000,000 to Over 20,000,000 bushels.

(b) The charge for amending a warehouse license shall be \$300.00.

(c) The charges for each special or requested examination of a warehouse shall consist of the following:

(1) \$50.00 per hour for each examiner, with a required minimum charge of four hours;

(2) subsistence expenses for each examiner; and

(3) mileage expenses for each examiner, which shall be charged, per mile driven, at the rate per mile determined by the secretary of administration pursuant to K.S.A. 75-4607, and amendments thereto.

(d) The license fee shall be the applicable amount specified in the fee schedule in subsection (a) plus \$500 for each functional unit. Each public warehouseman shall pay the hourly rate, subsistence, and mileage expenses identified in subsection (c) of this regulation for examinations necessitated by changes in storage capacity, including conditional storage space of a licensed warehouse, or by the need to confirm that a warehouse is empty. Any other charge or requirement identified in statute or regulation shall apply to the conditional or empty storage space of a public warehouse.

(e) Each public warehouseman shall pay the hourly rate, subsistence, and mileage expenses identified in subsection (c) of this regulation for examinations necessitated by changes in storage capacity, including the addition of conditional storage space in a licensed warehouse, or by the need to confirm that a warehouse is empty. Any other charge or requirement identified in statute or regulation shall apply to the conditional or empty storage space of a public warehouse. (Authorized by K.S.A. 34-102; implementing K.S.A. 34-102 and 34-228; effective March 8, 2002; amended, T-4-12-16-03, Jan. 1, 2004; amended Feb. 6, 2004.)

Adrian J. Polansky
Secretary of Agriculture

Doc. No. 030276

State of Kansas
Kansas Lottery
Temporary Administrative
Regulations

Article 2.—LOTTERY RETAILERS

111-2-151. Johnson's General Stores Chain No. 1177 bonus retailer Super Kansas Cash Incentive. (a) During the period beginning February 1, 2004, and ending March 31, 2004, in addition to compensation provided for in K.A.R. 111-2-4, the Kansas lottery also offers all participating Johnson's General Stores lottery retailers lo- (continued)

cated in Kansas an opportunity to participate in a bonus retailer Super Kansas Cash incentive promotion.

(b) At the end of the promotion, the store with the greatest percentage increase in \$5 or more purchases on a single ticket for Super Kansas Cash for the period from February 1, 2004, through March 31, 2004, over the base sales period of February 1, 2003, through March 31, 2003, will win a \$300 credit on the retailer's lottery account and an in-store wheel spin special promotion to award various promotional items chosen by the lottery. Promotional items chosen by the lottery will also be awarded to all retail locations which show an increase in \$5 or more purchases on a single ticket for Super Kansas Cash sales over the base period. (Authorized by and implementing K.S.A. 74-8710 and K.S.A. 74-8708; effective, T-111-1-12-04, Dec. 9, 2003.)

111-2-152. Bird Oil Chain No. 1551 bonus retailer Super Kansas Cash Incentive. (a) During the period beginning February 1, 2004, and ending March 31, 2004, in addition to compensation provided for in K.A.R. 111-2-4, the Kansas lottery also offers all participating Bird Oil lottery retailers located in Kansas an opportunity to participate in a bonus retailer Super Kansas Cash incentive promotion.

(b) At the end of the promotion, the store with the greatest percentage increase in \$5 or more purchases on a single ticket for Super Kansas Cash for the period from February 1, 2004, through March 31, 2004, over the base sales period of February 1, 2003, through March 31, 2003, will win a \$300 credit on the retailer's lottery account and an in-store wheel spin special promotion to award various promotional items chosen by the lottery. Promotional items chosen by the lottery will also be awarded to all retail locations which show an increase in \$5 or more purchases on a single ticket for Super Kansas Cash sales over the base period. (Authorized by and implementing K.S.A. 74-8710 and K.S.A. 74-8708; effective, T-111-1-12-04, Dec. 9, 2003.)

111-2-153. Leiszler Oil Chain Nos. 1011 and 1421 retailer instant ticket incentive. (a) During the period beginning January 1, 2004, and ending February 28, 2004, in addition to compensation provided for in K.A.R. 111-2-4, the Kansas lottery also offers all participating Leiszler Oil lottery retailers located in Kansas an opportunity to participate in a \$10 instant ticket sales promotion.

(b) At the end of the promotion, the store with the greatest percentage increase in \$10 instant ticket sales for the period from January 1, 2004, through February 28, 2004, over the base sales period of January 1, 2003, through February 28, 2003, will win a color television.

The store with the second greatest percentage increase in \$10 instant ticket sales for the period from January 1, 2004, through February 28, 2004, over the base sales period of January 1, 2003, through February 28, 2003, will win a \$50 credit on the retailer's lottery account.

The store with the third greatest percentage increase in \$10 instant ticket sales for the period from January 1, 2004, through February 28, 2004, over the base sales period of January 1, 2003, through February 28, 2003, will win a \$25 credit on the retailer's lottery account.

Promotional items chosen by the lottery will also be awarded to all retail locations which show an increase in \$10 instant ticket sales over the base period. (Authorized by and implementing K.S.A. 74-8710 and K.S.A. 74-8708; effective, T-111-1-12-04, Dec. 9, 2003.)

111-2-154. KAPS Chain No. 1593 retailer instant ticket incentive. (a) During the period beginning January 1, 2004, and ending February 28, 2004, in addition to compensation provided for in K.A.R. 111-2-4, the Kansas lottery also offers all participating KAPS lottery retailers located in Kansas an opportunity to participate in a \$10 instant ticket sales promotion.

(b) At the end of the promotion, the store with the greatest percentage increase in \$10 instant ticket sales for the period from January 1, 2004, through February 28, 2004, over the base sales period of January 1, 2003, through February 28, 2003, will win a color television.

The store with the second greatest percentage increase in \$10 instant ticket sales for the period from January 1, 2004, through February 28, 2004, over the base sales period of January 1, 2003, through February 28, 2003, will win a \$50 credit on the retailer's lottery account.

The store with the third greatest percentage increase in \$10 instant ticket sales for the period from January 1, 2004, through February 28, 2004, over the base sales period of January 1, 2003, through February 28, 2003, will win a \$25 credit on the retailer's lottery account.

Promotional items chosen by the lottery will also be awarded to all retail locations which show an increase in \$10 instant ticket sales over the base period. (Authorized by and implementing K.S.A. 74-8710 and K.S.A. 74-8708; effective, T-111-1-12-04, Dec. 9, 2003.)

111-2-155. Brumit Oil Chain No. 1096 retailer instant ticket incentive. (a) During the period beginning January 1, 2004, and ending February 28, 2004, in addition to compensation provided for in K.A.R. 111-2-4, the Kansas lottery also offers all participating Brumit Oil lottery retailers located in Kansas an opportunity to participate in a \$10 instant ticket sales promotion.

(b) At the end of the promotion, the store with the greatest percentage increase in \$10 instant ticket sales for the period from January 1, 2004, through February 28, 2004, over the base sales period of January 1, 2003, through February 28, 2003, will win a color television.

The store with the second greatest percentage increase in \$10 instant ticket sales for the period from January 1, 2004, through February 28, 2004, over the base sales period of January 1, 2003, through February 28, 2003, will win a \$50 credit on the retailer's lottery account.

The store with the third greatest percentage increase in \$10 instant ticket sales for the period from January 1, 2004, through February 28, 2004, over the base sales period of January 1, 2003, through February 28, 2003, will win a \$25 credit on the retailer's lottery account.

Promotional items chosen by the lottery will also be awarded to all retail locations which show an increase in \$10 instant ticket sales over the base period. (Authorized by and implementing K.S.A. 74-8710 and K.S.A. 74-8708; effective, T-111-1-12-04, Dec. 9, 2003.)

111-2-156. Pete's Corporation Chain No. 1033 retailer instant ticket incentive. (a) During the period be-

ginning January 1, 2004, and ending February 28, 2004, in addition to compensation provided for in K.A.R. 111-2-4, the Kansas lottery also offers all participating Pete's Corporation lottery retailers located in Kansas an opportunity to participate in a \$10 instant ticket sales promotion.

(b) At the end of the promotion, the store with the greatest percentage increase in \$10 instant ticket sales for the period from January 1, 2004, through February 28, 2004, over the base sales period of January 1, 2003, through February 28, 2003, will win a color television.

The store with the second greatest percentage increase in \$10 instant ticket sales for the period from January 1, 2004, through February 28, 2004, over the base sales period of January 1, 2003, through February 28, 2003, will win a \$50 credit on the retailer's lottery account.

The store with the third greatest percentage increase in \$10 instant ticket sales for the period from January 1, 2004, through February 28, 2004, over the base sales period of January 1, 2003, through February 28, 2003, will win a \$25 credit on the retailer's lottery account.

Promotional items chosen by the lottery will also be awarded to all retail locations which show an increase in \$10 instant ticket sales over the base period. (Authorized by and implementing K.S.A. 74-8710 and K.S.A. 74-8708; effective, T-111-1-12-04, Dec. 9, 2003.)

Article 3.—INSTANT GENERIC GAME RULES

111-3-22. Selection of participants. The following process shall be used for the selection of participants in all drawings conducted pursuant to K.A.R. 111-3-1 *et seq.* unless otherwise specified by individual game rules:

(a) Kansas lottery personnel shall pick up all entries mailed to the lottery's post office box.

(b) Lottery personnel shall transport the tickets to a secure area where they will be held until the time designated by the executive director for the drawing for which they are entered. Lottery security personnel shall then be responsible for transporting the tickets and placing them in the receptacle(s) or drum(s) to be used for the drawing.

(c) The selection process shall be held at the date and time specified in individual game rules. All draws shall be held in a place accessible to the public and be open for public attendance and with lottery security personnel present. All draws shall be video and audio taped.

(d) An individual designated by the executive director shall pick at random the number of tickets specified by the rules and regulations of the drawing from the receptacle(s) or drum(s) using the bare-arm technique. Should the designated individual draw tickets belonging to that designated individual, the tickets shall be disqualified.

(e) The contents of the receptacle(s) or drum(s) shall be mixed thoroughly with a shovel or other means, or rotated a minimum of 10 times to ensure random selection.

(f) If the tickets drawn are determined to be ineligible, they shall be discarded, the receptacle(s) or drum(s) resealed, and another drawn. This procedure will be repeated until valid selections are obtained.

(g) All tickets remaining in the receptacle(s) or drum(s) after valid entries have been selected shall be destroyed.

(h) Valid entries shall be certified and secured in accordance with K.A.R. 111-3-21.

(i) If the deadline for receipt of entries or claims in a drawing falls on a day lottery headquarters is not open for business to the general public, said deadline shall automatically be extended to the next day lottery headquarters is open for business to the general public. (Authorized by and implementing K.S.A. 74-8710(b); effective, T-89-4, Jan. 21, 1988; amended, T-89-25, May 24, 1988; amended, T-111-7-7-88, July 5, 1988; amended, T-111-4-13-89, April 7, 1989; amended, T-111-6-30-89, June 30, 1989; amended, T-111-12-15-89, Dec. 8, 1989; amended, T-111-5-28-91, May 24, 1991; amended, T-111-7-1-92, June 26, 1992; amended, T-111-3-1-99, Feb. 19, 1999; amended, T-111-6-11-99, May 21, 1999; amended, T-111-1-12-04, Dec. 9, 2003.)

Article 4.—INSTANT GAMES AND DRAWINGS

111-4-881. Determination of "State Fair Drawings" winners. (a) At least 10 minutes before the drawings, the co-sponsor or person designated by the executive director, shall announce to the audience the time that the winner selection process will begin. Any persons wishing to enter the drawing who have not yet done so, shall immediately place their tickets into the receptacle or drum at this time.

(b) The co-sponsor or person designated by the executive director shall announce that entries into the "State Fair Drawings" are closed. No further entries will be accepted. If sealable, the drawing receptacle or drum shall then be sealed.

(c) All non-winning tickets placed in receptacles or drums at the locations identified in subsections (a)(5) and (6) of K.A.R. 111-4-880 shall be under the supervision of the lottery security personnel present prior to each "State Fair Drawing."

(d) Daily drawings shall be conducted only from valid entries placed in the receptacle or drum at the state fair lottery location. After the first daily drawing, subsequent daily drawings shall be drawn from entries received from the close of each daily drawing until the close of the next daily drawing. Following each daily drawing, lottery security shall remove all entries for the just completed drawing from the receptacle, and retain custody of the tickets until they can be destroyed.

(e) The receptacle or drum shall be rotated a minimum of 10 times or the contents mixed thoroughly with a shovel or other means by lottery security personnel present to ensure random selection. After rotation or mixing, any seals shall be removed.

(f) The executive director shall designate one individual of his choice to participate in the selection process.

(g) The selection of "State Fair Drawings" winners shall be accomplished by the individual designated by the executive director, using a bare arm technique, while looking away from the receptacle and removing only one ticket from the receptacle in which all entries were placed. The lottery security officer present and the lottery draw manager shall review the selected ticket to determine if the name stated on the information form located on the

(continued)

back of the selected ticket is legible and whether the ticket is valid. This process shall be repeated until five valid entries have been drawn.

(h) The named person is not required to be present in order to win the "State Fair Drawings" prizes described in K.A.R. 111-4-879. The security person conducting the drawing shall be responsible for the final determination concerning the legibility of the name on any ticket drawn and its validity.

(i) The five persons whose tickets have been drawn from the receptacle or drum and who meet the entry and validation requirements at each drawing shall be determined "State Fair Drawings" winners.

(j) Each winner shall be given or mailed a prize claim form to be completed and returned to the lottery within 45 days of the drawing.

(k) If the name on any ticket drawn is not legible or there is insufficient information on the information form, the ticket drawn will be void and the selection process shall be repeated until a valid ticket eligible for the drawings identified in K.A.R. 111-4-877 is selected.

(l) After five valid entries have been drawn for each daily drawing, five additional tickets shall be drawn following the procedure in subsection (g) above and given to lottery security to hold as alternates designated as 1A, 1B, 1C, 1D, and 1E in the event any of the tickets previously drawn do not meet entry or validation requirements or the prize winners cannot be located by telephone or United States mail within 30 days of the drawing. The alternate tickets, if used, will be utilized in order drawn. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-7-22-96, July 19, 1996; amended, T-111-8-25-97, Aug. 15, 1997; amended, T-111-6-8-00, May 12, 2000; amended, T-111-6-19-00; June 16, 2000; amended, T-111-1-12-04, Dec. 9, 2003.)

111-4-1448. Determination of "Country Stampede Drawing" winners. (a) At least five minutes before the drawing, the person designated by the executive director shall announce to the audience that the winner selection process will begin. Any person wishing to enter the drawing who has not yet done so, shall immediately place his or her ticket(s) into the receptacle or drum at this time.

(b) Prior to closing the receptacle or drum prior to the drawing, the person designated by the executive director shall announce that entry into the "Country Stampede Drawing" is closed. No further entries will be accepted.

(c) The receptacle or drum shall be closed prior to the drawing. If a receptacle other than a drum is used, tickets in the receptacle shall be thoroughly mixed with a shovel or by other means. If a drum is used, it shall be rotated a minimum of 10 times to ensure random selection.

(d) The executive director shall designate one individual of his choice to participate in the selection process.

(e) At approximately 8:00 p.m., the selection of "Country Stampede Drawing" winners shall be accomplished by the individual designated by the executive director, using a bare arm technique, who shall remove one ticket from the receptacle or drum while looking away from the receptacle or drum in which all entries were placed. A person representing the executive director and a person

representing Kansas lottery security, shall review the selected ticket to determine if the name stated on the information form located on the back of the selected ticket is legible. If the name is determined to be legible, the name of the winner shall be announced to the audience.

This process shall be repeated until 10 valid winners have been selected. Three additional entries shall be drawn which will serve as alternate entries in the event one or more of the original winners cannot be located or may be determined to be ineligible, and will be marked in the order drawn as 1A, 1B, and 1C. Alternate entries will be used, if necessary, in the order drawn.

(f) The named person is not required to be present in order to win the "Country Stampede Drawing" prizes described in K.A.R. 111-4-1446. The security representative conducting the drawing shall be responsible for the final determination concerning the legibility of the name on any ticket drawn, and validity of the entry, but regardless of the number of entries a person whose name appears on a valid entry drawn in the "Country Stampede Drawing" has made, he or she shall not be eligible to win more than one prize. The first prize winning ticket drawn for such an entrant invalidates all other entries for the "Country Stampede Drawing" for that entrant.

(g) A person whose valid ticket has been drawn from the receptacle or drum at each drawing shall be determined a "Country Stampede Drawing" winner.

(h) Each winner of a prize as a result of the drawing shall return to lottery headquarters a completed claim form as provided by the lottery no later than 5:00 p.m. on the forty-fifth day following the drawing 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 pursuant to subsection (e) herein shall be declared the winner of that prize;

(i) If the name on any ticket drawn is not legible, the ticket drawn will be void and the selection process shall be repeated until a valid winning ticket is selected. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-5-5-99, April 23, 1999; amended, T-111-8-20-02, Aug. 14, 2002; amended, T-111-1-12-04, Dec. 9, 2003.)

111-4-2074. Determination of "Westridge Mall Drawing" winners and prizes. (a) At least five minutes before each drawing, a lottery drawing official designated by the executive director shall announce to the audience that the winner selection process will begin. Any persons wishing to enter the drawing who have not yet done so, shall immediately place their tickets into the receptacle at this time.

(b) The drawing official shall announce that entries into the drawing are closed. No further entries will be accepted.

(c) Tickets in the receptacle shall be mixed thoroughly with a shovel or by other means or the drum shall be rotated a minimum of 10 times to ensure random selection.

(d) The drawing official shall designate one individual of his or her choice to participate in the selection process.

(e) The selection of drawing winners shall be accomplished by the individual designated by the drawing official, using a bare arm technique, removing one ticket

from the drawing receptacle at the time stated on the notice provided as set forth in K.A.R. 111-4-2073(a). A designated drawing official and a person representing Kansas lottery security, shall review the selected ticket to determine if the name stated on the information form located on the back of the selected ticket is legible. If the ticket is determined to be valid and eligible to win and the name is determined to be legible, the name of the winner shall be announced to the audience. This process shall be repeated until three valid winners have been selected. Each valid entry drawn shall be marked in the order drawn, 1, 2, and 3.

(f) After the tickets have been drawn and each entry has been verified as valid by lottery security, three more entries will be drawn, one at a time, to serve as alternate entries. The alternate entries will be marked in order drawn, 1A, 2A, and 3A. The alternate ticket entries will be used only if the original winners cannot be located or are declared ineligible, or fail to present a fully-executed claim form as required herein. The alternates will be used, if necessary, in the order drawn.

(g) The first valid winner selected shall be awarded a prize of a \$500 gift certificate to Westridge Mall, Topeka, Kansas. The second valid winner selected shall be awarded a prize of a \$300 gift certificate to Westridge Mall, Topeka, Kansas. The third valid winner selected shall be awarded a prize of a \$200 gift certificate to Westridge Mall, Topeka, Kansas.

(h) The named persons are not required to be present in order to win the drawing prizes. The security representative conducting the drawing shall be responsible for the final determination concerning the eligibility of any ticket drawn. The first prize winning ticket drawn for each entrant invalidates all other entries for the drawing for that entrant.

(i) Each winner of a prize as a result of the drawing shall return to lottery headquarters a completed claim form as provided by the lottery no later than 5:00 p.m. on the forty-fifth day following the drawing 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 pursuant to subsection (f) herein shall be declared the winner of that prize. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-12-05-03, Nov. 19, 2003; amended, T-111-1-12-04, Dec. 9, 2003.)

111-4-2093. "Kansas Lottery \$200 Grand" instant ticket lottery game number 338. (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Kansas Lottery \$200 Grand" commencing on or after January 6, 2004. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-2093.

(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\$
25. ⁰⁰	TWEN-FIV

40. ⁰⁰	FORTY
50. ⁰⁰	FIFTY
\$100\$	ONE-HUN
\$1000	ONETHOU
\$10000	10-THOU
FREE ARCA ADMISSION	GRAND PRIZE ENTRY
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	TWYTHR
24	TWTYFR
25	TWTYFIV

GOOD LUCK
MAYBE NEXT TIME

(c) For this game, a play symbol shall appear in each of 19 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 six 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
FOR	=	\$4.00
FIVE	=	\$5.00
TEN	=	\$10.00
TWF	=	\$25.00
FRY	=	\$40.00
FTY	=	\$50.00
HUN	=	\$100.00

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

(g) "Kansas Lottery \$200 Grand" is a ticket with two different games. Game 1 is a key number match game. The player will remove the scratch-off material to reveal two "YOUR NUMBERS" and eight "WINNING NUMBERS" with a prize amount below each of the "WINNING NUMBERS." If a player matches any of the "YOUR NUMBERS" to any of the "WINNING NUM-

(continued)

BERS," 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 a player reveals any prize amount, the player wins that amount instantly. If the player reveals the words, "FREE ARCA ADMISSION/GRAND PRIZE ENTRY," the player wins free admission to the ARCA race and a chance to win \$200,000 at the race in a second-chance drawing. A player can win once in this game play area.

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

	Prizes	Expected Number of Prizes in Game	Expected Value in Game
FREE TICKET	FREE TICKET	60,000	\$0
\$2	\$2	34,000	68,000
\$4	\$4	11,600	46,400
\$4 (\$2 x 2)	\$4	11,600	46,400
\$5	\$5	7,700	38,500
\$5 (\$1 x 5)	\$5	7,600	38,000
FREE ARCA ADMISSION/ GRAND PRIZE ENTRY	\$6.29	25,000	157,300
\$10	\$10	2,600	26,000
\$10 (\$2 x 5)	\$10	2,810	28,100
\$25	\$25	1,000	25,000
\$25 (\$5 x 5)	\$25	1,200	30,000
\$25 (\$2 x 5) + (\$5 x 3)	\$25	1,200	30,000
\$40	\$40	300	12,000
\$40 (\$10 x 4)	\$40	300	12,000
\$40 (\$5 x 8)	\$40	300	12,000
\$40 (\$4 x 7) + \$10 + \$2	\$40	300	12,000
\$50	\$50	100	5,000
\$50 (\$5 x 8) + \$10	\$50	100	5,000
\$100	\$100	100	10,000
\$100 (\$10 x 7) + \$25 + \$5	\$100	30	3,000
\$1,000	Game 1 \$1,000	6	6,000
\$10,000	Game 1 \$10,000	6	6,000
		167,852	\$667,400
Consolation Prizes 2 @ \$4,858	\$4,858	2	9,716
TOTAL		167,855	\$680,416

(k) The odds of winning a prize in this game are approximately one in 3.57. (Authorized by K.S.A. 74-8710; implementing K.S.A. 74-8710 and K.S.A. 74-8720; effective, T-111-1-12-04, Dec. 9, 2003.)

111-4-2094. "Country Stampede Doubler" instant ticket lottery game number 339. (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Country Stampede Doubler" commencing on or after January 6, 2004. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-2094.

(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\$
25. ⁰⁰	TWEN-FIV
40. ⁰⁰	FORTY

50. ⁰⁰	FIFTY
\$100\$	ONE-HUN
\$1000	ONETHOU
\$10000	10-THOU
FREE ARCA ADMISSION	GRAND PRIZE ENTRY
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	TWY TWO
23	TWTYTHR
24	TWTYFR
25	TWTYFIV

GOOD LUCK

MAYBE NEXT TIME

Symbol of a guitar	GUITAR
Symbol of a cowboy hat	HAT
Symbol of a horseshoe	HSHOE
Symbol of a gold bar	GOLD
Symbol of a stack of bills	CASH
Symbol of a drum	DRUM

(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 six 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
FOR	=	\$4.00
FIVE	=	\$5.00
TEN	=	\$10.00
TWF	=	\$25.00
FRY	=	\$40.00
FTY	=	\$50.00
HUN	=	\$100.00

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

(g) "Country Stampede" is a ticket with three different games. Game 1 is an instant win game. A player will re-

move the scratch-off material to reveal one play area. If a player reveals any prize amount, the player wins that amount instantly. A player can win once in this game play area.

Game 2 is a key number match game. The player will remove the scratch-off material to reveal two "YOUR NUMBERS" and eight "GUITAR NUMBERS" with a prize amount below each of the "GUITAR NUMBERS." If a player matches any of the "YOUR NUMBERS" to any of the "GUITAR NUMBERS," the player wins the prize shown below that matched number. A player can win up to eight times in this play area.

The bonus play area is a doubler feature. A player will remove the scratch-off material to reveal one play area. If the player reveals a "GUITAR" symbol, the player wins double the prize amount.

(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:

	Prizes	Expected Number of Prizes in Game	Expected Value in Game
FREE TICKET	FREE TICKET	90,000	\$0
\$2	\$2	52,500	55,200
\$4	\$4	13,800	55,200
\$4 (\$2 x 2)	\$4	13,800	55,200
\$4 (\$2D)	\$4	13,800	55,200
\$5	\$5	10,800	54,000
\$5 (\$2 x 2) + \$1	\$5	11,100	55,500
\$10	\$10	4,500	45,000
\$10 (\$5D)	\$10	4,500	45,000
\$10 (\$5 x 2)	\$10	4,500	45,000
\$25	\$25	1,800	45,000
\$25 (\$5 x 5)	\$25	1,800	45,000
\$25 (\$10 x 2) + \$5	\$25	1,800	45,000
\$25 (\$2 x 5) + (\$5 x 3)	\$25	1,800	45,000
\$40	\$40	510	20,400
\$40 (\$10 x 4)	\$40	510	20,400
\$40 (\$5 x 8)	\$40	510	20,400
\$40 (\$4 x 5) + (\$5 x 4)	\$40	510	20,400
\$50	\$50	135	6,750
\$50 (\$25D)	\$50	135	6,750
\$50 (\$5 x) + \$10	\$50	135	6,750
\$50 (\$10 x 5)	\$50	135	6,750
\$100	\$100	24	2,400
\$100 (\$50D)	\$100	24	2,400
\$100 (\$10 x 7) + \$25 + \$5	\$100	24	2,400
\$100 (\$10 x 5) + \$50	\$100	24	2,400
\$1,000	Game 2 \$1,000	9	9,000
\$10,000	Game 2 \$10,000	9	90,000
		233,694	\$957,300
10 prize packs @ \$2,046	\$2,046	10	20,460
1 grand prize @ \$10,215	\$10,215	1	10,215
TOTAL		233,705	\$987,975

D - Denotes doubler "GUITAR" symbol

(k) The odds of winning a prize in this game are approximately one in 3.85. (Authorized by K.S.A. 74-8710; implementing K.S.A. 74-8710 and K.S.A. 74-8720; effective, T-111-1-12-04, Dec. 9, 2003.)

Article 5.—MULTI-STATE ON-LINE GAMES

111-5-96. Determination of "Powerball Instant Millionaire Game Show" winners. The following process shall be used for the selection of winners in the "Powerball Instant Millionaire Game Show" drawings:

(a) Kansas lottery personnel shall pick up all mail containing entries for the "Powerball Instant Millionaire Game Show" at the United States Post Office in Topeka,

Kansas, with the final pick up at the Topeka post office in the morning mail pickup on the Tuesday next preceding each scheduled drawing. Following each such morning mail pickup, the envelopes containing mailed entries will be transported to lottery headquarters and opened by lottery personnel. All mailed entries and entries deposited at other locations as may be specifically designated by the lottery shall be securely stored by lottery personnel until such time as the entries are placed in the drawing receptacle or drum.

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

(c) At each scheduled drawing, 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 thoroughly with a shovel or by other means 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 one entry from the receptacle or drum. The person whose name appears on the entry shall be the winner of the on-air prize package for the first available taping of the "Powerball Instant Millionaire Game Show" as identified in K.A.R. 111-5-95, subject to validation by the lottery as set forth in these rules. If valid, the entry shall be marked in such a way as to identify it as the winner for the applicable drawing and taping. This procedure shall be repeated for each game show taping for which entries are being drawn.

(e) After the required number of valid on-air winning entries have been selected, the drawing process shall continue until a pre-determined number of valid entries has been drawn to win the at-home prizes for each of the same game show tapings as identified in K.A.R. 111-5-95. Each valid entry shall be marked in numerical order drawn and in such a way as to identify it as one of the at-home winners for the applicable drawing and taping.

(f) After said on-air and at-home winning entries have been drawn, and the entries have been verified as valid, 10 more entries will be drawn, one at a time. The last 10 entries drawn will serve as alternate entries for the winners selected in that drawing. The alternate entries will be marked in order drawn, 1A, 2A, 3A, 4A, 5A, 6A, 7A, 8A, 9A, and 10A, and otherwise identified as having been selected for the applicable drawing. The alternate entries will be used only if one or more of the original winners cannot be located or is declared ineligible, or fails to timely present a fully-executed claim form to lottery headquarters, or is elevated to be an on-air winner. If an on-air winner cannot be located, is declared ineligible, or fails to timely present a fully-executed claim form to lottery headquarters, the next selected at-home winner for that taping shall be declared the winner, subject to the claim procedure as set forth in K.A.R. 111-5-97. If an at-home winner cannot be located, is declared ineligible, or fails to timely present a fully-executed claim forms to lot-

(continued)

tery headquarters, or is elevated to be an on-air winner, the next selected alternate winner shall be declared the winner, subject to the claim procedure as set forth in K.A.R. 111-5-97. The alternates will be used, if necessary, in the order drawn. If an alternate winner cannot be located, is declared ineligible, or fails to timely present a fully-executed claim form to lottery headquarters, the alternate winner process shall be repeated until the prize is properly claimed or until such time as no alternate winners remain, whichever occurs first.

(g) The Kansas lottery security official present shall review each ticket drawn to determine the validity of the entry into the "Powerball Instant Millionaire Game Show" 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.

(h) If the entry is determined to be ineligible, it shall be discarded by the security person present and another entry drawn, except that if the sole reason for ineligibility is because the person named thereon was determined to be a winner for the next preceding taping, then said entry shall be returned to the drawing receptacle. This procedure will be repeated until valid selections are obtained.

(i) All entries remaining in the drum or receptacle after the winners and alternates 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. 74- 8710; effective, T-111-7-15-02, June 21, 2002; amended, T-111-8-20-02, Aug. 14, 2002; amended, T-111-9-9-03, July 16, 2003; amended, T-111-12-04, Dec. 9, 2003.)

Ed Van Petten
Executive Director

Doc. No. 030270

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*.

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1-6-21	Amended	V. 22, p. 1968
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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
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1-49-1	Amended	V. 22, p. 851
1-49-12	New	V. 22, p. 851

AGENCY 4: DEPARTMENT OF AGRICULTURE

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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
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4-21-7	New	V. 22, p. 387
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5-3-1	Amended	V. 22, p. 1753
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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
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5-3-19	Amended	V. 22, p. 1756
5-5-2a	New	V. 22, p. 1756
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5-23-4a	Amended	V. 22, p. 1933
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9-18-3	New (T)	V. 22, p. 1260
9-18-3	New	V. 22, p. 1850
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9-19-1 through 9-19-11	Revoked	V. 22, p. 1816
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9-22-4	Amended (T)	V. 22, p. 1261
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9-22-5	Amended	V. 22, p. 1508
9-25-2	Amended (T)	V. 22, p. 1264
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9-25-5	Amended (T)	V. 22, p. 1265
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9-25-12	Amended (T)	V. 22, p. 1267
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 28-29-3 Amended V. 22, p. 798
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 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
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 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
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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

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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
74-1-1	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
92-51-24	Amended	V. 23, p. 40
92-51-25	Amended	V. 23, p. 40
92-51-28	New	V. 23, p. 40
92-51-29	New	V. 23, p. 41
92-51-34a	New	V. 23, p. 41
92-52-9	Amended	V. 23, p. 41

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

Reg. No.	Action	Register
115-1-1	Amended	V. 22, p. 1930
115-2-1	Amended	V. 22, p. 1932
115-4-6	Amended	V. 22, p. 1227
115-4-11	Amended	V. 22, p. 436
115-17-6 through		
115-17-9	Amended	V. 22, p. 437-439
115-18-8	Amended	V. 22, p. 1229
115-18-10	Amended	V. 22, p. 439
115-21-1	Amended	V. 22, p. 1506

115-21-2	Amended	V. 22, p. 1507
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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
117-5-2	Amended	V. 22, p. 2007
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

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