



# Kansas Register

Ron Thornburgh, Secretary of State

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In this issue . . .	Page
<b>Department of Administration—Division of Purchases</b>	
Notice to bidders for state purchases.....	108
<b>Kansas Racing and Gaming Commission</b>	
Notice of hearing on proposed administrative regulations .....	108
<b>Kansas Dental Board</b>	
Notice of hearing on proposed administrative regulations .....	109
<b>Department of Health and Environment</b>	
Notice concerning the State 30 J-1 Visa Waiver Program .....	109
Request for comments on proposed household hazardous waste collection facility permit.....	110
Requests for comments on proposed air quality permits .....	110, 111
Notice concerning Kansas water pollution control permits.....	111
<b>Pooled Money Investment Board</b>	
Notice of investment rates.....	110
<b>University of Kansas Hospital Authority</b>	
Request for proposals .....	111
<b>Kansas Department of Transportation</b>	
Notice to contractors.....	114
<b>Notice of Bond Sale</b>	
U.S.D. 230, Johnson/Miami County (Spring Hill).....	115
City of Bonner Springs .....	116
<b>State Employees Health Care Commission</b>	
Notice of meeting .....	117
<b>Notice of Bond Redemption</b>	
City of Kansas City.....	117
<b>Legislative bills and resolutions introduced January 15-21 .....</b>	<b>117</b>
<b>Governmental Ethics Commission</b>	
Opinions 2004-01 through 2004-03.....	118
<b>Kansas Court of Appeals</b>	
Docket for February.....	122
<b>Index to administrative regulations .....</b>	<b>132</b>

## 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:

02/10/2004	07025	Industrial Service Vans (Non-Highway)
02/12/2004	07040	IBM Usage Kits and Toner Cartridges
02/17/2004	07014	Installation, Training and Mentoring of Microsoft Project 2002

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:

02/16/2004	A-9672(C)	Replace Transformers
02/16/2004	A-9700	Replace Boiler #2—Power Plant
02/17/2004	A-9647	Gheel Restroom Remodel
02/17/2004	A-9669(B)	Reroof Auditorium
02/17/2004	A-9813	Metal Roof Coating
02/17/2004	A-9820	Exterior Wall Repair
02/19/2004	A-9641	Window Replacement— Hospital and Auditorium

Keith Meyers  
Director of Purchases

Doc. No. 030303

## State of Kansas

## Racing and Gaming Commission

Notice of Hearing on Proposed  
Administrative Regulations

A public hearing will be conducted at 9 a.m. Friday, April 9, at the Woodlands Greyhound Facility, 9700 Leavenworth Road, Kansas City, Kansas, to consider the adoption of a proposed permanent regulation of the Kansas Racing and Gaming Commission. This 60-day notice constitutes a public comment period for the purpose of receiving written public comments on the proposed regulation.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulation and economic impact statement in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting the Kansas Racing and Gaming Commission, 3400 S.W. Van Buren, Topeka, 66611-2228, (785) 296-5800.

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

**K.A.R. 112-10-13. Prohibition on possession of drugs, medications, syringes, and needles.** This is a new regulation that sets forth the prohibition on possession of drugs, medications, syringes and needles within restricted areas of a licensed horse racetrack facility and the penalties for violations of this regulation.

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

Tracy T. Diel  
Executive Director

Doc. No. 030290

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State of Kansas

**Kansas Dental Board****Notice of Hearing on Proposed  
Administrative Regulations**

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

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

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

The following regulation is proposed for amendment. A summary of the proposed amendment is as follows:

**K.A.R. 71-2-5. Qualifications and requirements of an applicant for certification as a specialist.** This amendment eliminates unnecessary language, clarifies the qualifications necessary to apply for the specialty certification examination, and clarifies those circumstances in which an applicant can seek waiver of the examination requirement. The requirement of an application and fee currently in K.A.R. 71-2-6 have been moved to this regulation. The board proposes to revoke K.A.R. 71-2-6.

The following regulation is proposed for revocation. A summary of the regulation proposed for revocation is as follows:

**K.A.R. 71-2-6. Fee for specialty examination.** This regulation requires an applicant for a specialty certification to submit an application and pay an application fee. Those requirements are being moved to K.A.R. 71-2-5.

Copies of the regulations and the economic impact statements may be obtained by contacting the Kansas Dental Board.

Ron Sterk  
Executive Director

Doc. No. 030292

State of Kansas

**Department of Health  
and Environment****Notice Concerning State 30 J-1  
Visa Waiver Program**

Notice is hereby given of revisions to the State 30 J-1 Visa Waiver Program managed by the Kansas Department of Health and Environment. Created under the federal Immigration and Nationality Act, Title III, 22 CFR § 41.63, and formerly known as the Conrad/State 20, this program allows public health departments of state government to establish rules and policies that comply with immigration law and to serve as the "state department of health" for requesting waivers of Section 212(e) of the Immigration and Nationality Act (8 U.S.C. 1182), the provision requiring the two-year home-country physical presence, that pertains to individuals who are in the United States on J-1 exchange visitor visas. The State 30 (Conrad ) J-1 Visa Waiver Program assists medically underserved Kansas communities in the recruitment and retention of physicians and also assists noncitizen physicians who are international medical graduates to obtain a waiver of the two-year home country residency requirement in exchange for practicing medicine in a location or entity, or serving a population with a federal Health Professional Shortage Area (HPSA) designation.

KDHE will review applications and make recommendations to the Waiver Review Division of the U.S. Department of State. The Waiver Review Division makes final recommendations to the U.S. Citizenship and Immigration Services in the U.S. Department of Homeland Security concerning such waivers.

KDHE authority has been expanded to recommend up to 30 waivers each year. The program focuses on primary care defined as general medicine, internal medicine, family practice, general pediatrics, obstetrics/gynecology, emergency medicine and psychiatry. Specialty requests are considered on a case-by-case basis and, during the first three months of the program year, shall not exceed 50 percent of total waivers available.

Application must be made by the legal entity making the contract offer to the physician seeking a J-1 visa waiver. Eligible applicants may request an application instruction packet detailing the required information at the following address: J-1 State 30 Program, KDHE Office of Local and Rural Health, 1000 S.W. Jackson, Suite 340, Topeka, 66612-1365. Applications will only be accepted when there is a confirmed physician contract pending. The application instructions also will be available to download from the agency Web site at <http://www.kdhe.state.ks.us/olrh>.

Roderick L. Bremby  
Secretary of Health  
and Environment

Doc. No. 030292

## 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 1-26-04 through 2-1-04**

<b>Term</b>	<b>Rate</b>
1-89 days	1.00%
3 months	0.86%
6 months	0.98%
1 year	1.13%
18 months	1.38%
2 years	1.66%

Derl S. Treff  
Director of Investments

Doc. No. 030288

## State of Kansas

**Department of Health  
and Environment****Request for Comments**

The Kansas Department of Health and Environment has received a permit application from Dickinson County to operate a household hazardous waste collection facility (HHW), which will be located at 2363 Jeep Road, Abilene, in the Northeast 1/4 of Section 11, Township 13 S, Range 2 E, Dickinson County. KDHE is providing public notice of its intent to issue a solid waste processing facility permit to Dickinson County, which recently made submittals that place this household hazardous waste facility in compliance with state regulations for solid waste processing facilities of this type. KDHE has drafted a permit to reflect these submittals.

A copy of the administrative record, which includes the permit application and all information regarding this permit action, is available for public review January 30-March 1 during normal business hours, Monday through Friday, at the following locations:

Kansas Department of Health and Environment  
Bureau of Waste Management  
1000 S.W. Jackson, Suite 320  
Topeka, 66612-1366  
Contact: Steve Sellmeyer  
(785) 296-1613

Abilene Public Library  
209 N.W. 4th St.  
Abilene, 67410-2690  
Contact: Bruce Chance or the circulation desk  
(785) 263-3082

Anyone wishing to comment on the permit application and attached information should submit written statements postmarked not later than March 1 to Steve Sellmeyer (KDHE). After consideration of all comments received, the director of the Division of Environment will make a final decision on whether to issue the permit. Notice of the decision will be provided to anyone who sub-

mitted written comments during the comment period and to those who requested notice of the final permit decision.

Roderick L. Bremby  
Secretary of Health  
and Environment

Doc. No. 030300

## State of Kansas

**Department of Health  
and Environment****Request for Comments**

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality operating permit. The Midland Steel Company has applied for a Class II operating permit in accordance with the provisions of K.A.R. 28-19-540. Emissions of a single hazardous pollutant (Xylene) were evaluated during the permit review process. The purpose of a Class II permit is to limit the potential-to-emit for these pollutants to below major source thresholds.

The Midland Steel Company, Wathena, owns and operates a fabricated structural steel manufacturing facility located at 202 Boeh Lane, Wathena, Doniphan County.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during the permit application review process is available for public review for a period of 30 days from the date of publication during normal business hours at the KDHE, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka; and a copy of the proposed permit can be reviewed at the KDHE Northeast District Office, 800 W. 24th, Lawrence. To obtain or review the proposed permit and supporting documentation, contact Xiao Wu, (785) 296-1615, at the KDHE central office; and to review the proposed permit only, contact Pat Simpson, (785) 842-4600, at the KDHE Northeast District Office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Xiao Wu, KDHE, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka, 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received by the close of business March 1.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Brienne Wilkins, Bureau of Air and Radiation, not later than the close of business March 1 in order for the Secretary of Health and Environment to consider the request.

Roderick L. Bremby  
Secretary of Health  
and Environment

Doc. No. 030295

## State of Kansas

**University of Kansas Hospital Authority****Request for Proposals**

The University of Kansas Hospital wishes to engage a vendor to perform "extended business office" functions. These functions include follow-up and payment resolution of third-party accounts (commercial, managed care) and private pay accounts. The hospital will consider splitting the placements between third-party accounts and self-pay accounts, but strong consideration will be given to those proposals that provide a solution for both private pay and third-party follow-up using a single vendor. The "placed accounts" are not considered collection agency accounts, but rather active accounts receivable accounts. The hospital desires a turnkey operation, and a patient-friendly and technically-advanced vendor.

Interested parties should contact Stephen Scanlon, Director of Materials Management, University of Kansas Hospital Authority, 3901 Rainbow Blvd., Kansas City, KS 66160, (913) 588-7600, sscanlon@kumc.edu, by February 16 for specifications. This solicitation will close at noon March 5.

Stephen Scanlon  
Director of Materials Management

Doc. No. 030302

## State of Kansas

**Department of Health  
and Environment****Request for Comments**

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

Anadarko Gathering Company, Houston, Texas, owns and operates a natural gas compressor station located at Section 1, Township 35 South, Range 40 West, Morton County, Kansas.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during the permit application review process is available for a 30-day public review during normal business hours at the KDHE, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka; and a copy of the proposed permit can be reviewed at the KDHE South Central District Office, 130 S. Market, Suite 6050, Wichita. To obtain or review the proposed permit and supporting documentation, contact Tibisay Marin, (785) 296-4875, at the KDHE central office; and to review the proposed permit only, contact Don Mies, (316) 337-6107, at the KDHE South Central District Office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Tibisay Marin, KDHE, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka, 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received by the close of business March 1.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Brienne Wilkins, Bureau of Air and Radiation, not later than the close of business March 1 in order for the Secretary of Health and Environment to consider the request.

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

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

Roderick L. Bremby  
Secretary of Health  
and Environment

Doc. No. 030294

## 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 Dis-

(continued)

charge 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-04-034/037**

**Pending Permits for Confined Feeding Facilities**

Name and Address of Applicant	Legal Description	Receiving Water
Roger Bott 1667 Parallel Road Palmer, KS 66962-8736	SE/4 of Section 34, T05S, R03E, Washington County	Big Blue River Basin

Kansas Permit No. A-BBWS-S046

This is a permit renewal for an existing facility. The facility is down sizing the swine from 1,500 head to 500 head. The permit now lists a maximum of 500 head (200 animal units) of swine weighing greater than 55 pounds and 370 head of cattle weighing greater than 700 pounds, for a total of 870 head (570 animal units) of cattle and swine. This permit renewal is on public notice to correct the weight of the cattle. The cattle are greater than 700 pounds, not less than 700 pounds, which was stated in a previous public notice.

Name and Address of Applicant	Legal Description	Receiving Water
Mapes Farms LLC Route 1, Box 92 Norton, KS 67654	NW/4 of Section 13, & NE/4 of Section 14, T02S, R23W, Norton County	Upper Republican River Basin

Kansas Permit No. A-URNT-B001

This is a new permit for an existing previously permitted facility with an increase in head capacity from 900 head (900 animal units) of beef cattle weighing more than 700 pounds to a maximum of 999 head (999 animal units) of beef cattle weighing more than 700 pounds, and for a modification of the facility's water pollution control system.

Name and Address of Applicant	Legal Description	Receiving Water
Tom Niehues Route 1, Box 35 Goff, KS 66428	SE/4 of Section 15, T05S, R13E, Nemaha County	Kansas River Basin

Kansas Permit No. A-KSNM-S010

This is a new permit for an existing facility that is expanding by adding 600 head (60 animal units) of swine 55 pounds or less to the existing operation of 1,545 head (618 animal units) of swine greater than 55 pounds. A portion of the expansion is due to changes in the law or method of counting pigs 55 pounds or less, including baby pigs in crates, for a new maximum capacity of 717 animal units.

Name and Address of Applicant	Legal Description	Receiving Water
Gary Wedel / Gary Wedel Farms 17830 N.W. Diamond Road Burns, KS 66840	NW/4 of Section 05, & NE/4 of Section 06, T23S, R04E, Butler County	Walnut River Basin

Kansas Permit No. A-WABU-C011 Federal Permit No. KS0097179

This is a new permit for an existing facility for 1,800 head (1,800 animal units) of beef cattle greater than 700 pounds each. Three lagoons will be constructed to catch liquid waste and stormwater runoff from the pens, sorting and feed alleys.

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-04-019/022**

Name and Address of Applicant	Waterway	Type of Discharge
Excel Corporation 151 N. Main Wichita, KS 67202	Arkansas River	Process Wastewater

Kansas Permit No. I-UA11-PO10 Federal Permit No. KS0092029

Legal: SW<sup>1</sup>/<sub>4</sub>, S4, T27S, R24W, Ford County

Facility Description: The proposed action is to modify and reissue an existing permit for operation of an existing wastewater treatment facility. The proposed modification also includes combining the permit for the existing nonoverflowing wastewater treatment system for this facility with this discharging permit. This facility is a beef complex slaughterhouse with associated by-product processing. The current process rate is about 5,800 head at 1,200 pounds per head per day and the design capacity is 6,000 head per day. The process wastewater consists of 2.76 million gallons daily average and 3.1 MGD design. Hide processing is limited to brine curing with no tanning. The facility generally routes the treated wastewater to holding ponds for irrigation during the growing season and discharges to the Arkansas River during wintertime.

Hide-curing brine wastewater is directed to a brine concentrator through two storage tanks. Solid salt from the concentrator is reused for hide curing and excess brine is directed to an 18 million gallon capacity hypalon double-lined, one-cell evaporation pond with an intermediate leak detection system. To maintain adequate freeboard in the pond, the brine is directed from the brine pond back to the raw brine storage tank and evaporator as needed. Reverse osmosis (RO) concentrate is chlorinated and reused along with cooker condensate and hydraulic cooling water from rendering as nonpotable water for holding pens washing, cattle trailer washing and general use at the paunch press. Fat-bearing biological process wastewater from the packing house operation (including fabrication, slaughtering, rendering and hide curing nonbrine) is directed through bar screens, and a two-stage dissolved air flotation (DAF) system prior to flowing to the lift station. Nonfat-bearing process wastewater from animal holding pens, coolers/hotbox, slaughtering and brine concentrator is directly sent to the lift station through bar screens. The lift station effluent, sanitary wastewater, nitrogen contaminated groundwater (from a groundwater remediation project), trailer wash, boiler blow down and cooler wash water from the Millard Scott Refrigeration Warehouse are directed to three (operated in parallel) eight million gallon each double high-density-poly-ethylene (HDPE) lined anaerobic lagoons with an intermediate leak detection system. Effluent from the anaerobic lagoons is directed to four sequential batch reactors and then either flows through two ultra-violet (UV) channels for disinfection and discharge to the Arkansas River (during winter) or is directly pumped to a 360 million gallon capacity three-cell clay lined irrigation storage (Marvel) lagoon system (during summer) for irrigation onto approximately 1,050 acres of crop land. Some treated wastewater is reused for nonpotable purposes in the brine concentrator to condense steam for the process.

Waste activated sludge is land applied on a regular basis. Other process sludges/solids including paunch are composted by an outside contractor at KDHE permitted composting sites. Blood is collected and processed as a product. All viscera is rendered or made into products. Tail switches (hair at the end of the tail) are disposed of in a subtitle D Landfill. The stormwater is either discharged to the river or pumped into an evaporation pond. The proposed permit includes limits for biochemical oxygen demand, total suspended solids, oil and grease, ammonia, fecal coliform, chlorides, dissolved oxygen and pH. Monitoring of temperature, nitrate/nitrite, total Kjeldahl nitrogen, sulfate, total chromium, total dissolved solids and effluent flow also will be required. The permittee is required to conduct a chronic whole effluent toxicity test annually. The permittee also is required to monitor the groundwater monitoring wells and submit data with the discharge monitoring report monthly. The permit contains a schedule of compliance requiring the permittee to (1) submit an evaluation of the effectiveness of the existing monitoring wells system by December 31, 2004; (2) submit a report by April 1, 2005, addressing all improvements necessary to achieve consistent compliance with the final dissolved oxygen effluent limits and complete construction of those improvements by December 1, 2006; (3) by July 1, 2004, to submit recommendations for operation changes to minimize nitrate concentrations in the discharge to the Arkansas River and to implement all recommendations by June 1, 2005; (4) submit quarterly status reports covering the status of the items required by the schedule of compliance; (5) develop and implement, within one year of the effective date of this permit, a stormwater pollution prevention plan; and (6) submit to KDHE the surface acreage at operational depth for each pond within 60 days of the effective date of this permit. The permit requirements are pursuant to the Kansas

Surface Water Quality Standards, K.A.R. 28- 16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

<b>Name and Address of Applicant</b>	<b>Waterway</b>	<b>Type of Discharge</b>
The Goodyear Tire & Rubber Company P.O. Box 1069 Topeka, KS 66601	Soldier Creek	Process Wastewater
Kansas Permit No. I-KS72-PO02	Federal Permit No. KS0001643	

Legal: NE¼, S13, T11S, R15E, Shawnee County  
 Facility Description: The proposed action is to modify an existing permit for operation of an existing wastewater treatment facility. The modification consists of changing the zinc limits for Outfalls 001 and 002 to monitoring only and the addition of monitoring for hardness to gather more data so water quality based limits can be implemented in the next permit if required. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

<b>Name and Address of Applicant</b>	<b>Waterway</b>	<b>Type of Discharge</b>
Mission Clay Products Corporation P.O. Box 6 Pittsburg, KS 66762	Spring River via Cow Creek Unnamed Tributary	Cooling Water, Hydrostatic Test Water via East Cow Creek via and Stormwater
Kansas Permit No. I-NE57-CO01	Federal Permit No. KS0041572	

Legal: NE¼, S29, T30S, R25W, Crawford County  
 Facility Description: The proposed action is to reissue an existing permit for operation of an existing wastewater treatment facility. This facility manufactures and sells vitrified clay sewer pipe, flue linings and related clayware. City water is used to seal the operation of one liquid ring vacuum pump, which is used to remove air from the clay pipe. Vacuum pump cooling water, hydrostatic test water and stormwater runoff are all discharged from (new) Outfall 001, which is directly north of the manufacturing plant. Domestic wastes are directed to the city sanitary sewer system. The proposed permit includes limits for oil and grease and contains generic water quality language to protect waters of the state. The proposed permit contains a schedule of compliance requiring the permittee to eliminate or redirect all extraneous waters from the old outfall to the new outfall. 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.

<b>Name and Address of Applicant</b>	<b>Waterway</b>	<b>Type of Discharge</b>
Wade Quarries P.O. Box 38 LaCygne, KS 66080	North Sugar creek via LaCygne Reservoir	Pit Dewatering & Stormwater Runoff
Kansas Permit No. I-MC18-PO09	Federal Permit No. KS0095966	

Legal: SE¼, S20, T19S, R25E, Linn County  
 Facility Name: LaCygne Quarry  
 Facility Description: The proposed action is to reissue an existing permit for the discharge of wastewater during quarry operation. This facility is a limestone quarry and crushing operation that occasionally washes rock. Discharge consists of treated washwater, pit dewatering, and stormwater runoff from plant area. The proposed permit contains limits for total suspended solids and pH. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

Persons wishing to comment on or object to the draft permits and/or permit applications must submit their comments in writing to the Kansas Department of Health and Environment if they wish to have the comments or objections considered in the decision making process. Comments or objections should be submitted to the attention of 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 28 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate Kansas permit number (KS-AG-04-034/037, KS-04-019/022) 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. 030296

## 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



(Published in the Kansas Register January 29, 2004.)

**Statutory Notice of Bond Sale  
Unified School District No. 230  
Johnson/Miami County, Kansas (Spring Hill)  
\$26,000,000  
General Obligation Bonds, Series 2004  
Dated March 1, 2004  
(General obligations payable from  
unlimited ad valorem taxes)**

**Bids**

Bids will be received by the undersigned superintendent of Unified School District No. 230, Johnson/Miami County, Kansas (Spring Hill), on behalf of the Board of Education, 101 E. South St., Spring Hill, KS 66083, until 11 a.m. Monday, February 9, 2004, for the purchase of all of the school district's General Obligation Bonds, Series 2004, in the principal amount of \$26,000,000, as hereinafter described. All bids will be publicly opened and read at said time and place and will be acted upon by the Board of Education at 7 p.m. on the date of sale. No oral or auction bids will be considered. No bid of less than the par value of the bonds plus a premium paid to the school district of not to exceed 1 percent of the par value and accrued interest thereon to the date of delivery of the bonds will be considered.

Bidders may mail or deliver a bid in person to the superintendent at 101 E. South St., Spring Hill, KS 66083, or they may telefax it to the school district prior to the said time and date. Telefax transmissions must be sent to the following number: (913) 592-7270. The school district assumes no responsibility or liability for inaccurate bids submitted through the telefax, including garbled transmissions or the inability of a bidder to access the telefax number prior to the indicated sale time.

Electronic bids will be accepted through Bidcomp/Parity (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, 5th Floor, New York, NY 10010, Customer Support, (212) 404-8102. The school district assumes no responsibility or liability for bids submitted through PARITY. The school district 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 school district.

**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 March 1, 2004, and will become due serially on September 1 in each of the years as follows:

September 1	Principal Amount
2009	\$ 200,000
2010	300,000
2011	400,000
2012	500,000
2013	750,000
2014	1,500,000
2015	1,280,000
2016	1,475,000
2017	1,690,000
2018	1,920,000
2019	2,170,000
2020	2,290,000
2021	2,575,000
2022	2,710,000
2023	3,025,000
2024	3,215,000

The bonds will bear interest from their dated date at the rates to be determined when the bonds are sold as provided herein and in the complete notice of bond sale, which interest will be payable semiannually on March 1 and September 1 in each year, commencing March 1, 2005.

**Delivery and Payment**

The bonds will be delivered to the successful bidder properly prepared, executed and registered without cost on or about March 15, 2004, through the facilities of the Depository Trust Company in New York, New York.

**Optional Municipal Bond Insurance**

The school district will apply for municipal bond insurance relating to the bonds. If approved for municipal bond insurance, the bonds may be purchased with or without such insurance at the option of the successful bidder. See the complete notice of bond sale and preliminary official statement relating to the bonds for further information.

**Good Faith Deposit**

A good faith deposit in the form of a certified or cashier's check or financial surety bond in the amount of \$520,000 must accompany each bid for the bonds.

**Costs**

The school district will pay the cost of printing the bonds and the expense of all legal services, including the opinion of Stinson Morrison Hecker LLP, Overland Park, Kansas, 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 school district, as of November 2003, is \$86,101,170. The total general obligation indebtedness of the school district, as of the date of the bonds, including the bonds, is \$36,260,000.

*(continued)*

**Additional Information**

A complete notice of bond sale, preliminary official statement and bid forms approved by the school district will be mailed to all interested parties. Bidders may be required to be qualified in a manner established by the school district before submitting a bid. Additional information regarding the bonds may be obtained from the school district's superintendent, (913) 592-7200, fax (913) 592-7270; from the financial advisor, Greg Vahrenberg, Piper Jaffray & Co., (913) 345-3274; or from bond counsel, Janet Garms, Stinson Morrison Hecker LLP, (913) 344-6738.

Unified School District No. 230  
 Johnson/Miami County, Kansas  
 By Dr. Barton L. Goering  
 Superintendent  
 101 E. South St.  
 Spring Hill, KS 66083

Doc. No. 030293

(Published in the Kansas Register January 29, 2004.)

**Summary Notice of Sale  
 City of Bonner Springs, Kansas  
 \$1,400,000\***

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

**Bids**

Subject to the notice of sale dated January 5, 2004, bids will be received by the city clerk of the City of Bonner Springs, Kansas, on behalf of the governing body at City Hall, 205 E. 2nd St., Bonner Springs, KS 66012, or, in the case of electronic proposals, via *PARITY*, until 2 p.m. Monday, February 9, 2004, for the purchase of \$1,400,000\* principal amount of General Obligation Bonds, Series 2004. No bid of less than the entire par value of the bonds and accrued interest to the date of delivery will be considered.

**Bond Details**

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated February 15, 2004, and will become due on September 1 in the years as follows:

Year	Principal Amount*
2005	\$20,000
2006	50,000
2007	55,000
2008	55,000
2009	60,000
2010	60,000
2011	60,000
2012	65,000
2013	65,000
2014	70,000
2015	70,000
2016	75,000
2017	75,000
2018	80,000

2019	80,000
2020	85,000
2021	90,000
2022	90,000
2023	95,000
2024	100,000

The bonds will bear interest from that date at rates to be determined when the bonds are sold as provided, which interest will be payable semiannually on March 1 and September 1 in each year, beginning March 1, 2005.

**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 26, 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 \$61,423,752. The total applicable general obligation indebtedness of the city as of the date of the bonds, including the bonds being sold and including a series of temporary notes being sold by the city on the same date, is \$3,534,817.14.

**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 city clerk, (913) 667-1716; from the city's financial advisor, George K. Baum & Company, 435 Nichols Road, Kansas City, MO 64112, (816) 474-1100; 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 29, 2004.

City of Bonner Springs, Kansas  
 By Rita Hoag  
 City Hall  
 205 E. 2nd St.  
 Bonner Springs, KS 66012  
 (913) 422-1020

\*Preliminary; subject to change.

Doc. No. 030301

State of Kansas

State Employees Health Care Commission

Notice of Meeting

The State Employees Health Care Commission will meet at 1:30 p.m. Wednesday, February 11, in the boardroom of the offices of the Kansas Public Employees Retirement System, 611 S. Kansas Ave., Topeka. An agenda may be viewed by accessing the commission's Web site at <http://da.state.ks.us/hcc/meetings.htm>. For more information, contact the Benefits Office at (785) 296-6280.

Howard R. Fricke  
Chair

Doc. No. 030304

(Published in the Kansas Register January 29, 2004.)

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

Notice is hereby given by Security Bank of Kansas City, One Security Plaza, Kansas City, KS 66101 (the bond registrar and paying agent), that pursuant to Section 2 of Ordinance No. 54728 of the City of Kansas City, Kansas, a total of \$1,780,000 principal amount of the bonds is being called for redemption on March 1, 2004, at the redemption price of 100 percent of the principal amount plus accrued interest thereon to the redemption date.

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

**\*CUSIP Number 484800-JU-2, Due March 1, 2006**

*Bearer Bonds called in denomination of \$5,000 each*

1965	1968	2248	2257	2479	2530	2531	2664	2870	2680	2684
2722	2848	2860	3059	3062	3386	4071	4758	4797	4798	

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

73	.....	\$5,000	101	.....	\$10,000	102	.....	\$1,545,000	103	....	\$115,000
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**Instructions**

1. Send or present your bond to: Security Bank of Kansas City, Corporate Trust Division, P.O. Box 171297, Kansas City, KS 66117.

2. Pursuant to the terms of the Internal Revenue Code, paying agents making payments of interest or principal on corporate securities or making payments of principal on municipal securities may be obligated to withhold a 28 percent tax for remittances to individuals who have failed to furnish the paying agent with a valid taxpayer identification number.

3. The CUSIP number is included solely for the convenience of the bondholders. Neither the issuer nor the paying agent shall be responsible for the selection or the use of the CUSIP number, nor is any representation made as to its correctness.

4. Interest on the bonds herein called for redemption shall cease to accrue on and after March 1, 2004.

Dated January 29, 2004.

Security Bank of Kansas City  
Corporate Trust Division

Doc. No. 030298

State of Kansas

Legislature

Legislative Bills and Resolutions Introduced

The following numbers and titles of bills and resolutions were introduced January 15-21 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](http://www.kslegislature.org).

House Bills

**HB 2524**, An act relating to state procurement of contractual services; prescribing certain restrictions on foreign contractors, by Representative Swenson and Barbieri-Lightner.

**HB 2525**, An act concerning crimes and punishment; relating to criminal use of explosives; amending K.S.A. 2003 Supp. 21-3731 and repealing the existing section, by Representative O'Neal.

**HB 2526**, An act concerning the minimum wage and maximum hours law; increasing the minimum wage; amending K.S.A. 44-1203 and repealing the existing section, by Representative Powers.

**HB 2527**, An act concerning workers compensation; relating to medical compensation; amending K.S.A. 2003 Supp. 44-510h and repealing the existing section, by Representative Powers.

**HB 2528**, 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 Representative Long-Mast.

**HB 2529**, An act concerning certain business entities; relating to franchise fees; collection and administration of franchise tax by secretary of revenue; amending K.S.A. 17-1513, 17-1618, 17-7510, 17-7511, 17-7512 and 56-1a608 and K.S.A. 2003 Supp. 17-2036, 17-2718, 17-4634, 17-4677, 17-7503, 17-7504, 17-7505, 17-7507, 17-7509, 17-76,125, 17-76,139, 45-221, 56-1a606, 56-1a607, 56a-1201, 56a-1202 and 56a-1203 and repealing the existing sections; also repealing K.S.A. 2003 Supp. 17-7508, by Special Committee on Assessment and Taxation.

**HB 2530**, An act concerning the cooperative marketing act; relating to removal of officers by board of directors; amending K.S.A. 17-1612 and repealing the existing section, by Committee on Agriculture.

**HB 2531**, An act concerning state historic property; relating to agricultural use of land; amending K.S.A. 75-2714, 75-2715, 75-2716 and 75-2720 and repealing the existing sections, by Committee on Agriculture.

**HB 2532**, An act concerning sales taxation; relating to exemptions; computer software; amending K.S.A. 2003 Supp. 79-3603 and repealing the existing section; also repealing K.S.A. 2003 Supp. 79-3603c, by Committee on Taxation.

**HB 2533**, An act relating to the Kansas comprehensive grant program; amending K.S.A. 74-32,120 and repealing the existing section, by Committee on Higher Education.

**HB 2534**, An act relating to technical colleges; concerning employees thereof; amending K.S.A. 2003 Supp. 72-4478 and repealing the existing section, by Committee on Higher Education.

**HB 2535**, An act concerning public funded health care; relating to disclosure of employers' names, by Representative Swenson.

**HB 2536**, An act relating to tuition at state educational institutions, by Representative Flora.

**HB 2537**, An act relating to the workers compensation act; concerning the workers compensation advisory council; amending K.S.A. 44-596 and repealing the existing section, by Special Committee on Commerce and Labor.

**HB 2538**, An act establishing under the state board of pharmacy a drug repository program to accept and dispense donated prescription drugs, by Representative Sloan.

**HB 2539**, An act relating to the Kansas development finance authority; concerning bonds for research facilities; amending K.S.A. 2003 Supp. 74-8902 and 74-8905 and repealing the existing sections, by Committee on Higher Education.

**HB 2540**, An act concerning property taxation; relating to appeals of orders of the board of tax appeals; attorney fees and costs; amending

(continued)

K.S.A. 74-2426 and repealing the existing section, by Representative Beggs.

**HB 2541**, An act concerning crimes, punishment and criminal procedure; relating to searches without a search warrant; amending K.S.A. 22-2501 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

**HB 2542**, An act concerning crimes, punishment and criminal procedure; relating to collection of specimens; amending K.S.A. 2003 Supp. 21-2511 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

**HB 2543**, An act concerning sales taxation; relating to exemptions for certain nonprofit corporations; amending K.S.A. 2003 Supp. 79-3606 and repealing the existing section, by Representative Barbieri-Lightner.

**HB 2544**, An act concerning sales taxation; relating to exemptions for certain nonprofit corporations; amending K.S.A. 2003 Supp. 79-3606 and repealing the existing section, by Representative Barbieri-Lightner.

**HB 2545**, An act concerning insurance; pertaining to the use of mortality tables; amending K.S.A. 40-409 and repealing the existing section, by Committee on Insurance.

**HB 2546**, An act concerning insurance; pertaining to the conversion of mutual companies to stock companies; amending K.S.A. 40-4004 and repealing the existing section, by Committee on Insurance.

**HB 2547**, An act concerning the Kansas uninsurable health insurance plan act; amending K.S.A. 40-2118, 40-2122 and 40-2124 and repealing the existing sections, by Committee on Insurance.

**HB 2548**, An act relating to drivers' licenses; concerning motorcycles; amending K.S.A. 8-235 and repealing the existing section, by Representative Decker.

**HB 2549**, An act concerning insurance; pertaining to HIPAA compliance; amending K.S.A. 2003 Supp. 40-2258 and repealing the existing section, by Committee on Insurance.

**HB 2550**, An act concerning sales taxation; relating to exemptions; certain domestic violence centers; amending K.S.A. 2003 Supp. 79-3606 and repealing the existing section, by Representative Huff.

### House Concurrent Resolutions

**HCR 5027**, A concurrent resolution urging the insurance department and commissioner of insurance to pursue creation of an interstate compact or state-based regulation of certain insurance products.

### House Resolutions

**HR 6006**, A resolution congratulating and commending the rescuers of Timothy Potter.

**HR 6007**, A resolution designating July 16, 2004, as Atomic Veterans Day.

### Senate Bills

**SB 309**, An act relating to the state corporation commission; concerning certain penalties; amending K.S.A. 66-138 and 66-177 and repealing the existing sections, by Committee on Utilities.

**SB 310**, An act relating to public utilities; concerning the subsidization of nonregulated affiliates, by Committee on Utilities.

**SB 311**, An act concerning insurance; relating to the issuance of insurance policies in a foreign language; amending K.S.A. 40-216 and K.S.A. 2003 Supp. 40-2404 and repealing the existing sections, by Committee on Financial Institutions and Insurance.

**SB 312**, An act concerning the emergency medical services board; relating to financial support thereof; amending K.S.A. 2003 Supp. 75-1508 and repealing the existing section, by Committee on Ways and Means.

**SB 313**, An act concerning sales taxation; relating to countywide retailers' sales tax in Douglas county; amending K.S.A. 2003 Supp. 12-187, 12-189 and 12-192 and repealing the existing sections, by Committee on Assessment and Taxation.

**SB 314**, An act concerning technical colleges; relating to the powers and duties of the governing bodies thereof; amending K.S.A. 2003 Supp. 72-4470a and repealing the existing section, by Committee on Education.

**SB 315**, An act concerning civil procedure; relating to post-decree motions; amending K.S.A. 2003 Supp. 60-1621 and repealing the existing section, by Committee on Judiciary.

**SB 316**, An act concerning civil procedure; relating to executions; issuance; amending K.S.A. 2003 Supp. 60-2401 and repealing the existing section, by Committee on Judiciary.

**SB 317**, An act concerning civil procedure; relating to business records subpoenaed by a party; amending K.S.A. 2003 Supp. 60-245a and repealing the existing section, by Committee on Judiciary.

**SB 318**, An act concerning marriage; relating to issuance of a marriage license; amending K.S.A. 2003 Supp. 23-106 and repealing the existing section, by Committee on Judiciary.

**SB 319**, An act concerning criminal procedure; relating to execution of death sentences; amending K.S.A. 2003 Supp. 22-4012 and repealing the existing section, by Committee on Judiciary.

**SB 320**, An act concerning the department of social and rehabilitation services; enacting the grandparents as foster parents act; prescribing powers, duties and functions for the secretary of social and rehabilitation services; prescribing certain guidelines and other criteria therefor, by Senator Vratil.

**SB 321**, An act concerning municipal court judges; relating to contempt powers; amending K.S.A. 12-4106 and K.S.A. 2003 Supp. 22-3609 and repealing the existing sections, by Committee on Judiciary.

**SB 322**, An act concerning appeals; relating to the computation of time to appeal; amending K.S.A. 2003 Supp. 22-3609 and repealing the existing section, by Committee on Judiciary.

**SB 323**, An act concerning the state general fund; relating to revenue estimates; amending K.S.A. 2003 Supp. 75-6701 and repealing the existing section, by Committee on Ways and Means.

**SB 324**, An act concerning the courts; relating to appellate jurisdiction; amending K.S.A. 60-2102 and repealing the existing section, by Committee on Judiciary.

**SB 325**, An act concerning sales taxation; relating to exemptions; computer software; amending K.S.A. 2003 Supp. 79-3603 and repealing the existing section; also repealing K.S.A. 2003 Supp. 79-3603c, by Committee on Assessment and Taxation.

**SB 326**, An act concerning pest control; relating to licensure requirements; amending K.S.A. 2-2448 and repealing the existing section, by Committee on Agriculture.

**SB 327**, An act concerning schools and school districts; relating to certain pupils participating in interscholastic activities, by Senator Brungardt (By request).

**SB 328**, An act concerning municipalities, relating to liens for water and sewer service; amending K.S.A. 12-631k, 12-860, 14-569, 19-2765b and 19-27,170 and repealing the existing sections, by Committee on Elections and Local Government.

### Senate Resolutions

**SR 1803**, A resolution congratulating and commending the members of the 2004 Kansas Teacher of the Year Team.

Doc. No. 030289

### State of Kansas

### Governmental Ethics Commission

#### Opinion No. 2004-01

Written January 15, 2004, to Lois Ryan, Department of Administration, Employee Recognition Team, Topeka.

This opinion is in response to your letter of December 10, 2003, in which you request an advisory opinion from the Kansas Governmental Ethics Commission concerning the application of the governmental ethics laws (K.S.A. 46-215 *et seq.*). We note at the outset that the Commission's jurisdiction concerning your question is limited to the application of K.S.A. 46-215 *et seq.* Thus, whether some other statutory system, common law theory or agency rule or regulation applies to your inquiry is not covered by this opinion.

#### Factual Statement

We understand that you request this opinion in your capacity as a member of the Department of Administration's Employee Recognition Team (ERT). You have explained that the ERT is interested in starting an employee discount program for all State employees. To facilitate this program, ERT members intend to contact businesses

and inquire as to whether they would be interested in offering discounts to state employees. If the business is interested in participating in the program, the business name and discount would be available for all state employees to view on a state-sponsored internet site or an alternative forum.

### Questions

1. May a state employee subject to K.S.A. 46-237a accept gifts or discounts available to all state employees?
2. May members of the Employee Recognition Team solicit discounts from businesses for the employee discount program?
3. May state employees solicit or receive discounts from businesses that are inspected, licensed, or regulated by a state agency?
4. To whom does the restriction, if any, in question three apply: to all state employees; to all employees of the agency that inspects, regulates, or licenses; or only the employees of the division of the agency that inspects, regulates, or licenses the participating business.

### Opinion

In your first question, you ask whether a state employee subject to K.S.A. 46-237a may accept gifts or discounts available to all state employees. K.S.A. 46-237a(b) applies to this question. It states in pertinent part:

No person subject to the provisions of this section shall solicit or accept any gift, economic opportunity, loan, gratuity, special discount or service provided because of *such person's official position*, except:

- (1) A gift having an aggregate value of less than \$40 given at a ceremony or public function where the person is accepting the gift in such person's official capacity; or
- (2) gifts from relatives or gifts from personal friends when it is obvious to the person that the gift is not being given because of the person's official position; or
- (3) anything of value received by the person on behalf of the state that inures to the benefit of the state or that becomes the property of the state; or
- (4) contributions solicited on behalf of a nonprofit organization which is exempt from taxation under paragraph (3) of subsection (c) of section 501 of the internal revenue code of 1986, as amended. (Emphasis added.)

State employees subject to the provisions of this section are entirely prohibited from accepting gifts or discounts given because of their *official position* unless one of the four enumerated exceptions applies. In opinion 1999-50 the Commission held that:

The term "official position" refers to an individual's particular position with the State and does not apply generally to a person because they are a State employee. For guidance, the Commission notes that a gift or discount which is provided to all State employees is not being provided to a person because of his or her "official position." On the other hand, a gift or discount which is provided to all purchasing agents, for example, or all employees of a particular agency, will be deemed to be provided because of such persons' "official position."

Therefore, a state employee subject to the provisions of K.S.A. 46-237a may accept a gift or discount that is available to all state employees.

Next you question whether members of the Employee Recognition Team may solicit discounts from businesses

for the employee discount program. K.S.A. 46-236 applies to this question. It states in pertinent part:

No state officer or employee . . . shall solicit any economic opportunity, [or] gift . . . from any person known to have a special interest, under circumstances where such officer [or] employee . . . knows or should know that a major purpose of the donor in granting the same could be to influence the performance of the official duties or prospective official duties of such officer [or] employee. . .

K.S.A. 46-228 defines "special interest" in the following manner:

"Special interest" means an interest of any person . . . in the action or non-action of any state agency or state officer or employee upon any matter affecting such person as distinct from affect upon the people of the state as a whole.

Pursuant to this statute, a member of the Employee Recognition Team may not solicit any gift or special discount from any person known to have a special interest in that member or in his or her agency, when the member knows or should know that a major purpose of the donor in granting the gift could be to influence the performance of the employee's official duties. It should be noted that the Commission has consistently held that gifts given by entities with a special interest are presumed to be given with the intent to influence the state employee. See Commission Opinion 1999-35.

With regard to your third question, you ask whether state employees may solicit or receive discounts from businesses that are inspected, licensed, or regulated by a state agency. With regard to the solicitation portion of this question, state employees may not solicit from businesses that are inspected, licensed, or regulated by their state agency, because those businesses have a special interest in the agency that inspects, licenses, or regulates them.

With regard to the acceptance portion of this question, K.S.A. 46-237a(b) applies. As noted above, state employees subject to the provisions of this section are entirely prohibited from accepting gifts or discounts given because of their official position unless one of the four enumerated exceptions applies. It should be noted however, that K.S.A. 46-237(c) prohibits the entity which is licensed, regulated, or inspected by a state agency from providing a gift or special discount with an aggregate value in excess of \$40 to the agency or any employee of the agency that licenses, regulates, or inspects that entity.

K.S.A. 46-237(c) states:

No person licensed, inspected or regulated by a state agency shall offer, pay, give or make any economic opportunity, gift, loan, gratuity, special discount, favor, hospitality or service having an aggregate value of \$40 or more in any calendar year to such agency or any state officer or employee, candidate for state office or state officer elect of that agency.

The answer to question three makes it unnecessary to address your final question.

In conclusion: 1) state employees subject to the provisions of K.S.A. 46-237a may accept a gift or discount that is available to all state employees; 2) pursuant to K.S.A. 46-236, a member of the Employee Recognition Team

(continued)

may not solicit any gift or special discount from any person known to have a special interest in that member or in his or her agency; 3) pursuant to K.S.A. 46-236, state employees may not solicit from businesses that are licensed, inspected, or regulated by their state agency; 4) pursuant to K.S.A. 46-237a(b), state employees are entirely prohibited from accepting gifts or discounts given because of their official position unless one of the four enumerated exceptions applies; and finally, 5) pursuant to K.S.A. 46-237(c), an entity which is licensed, regulated, or inspected by a state agency is prohibited from providing a gift or special discount with an aggregate value in excess of \$40 to that agency or any employee of that agency.

### Opinion No. 2004-02

Written January 15, 2004, to Valerie Jung, President, Pure Eloquence, Media Consultant to elect Myers for Sheriff, Overland Park.

This opinion is in response to your letter of December 22, 2003, in which you request an opinion from the Kansas Governmental Ethics Commission concerning the Campaign Finance Act (K.S.A. 25-4142 *et seq.*). We note at the outset that the Commission's jurisdiction concerning your question is limited to the application of K.S.A. 25-4142 *et seq.* Thus, whether some other statutory system, common law theory or agency rule or regulation applies to your inquiry is not covered by this opinion.

### Factual Statement

We understand that you request this opinion in your capacity as President of Pure Eloquence and as the media consultant to elect Myers for Sheriff. You have questions regarding the application of the Kansas Campaign Finance Act to certain campaign literature.

### Questions

1. Does the Kansas Campaign Finance Act prohibit the use of the term "re-elect Sheriff Myers" on campaign literature if Sheriff Myers was not originally elected?
2. May a candidate post on his campaign website press releases written by the Sheriff's Office and photos of the Sheriff that were taken by the Sheriff's office?
3. Do the photos and press releases posted on the website mentioned in question two above require a "paid for by" disclaimer?

### Opinion

In your first question, you ask whether the Kansas Campaign Finance Act prohibits the use of the term "re-elect Sheriff Myers" on campaign literature if Sheriff Myers was not originally elected. This question requires us to determine whether the Campaign Finance Act prohibits the use of advertising which might be considered misleading. We have reviewed the Kansas Campaign Finance Act (K.S.A. 25-4142 *et seq.*) in its entirety and nothing in the Act addresses the use of misleading advertising.

In your second question, you ask whether a candidate may post on his campaign website press releases written by the Sheriff's office and photos of the Sheriff that were taken by the Sheriff's office. K.S.A. 25-4169a applies to this question. It states in pertinent part:

(a) No officer or employee of the state of Kansas, [or] any county . . . shall use or authorize the use of public funds or public vehicles, machinery, equipment or supplies of any such governmental agency or the time of any officer or employee of any such governmental agency, for which the officer or employee is compensated by such governmental agency, to expressly advocate the nomination, election or defeat of a clearly identified candidate to state office or local office.

This question calls for us to determine whether the press releases prepared by the Sheriff's office and the photos taken by the Sheriff's office are "public funds or public vehicles, machinery, equipment or supplies." If the photos were taken, or the press releases were written, in the ordinary course of business of the sheriff's office, the photos or press releases are not "public funds or public vehicles, machinery, equipment or supplies." Therefore, the use of such photos and press releases in campaign advertising would not violate K.S.A. 25-4169a.

Finally, you question whether the photos and press releases posted on the website mentioned above require a "paid for by" disclaimer pursuant to K.S.A. 25-4156, which states in pertinent part:

(b) (1) Corrupt political advertising of a state or local office is:

. . .

(C) publishing or causing to be published any brochure, flier or other political fact sheet which expressly advocates the nomination, election or defeat of a clearly identified candidate for a state or local office, unless such matter is followed by the name of the chairperson or treasurer of the political or other organization sponsoring the same or the name of the individual who is responsible therefor.

The initial question that must be answered is whether material posted on a website has been "published." The American Heritage Dictionary defines the word "publish" as: "1) To prepare and issue (printed material) for public distribution or sale. 2) To bring to the public attention; announce." *The American Heritage Dictionary of the English Language*, Fourth Edition Copyright 2000 by Houghton Mifflin Company. The Commission now determines that information posted on a website has been brought to the public's attention and therefore, has been published. Consequently, such material requires a "paid for by" disclaimer if the material expressly advocates the nomination, election or defeat of a clearly identified candidate for a state or local office.

The definition of express advocacy is found in K.S.A. 25-4143(h) which states:

"Expressly advocate the nomination, election or defeat of a clearly identified candidate" means any communication which uses phrases including, but not limited to:

- (1) "Vote for the secretary of state";
- (2) "re-elect your senator";
- (3) "support the democratic nominee";
- (4) "cast your ballot for the republican challenger for governor";
- (5) "Smith for senate";
- (6) "Bob Jones in '98";
- (7) "vote against Old Hickory";
- (8) "defeat" accompanied by a picture of one or more candidates; or
- (9) "Smith's the one."

Therefore, if the press release or the photo is accompanied by language which expressly advocates the nomination, election or defeat of a clearly identified candidate, it must be followed by the name of the chairperson or treasurer of the political or other organization sponsoring the same or the name of the individual who is responsible therefor. See K.A.R. 19-20-4 and Commission Opinion 2000-36 for clarification of what the "paid for by" must contain. It should be noted that pursuant to K.S.A. 25-4156(b)(1)(C), individuals making expenditures in an aggregate amount of less than \$2,500 within a calendar year who publish brochures, fliers or political fact sheets need not post a "paid for by" disclosure.

#### Opinion No. 2004-03

Written January 15, 2004, to Roger Ploeger, Nemaha-Brown County Watershed Board, Morrill.

This opinion is in response to your letter of December 15, 2003, in which you request an opinion from the Kansas Governmental Ethics Commission concerning the local level ethics laws (K.S.A. 75-4301a *et seq.*). We note at the outset that the Commission's jurisdiction concerning your question is limited to the application of K.S.A. 75-4301a *et seq.* Thus, whether some other statutory system, common law theory or agency rule or regulation applies to your inquiry is not covered by this opinion.

#### Factual Statement

We understand that you request this opinion in your capacity as a member of the Nemaha-Brown County Watershed Board (Board). You have informed us that the Board is currently working on a watershed project called Plum Creek Watershed Dam (Dam) which was begun over twenty years ago as a joint effort between the Board and the Kickapoo Tribe (the Tribe). The purpose of the Dam is to provide flood control, drinking water for the Tribe, and recreation. The land where the proposed Dam will be located covers 1,200 acres in Nemaha County and many of the landowners are farmers and ranchers. The ultimate goal is for the Tribe to own the land and operate the Dam. You have explained via telephone conversations with a member of our staff that the Tribe has attempted to negotiate settlements for the purchase of the land from the landowners, but has now asked the Board to condemn the land pursuant to its eminent domain powers. The Board will be voting on whether to exercise eminent domain for the Dam on January 21, 2004. You have explained that your mother owns land in the proposed site and question whether you are permitted to vote on the use of eminent domain.

#### Question

Pursuant to the local level conflict of interest laws, may a member of the Nemaha-Brown County Watershed Board vote on the condemnation of land via the power of eminent domain when his mother owns land which may be condemned?

#### Opinion

As a member of Nemaha-Brown County Watershed Board you are governed by the local level conflict of interest laws found in K.S.A. 75-4301 *et seq.* In order to properly address your question, we should review K.S.A. 75-

4304, which prohibits a local official from participating in the making of contracts in which that official has a substantial interest. It states in pertinent part:

(a) No local governmental officer or employee shall, in the capacity of such an officer or employee, make or participate in the making of a contract with any person or business by which the officer or employee is employed or in whose business the officer or employee has a substantial interest.

The absolute abstention requirement of K.S.A. 75-4304 is triggered only in situations where the local governmental officer, in the capacity as a governmental officer, makes or participates in the making of a *contract* with a person or business by which the officer is employed or in whose business the officer has a substantial interest. This Commission has consistently held that K.S.A. 75-4304 does not generally cover legislative decisions or administrative decisions such as those made by planning commissions, boards of zoning appeals, or city councils. (See Commission Opinions 1999-51, 1999-05, 1998-20 and 1994-38.)

Therefore, the initial inquiry which must be addressed in order to answer your question is whether the exercise of the power of eminent domain constitutes a contract between the Board and the landowner. *The Real Life Dictionary of the Law* defines eminent domain as:

The power of a governmental entity . . . to take private real estate for public use, with or without the permission of the owner. The Fifth Amendment to the Constitution provides that "private property [may not] be taken for public use without just compensation. . . . The usual process includes passage of a resolution by the acquiring agency to take the property (condemnation), including a declaration of public need, followed by an appraisal, an offer, and then negotiation. If the owner is not satisfied, he/she may sue the governmental agency for a court's determination of just compensation." *The Real Life Dictionary of the Law* by Gerald and Kathleen Hill, Published by General Publishing Group.

Clearly, the initial portion of this action, the vote by the Board and passage of a resolution to condemn property pursuant to the power of eminent domain, is not a contract and is purely legislative in nature. Therefore, K.S.A. 75-4304 would not prevent a board member from voting on such a resolution.

K.S.A. 75-4305, however, requires disclosure of actions other than contracts which affect a local government official's private business interests. It states:

(a) Any local governmental officer or employee who has not filed a disclosure of substantial interests shall, before acting upon any matter which will affect any business in which the officer or employee has a substantial interest, file a written report of the nature of the interest with the county election officer.

Therefore, before voting on a resolution to condemn land in which you have a substantial interest you must file a statement of substantial interests form which discloses the nature of your interests which will be affected by the resolution.

The next question that must be addressed then is whether you have a substantial interest in the land owned

(continued)

by your mother. K.S.A. 75-4301a defines substantial interests as:

(a) "Substantial interest" means any of the following:

(1) If an individual or an individual's spouse, either individually or collectively, has owned within the preceding 12 months a legal or equitable interest exceeding \$5,000 or 5% of any business, whichever is less, the individual has a substantial interest in that business.

(2) If an individual or an individual's spouse, either individually or collectively, has received during the preceding calendar year compensation . . . in an aggregate amount of \$2,000 from any business or combination of businesses, the individual has a substantial interest in that business or combination of businesses.

(3) If an individual or an individual's spouse, either individually or collectively, has received in the preceding 12 months, without reasonable and valuable consideration, goods or services having an aggregate value of \$500 or more from a business or combination of businesses, the individual has a substantial interest in that business or combination of businesses.

(4) If an individual or an individual's spouse holds the position of officer, director, associate, partner or proprietor of any business, other than an organization exempt from federal taxation of corporations under section 501(c)(3), (4), (6), (7), (8), (10) or (19) of chapter 26 of the United States code, the individual has a substantial inter-

est in that business, irrespective of the amount of compensation received by the individual or individual's spouse.

(5) If an individual or an individual's spouse receives compensation which is a portion or percentage of each separate fee or commission paid to a business or combination of businesses, the individual has a substantial interest in any client or customer who pays fees or commissions to the business or combination of businesses from which fees or commissions the individual or the individual's spouse, either individually or collectively, received an aggregate of \$2,000 or more in the preceding calendar year.

Pursuant to this statute, you do not have a substantial interest in land owned by your mother. Therefore, you would not be required to file a statement of substantial interests form prior to voting on the resolution to condemn land pursuant to the Board's eminent domain powers. Similarly, if the Board were to enter into negotiations with the landowners regarding the purchase price of the land, you would not be prohibited from entering into such a contract because you do not have a substantial interest in the land owned by your mother.

Daniel Sevart  
Chairman

Doc. No. 030291

## State of Kansas

### Office of Judicial Administration Court of Appeals Docket

Kansas Court of Appeals  
Court of Appeals Courtroom  
Kansas Judicial Center  
301 S.W. 10th Ave.  
Topeka, Kansas

Before Rulon, C.J.; Elliott and Malone, JJ.

Tuesday, February 10, 2004

9:00 a.m.

Case No. / Case Name	Attorneys	Jurisdiction
<b>89,547</b> State of Kansas, Appellee v. Michael K. Mattox, Appellant	Attorney General Robert D. Hecht, D.A. Randall L. Hodgkinson, Deputy A.D.	Shawnee
<b>90,970</b> State of Kansas, Appellant v. Jose Gonzales, Appellee	Attorney General Vernon E. Buck, Asst. C.A. Don W. Lill	Lyon
<b>90,049</b> State of Kansas, Appellee v. Tony C. Butler, Appellant	Attorney General Amy L. Aranda, Asst. C.A. Marc Goodman, C.A. Matthew J. Edge, Asst. A.D.	Lyon
<b>89,668</b> State of Kansas, Appellee v. Warren Hallack, Appellant	Attorney General Bobby J. Hiebert, Jr., Asst. C.A. Rick Kittel, Asst. A.D.	Saline
<b>90,585</b> State of Kansas, Appellee v. Thomas Ford Heath, Appellant	Attorney General Bobby J. Hiebert, Jr., Asst. C.A. Sandra Carr, Asst. A.D.	Saline



1:30 p.m.

<p><b>91,148</b> State of Kansas, Appellant v. Gina Dimacchia, Appellee</p>	<p>Attorney General Tony Cruz, Asst. C.A. Michael P. McKone</p>	<p>Geary</p>
<p><b>90,857</b> Wilbur Toll, Appellee v. Concrete Recycling, a Kansas General Partnership, and Tom Smith, Individually</p>	<p>Autumn L. Fox Todd W. Davidson</p>	<p>Saline</p>
<p><b>90,004</b> State Farm Mutual Automobile Insurance Company, Appellant v. Mark Benton, Appellee and Kathryn L. Benton, Appellee</p>	<p>Richmond M. Enochs Donald W. Vasos</p>	<p>Johnson</p>
<p><b>90,247</b> Carol N. Arnold, Maurice W. Bourquin, Dawn R. Lansing, and Doug A. Lansing, Appellants v. Pat Hewitt and Mid-Century Insurance Company, Appellees</p>	<p>Richard T. Merker Kurt L. Rasmussen</p>	<p>Miami</p>
<p><b>90,842</b> Dallas C. Kilpatric, Appellee v. Bonanza, Inc., and Continental Western Insurance Co., Appellants</p>	<p>Stephen J. Jones Nathan Burghart</p>	<p>Work Comp.</p>

Wednesday, February 11, 2004

9:00 a.m.

Case No. / Case Name	Attorneys	Jurisdiction
<p><b>88,652</b> State of Kansas, Appellee v. John Curtis McGautha, Appellant</p>	<p>Attorney General Scott E. McPherson, Asst. D.A. Korey A. Kaul, Asst. A.D.</p>	<p>Douglas</p>
<p><b>89,859</b> State of Kansas, Appellee v. Duwone Maurice Flowers, Appellant</p>	<p>Attorney General Brandon L. Jones, Asst. D.A. Korey A. Kaul, Asst. A.D.</p>	<p>Douglas</p>
<p><b>89,341</b> State of Kansas, Appellee v. Cleto Coronado, Jr., Appellant</p>	<p>Attorney General Douglas P. Witteman, C.A. Kathleen Neff</p>	<p>Coffey</p>
<p><b>89,827</b> In the Matter of the Marriage of Stan Coole and Steffi Coole (Secretary of the Kansas Department of Social and Rehabilitation Services), Appellant</p>	<p>Randy M. Barker</p>	<p>Saline</p>
<p><b>90,553</b> Roger Frost, C.R.N.A., P.A., Appellant v. Kris Hayes, M.D., Appellee</p>	<p>Jeffrey W. Jones Michael C. Hayes</p>	<p>Brown</p>

Summary Calendar — No Oral Argument

Case No. / Case Name	Attorneys	Jurisdiction
<p><b>90,289/90,290/90,291</b> Thurston Goracke, Appellee v. James A. Hiebert, d/b/a HII Mobile Home Service &amp; Supply, Appellant</p>	<p>Thomas D. Arnhold Michael C. Robinson</p>	<p>Reno</p>

(continued)

<p><b>91,084/91,085/91,086</b> State of Kansas, Appellant v. Che Clemmons, Appellee</p>	<p>Attorney General Amy J. Brunner, Asst. C.A. Steven G. Sakoulas Paul J. Hickman James Spies</p>	Saline
<p><b>90,822</b> State of Kansas, Appellee v. Robert D. Ennis, Appellant</p>	<p>Attorney General Vernon E. Buck, Asst. C.A. Randall L. Hodgkinson, Deputy A.D.</p>	Lyon
<p><b>91,070</b> In the Matter of the Marriage of Jonna Kaye Nichols, Appellee and Gary Lynn Nichols, Appellant</p>	<p>Kent E. Oleen Gary Lynn Nichols, Pro Se</p>	Pottawatomie
<p><b>88,781</b> State of Kansas, Appellee v. Steven H. Peimann, Appellant</p>	<p>Attorney General R. Clark Allemang II, Asst. C.A. Frederick L. Meier II</p>	Lyon
<p><b>90,396</b> State of Kansas, Appellee v. Michael P. Wilcox, Appellant</p>	<p>Attorney General Terri L. Johnson, C.A. Rick Kittel, Asst. A.D.</p>	Bourbon
<p><b>90,487</b> Elsie and Gus Wolters, Appellants v. Caleb Boone, Appellee</p>	<p>Elsie L. Wolters, Pro Se Caleb Boone</p>	Shawnee
<p><b>90,657</b> Jerry Chance, Appellant v. Kansas Department of Revenue, Appellee</p>	<p>Michael S. Holland II James G. Keller</p>	Barber
<p><b>90,432</b> State of Kansas, Appellee v. Susan K. Lohmeyer, Appellant</p>	<p>Attorney General Robert A. Walsh, C.A. C. Richard Comfort</p>	Cloud
<p><b>90,276</b> State of Kansas, Appellee v. Michael L. Frazier, Appellant</p>	<p>Attorney General Debra S. Peterson, Asst. D.A. Matt J. Maloney, Asst. D.A. Theresa Barr, Asst. A.D.</p>	Sedgwick
<p><b>90,762</b> Roland Whye, Appellant v. The City Council for the City of Topeka, Kansas, and Joan Wagnon, as an Individual and as an Agent and Employee of the City of Topeka, Kansas, Appellees</p>	<p>Lee R. Barnett Anne L. Baker Wilburn Dillon Jr.</p>	Shawnee
<p><b>90,166</b> City of Salina, Kansas, Appellant v. John Leroy Amador, Appellee</p>	<p>Jennifer L. Wyatt Julie McKenna</p>	Saline
<p><b>90,917</b> In the Interest of C.S.</p>	<p>Rachel I. Hockenbarger Robert D. Hecht, D.A.</p>	Shawnee
<p><b>90,499</b> Mark D. Brull, Appellant v. State of Kansas, Appellee</p>	<p>Sarah Ellen Johnson, Asst. A.D. Attorney General Nola F. Wright, Asst. A.G.</p>	Shawnee
<p><b>91,149</b> State of Kansas, Appellant v. Abiy Awoke, Appellee</p>	<p>Attorney General Tony Cruz, Asst. C.A. Maritza Segarra</p>	Geary

Kansas Court of Appeals  
Sedgwick County Courthouse  
Courtroom 10-3  
525 N. Main  
Wichita, Kansas

Before Green, P.J.; Lewis, J.; and John J. Bukaty, Jr., District Judge, assigned.

Tuesday, February 10, 2004

9:00 a.m.

Case No. / Case Name	Attorneys	Jurisdiction
<b>90,411</b> In the Matter of the Marriage of Robert S. Lida, Appellant and Bonnie L. Lida, Appellee	Jerry D. Bogle Donald E. Lambdin	Sedgwick
<b>90,171</b> State of Kansas, Appellee v. Kevin D. Loggins, Appellant	Attorney General Debra S. Peterson, Asst. D.A. Lesley A. Isherwood, Asst. D.A. Carl Maughan	Sedgwick
<b>90,104</b> Joseph W. Palmer, Appellant v. State of Kansas, Appellee	Nathan Webb, Asst. A.D. Attorney General Debra S. Peterson, Asst. D.A. Boyd K. Isherwood, Asst. D.A.	Sedgwick
<b>90,135</b> Jeffrey L. Scott, Appellant v. State of Kansas, Appellee	Michael P. Whalen Attorney General Debra S. Peterson, Asst. D.A. Boyd K. Isherwood, Asst. D.A.	Sedgwick
<b>1:30 p.m.</b>		
<b>89,642</b> State of Kansas, Appellee v. Cale I. Tobias, Appellant	Attorney General Keith E. Schroeder, D.A. M. Kristine Savage	Reno
<b>90,165/90,530/90,531</b> Carolyn Pieren-Abbott, Appellant v. Kansas Department of Revenue, Appellee	Roger L. Falk Troy V. Huser Brian Cox	Sedgwick
<b>90,265</b> In the Matter of the Marriage of George M. Unruh, Appellee and Leanna L. Unruh, Appellant	Brock R. McPherson Timothy R. Keenan	Barton
<b>91,049</b> Belinda Crowe, Appellant v. True's IGA, L.L.P., K & S Oil Co., Inc., Appellees	W. J. Fitzpatrick Michael K. Seck Craig Kennedy	Montgomery

Wednesday, February 11, 2004

9:00 a.m.

Case No. / Case Name	Attorneys	Jurisdiction
<b>90,509</b> IPC Retail Properties, L.L.C., Appellee v. Oriental Gardens, Inc., Chung M. Wang, Appellees and Tony W. Ho, Appellant	Jeff Kennedy Patrick B. Hughes	Sedgwick
<b>90,136</b> Shannon D. Short, Appellant v. State of Kansas, Appellee	Matthew J. Edge, Asst. A.D. Attorney General Debra S. Peterson, Asst. D.A. Kristi L. Barton, Asst. D.A.	Sedgwick

(continued)

<p><b>90,869/90,870/90,871</b> State of Kansas, Appellant v. Valeria Romo-Uriarie, Appellee</p>	<p>Attorney General Ernest H. Richardson, C.A. Linda L. Eckelman David P. Leon</p>	<p>Kiowa</p>
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### Summary Calendar — No Oral Argument

Case No. / Case Name	Attorneys	Jurisdiction
<p><b>90,433</b> In the Matter of the Care and Treatment of David Thayer</p>	<p>Charles R. Pike Nola F. Wright, Asst. A.G.</p>	<p>Pawnee</p>
<p><b>90,476</b> State of Kansas, Appellee v. Dallas Looney, Appellant</p>	<p>Attorney General Jae M. Lee, Special Prosecutor Janine Cox, Capital A.D.</p>	<p>Ford</p>
<p><b>90,021</b> State of Kansas, Appellee v. Jerrell Walking Eagle, Appellant</p>	<p>Attorney General Mark Frame, C.A. Korey A. Kaul, Asst. A.D.</p>	<p>Edwards</p>
<p><b>90,169</b> Steven M. Reed, Appellant v. State of Kansas, Appellee</p>	<p>Steven R. Zinn, Deputy A.D. Attorney General Debra S. Peterson, Asst. D.A. Boyd K. Isherwood, Asst. D.A.</p>	<p>Sedgwick</p>
<p><b>90,495</b> State of Kansas, Appellee v. Curtis Lee Clark, Appellant</p>	<p>Attorney General William R. Mott, C.A. Sandra Carr, Asst. A.D.</p>	<p>Sumner</p>
<p><b>90,074</b> State of Kansas, Appellee v. Vernon J. Burrough, Appellant</p>	<p>Attorney General Debra S. Peterson, Asst. D.A. Charles L. Rutter, Asst. D.A. Libby K. Snider, Asst. A.D.</p>	<p>Sedgwick</p>
<p><b>90,133</b> Alan W. Kingsley, Appellant v. State of Kansas, Appellee</p>	<p>Michael P. Whalen Attorney General Debra S. Peterson, Asst. D.A. Kristi L. Barton, Asst. D.A.</p>	<p>Sedgwick</p>
<p><b>90,175</b> City of Dodge City, Appellee v. Jared Glasman, Appellant</p>	<p>Terry J. Malone Leslie A. Hess</p>	<p>Ford</p>
<p><b>90,758</b> State of Kansas, Appellee v. Matthew J. Huston, Appellant</p>	<p>Julie A. Funk, Asst. C.A. Leslie A. Hess</p>	<p>Ford</p>
<p><b>90,800</b> In the Matter of the Guardianship and Conservatorship of Karen L. Braymer</p>	<p>Timothy R. Keenan Eric W. Marshall</p>	<p>Barton</p>
<p><b>90,831</b> In the Interest of: J.T.C. DOB: 11-04-91 B.S.C. DOB: 10-11-94 K.D.H. DOB: 02-19-96 Children Under 18 Years of Age</p>	<p>Verlin A. Ingram Larry S. Vernon</p>	<p>Sedgwick</p>
<p><b>90,341</b> George Davis, Appellant v. State of Kansas, Appellee</p>	<p>Roger L. Falk Julie St. Peter</p>	<p>Sedgwick</p>

<p><b>90,389</b> State of Kansas, Appellee v. Thomas Espe, Appellant</p> <p><b>90,156</b> Steven M. Wickwire, Appellant v. State of Kansas, Appellee</p>	<p>Attorney General Morgan Metcalf, Asst. C.A. Cory D. Riddle, Asst. A.D.</p> <p>Michael P. Whalen Attorney General Debra S. Peterson, Asst. D.A. Lesley A. Isherwood, Asst. D.A.</p>	<p>Butler</p> <p>Sedgwick</p>
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**Kansas Court of Appeals  
Old Sedgwick County Courthouse  
510 N. Main, 3rd Floor  
Wichita, Kansas**

**Before Pierron, P.J.; Hill and McAnany, JJ.**

**Tuesday, February 10, 2004**

**9:00 a.m.**

Case No. / Case Name	Attorneys	Jurisdiction
<p><b>90,067</b> City of Wichita, Kansas, a Municipal Corporation, Appellee v. Charles R. Cook, Appellant</p>	<p>Sharon L. Dickgrafe, Asst. City Atty Kevin Mark Smith</p>	<p>Sedgwick</p>
<p><b>90,354</b> James W. Tharp, Individually and on Behalf of All Heirs, and as Executor of the Estate of Jeanette B. Adams, Deceased, Appellant v. Rex R. Lee, M.D., Dr. Rex R. Lee, d/b/a Southeast Clinic; Stephanie B. Rattonavangsa; Robyn Calvert; Via Christi Regional Medical Center, Inc.; Shaker R. Dakhil, M.D.; Cancer Center of Kansas, Inc.; and DOES 1 Through 30, Appellees</p>	<p>Calvin L. Wiebe Timothy P. McCarthy Don D. Gribble II Larry B. Spikes</p>	<p>Sedgwick</p>
<p><b>90,030</b> State of Kansas, Appellee v. Brandon J. Williams, Appellant</p>	<p>Attorney General Debra S. Peterson, Asst. D.A. Kristi L. Barton, Asst. D.A. Sarah Ellen Johnson, Asst. A.D.</p>	<p>Sedgwick</p>
<p><b>90,103</b> Edward M. Murray, Appellant v. State of Kansas, Appellee</p>	<p>Patrick H. Dunn, Asst. A.D. Attorney General Debra S. Peterson, Asst. D.A. Charles L. Rutter, Asst. D.A.</p>	<p>Sedgwick</p>
<p><b>90,535</b> State of Kansas, Appellee v. Abraham P. Alderete, Appellant</p>	<p>Attorney General William R. Mott, C.A. Randall L. Hodgkinson, Deputy A.D.</p>	<p>Sumner</p>
<b>1:30 p.m.</b>		
<p><b>90,217</b> Larry R. Brown, Appellant v. State of Kansas, Appellee</p>	<p>Randall L. Hodgkinson, Deputy A.D. Attorney General Debra S. Peterson, Asst. D.A. Charles L. Rutter, Asst. D.A.</p>	<p>Sedgwick</p>
<p><b>90,855</b> In the Matter of the Conservatorship of Lena J. Converse</p>	<p>W. J. Fitzpatrick Marla Foster Ware</p>	<p>Neosho</p>
<p><b>90,149</b> City of Kingman, Appellee v. Siobahn McKenna Giorgio, Appellant</p>	<p>Curtis E. Watkins Carl Maughan</p>	<p>Kingman</p>

*(continued)*

<b>90,042</b> State of Kansas, Appellee v. Shauntus J. Grant, Appellant	Attorney General Debra S. Peterson, Asst. D.A. Boyd K. Isherwood, Asst. D.A. Carol Maughan	Sedgwick
<b>90,943</b> John Hancock Life Insurance Company, Appellee v. Arlyce J. Steele; Sharon K. Steele; Western Plains Funds, Inc.; First Tribune Insurance Agency, Inc.; Steele Ltd.; Norman Keyse as Trustee of the Steele Trust #1; The Bank; and First National Bank and Trust, Appellants	Jack C. Marvin David E. Bengtson Byron Loudon	Greeley

**Wednesday, February 11, 2004****9:00 a.m.**

Case No. / Case Name	Attorneys	Jurisdiction
<b>90,937</b> L.P.P. Mortgage, Ltd., Appellee v. Nathan B. Hayse, et al., Appellants	Martin W. Bauer Jack C. Marvin Richard F. Hayse	Kiowa
<b>90,430</b> Henry C. Chinn and Belva Jean Chinn, a/k/a Jean Chinn, Trustees, Under the Henry C. and Jean Chinn Living Trust, Appellants v. Snedco, Inc., Appellee	Tim J. Larson Gary House	Butler
<b>89,563</b> State of Kansas, Appellee v. Reginald Scott, Appellant	Attorney General Debra S. Peterson, Asst. D.A. Kristi L. Barton, Asst. D.A. Rick Kittel, Asst. A.D.	Sedgwick
<b>90,016</b> State of Kansas, Appellee v. Thomas B. Honton, Appellant	Attorney General Debra S. Peterson, Asst. D.A. Lesley A. Isherwood, Asst. D.A. Sandra Carr, Asst. A.D.	Sedgwick
<b>89,028</b> State of Kansas, Appellee v. Lyle V. Liddeke, Appellant	Attorney General Debra S. Peterson, Asst. D.A. Charles L. Rutter, Asst. D.A. Matthew J. Edge, Asst. A.D.	Sedgwick

**Summary Calendar — No Oral Argument**

Case No. / Case Name	Attorneys	Jurisdiction
<b>90,901</b> In the Matter of the Care and Treatment of Harvey Hickman	Janice J. Jorns Nola F. Wright, Asst. A.G.	Pratt
<b>90,157</b> State of Kansas, Appellee v. Deandre A. Wilson, Appellant	Attorney General Debra S. Peterson, Asst. D.A. Boyd K. Isherwood, Asst. D.A. Cory D. Riddle, Asst. A.D.	Sedgwick
<b>89,436</b> State of Kansas, Appellee v. Guillermo Dosal, Appellant	Attorney General Debra S. Peterson, Asst. D.A. Boyd K. Isherwood, Asst. D.A. Korey A. Kaul, Asst. A.D.	Sedgwick
<b>89,724</b> Gabriel Guzman-Villanueva, Appellant v. State of Kansas, Appellee	Nathan Webb, Asst. A.D. Attorney General Mark Frame, C.A.	Edwards

<b>90,274</b> State of Kansas, Appellee v. Julian C. Richard, Appellant	Attorney General Debra S. Peterson, Asst. D.A. Charles L. Rutter, Asst. D.A. Rick Kittel, Asst. A.D.	Sedgwick
<b>89,718/89,719</b> Garry L. Sammons, DOC, #43500, Appellant v. Charles E. Simmons, et al., Appellees	Garry L. Sammons, #43500, Pro Se Jon D. Graves	Reno
<b>90,985</b> In the Matter of R.M., DOB: 08/27/85	Jeffrey E. Goering Debra S. Peterson, Asst. D.A. Matt J. Maloney, Asst. D.A.	Sedgwick
<b>90,972</b> Marlene Jackson, Appellant v. City of Norwich, Kansas, Appellee	Theodore C. Geisert Allen G. Glendenning	Kingman
<b>89,550</b> Richard B. Kelly, Appellant v. State of Kansas, Appellee	Randall L. Hodgkinson, Deputy A.D. Attorney General Morgan Metcalf, Asst. C.A.	Butler
<b>90,490</b> State of Kansas, Appellee v. Gary Turner, Appellant	Attorney General Jae M. Lee, Asst. C.A. Leslie A. Hess	Gray
<b>90,596</b> In the Matter of the Estate of Raymond Earl Rentfrow, Deceased	Richard Rentfrow, Pro Se Russell W. Davisson	Sedgwick
<b>90,267</b> In the Matter of the Estate of Merle Olds, Deceased	Larry E. Schneider Karl N. Hesse	Reno
<b>90,190</b> Billie K. Elliott, Appellant v. State of Kansas, Appellee	Michael P. Whalen Attorney General Debra S. Peterson, Asst. D.A. Charles R. Rutter, Asst. D.A.	Sedgwick
<b>90,170</b> State of Kansas, Appellee v. Webster M. Reed, Jr., Appellant	Attorney General Debra S. Peterson, Asst. D.A. Charles L. Rutter, Asst. D.A. Michelle Davis, Asst. A.D.	Sedgwick
<b>90,520</b> In the Interest of: V.R.T. (DOB: 05/04/90) A.D.T. (DOB: 03/25/91) J.E.T. (DOB: 03/27/92) S.L.L. (DOB: 08/07/95) Children Under 18 Years of Age	Roger Batt Larry S. Vernon	Sedgwick

**Kansas Court of Appeals  
U.S. Courthouse  
Courtroom 643  
500 State Ave.  
Kansas City, Kansas**  
**Before Johnson, P.J.; Marquardt and Greene, JJ.**  
**Thursday, February 12, 2004**  
**9:30 a.m.**

Case No. / Case Name	Attorneys	Jurisdiction
<b>90,223</b> Glacier Development Company, LLC, and Lester M. Dean, Jr., Appellants v. Unified Government of Wyandotte County/Kansas City, Kansas, Appellees	John L. Peterson Henry E. Couchman, Jr.	Wyandotte

(continued)

<p><b>89,511</b> State of Kansas, Appellee v. Edward B. Martin, Appellant</p> <p><b>88,421</b> State of Kansas, Appellee v. Edward N. Coburn, Sr., Appellant</p> <p><b>90,966</b> Samuel Walter Hahn, Appellee v. Midwest Drywall Co., Inc., and Hartford Accident &amp; Indemnity, Appellants</p>	<p>Attorney General Steven J. Obermeier, Asst. D.A. Stephen B. Chapman</p> <p>Attorney General Bonnie Hannan, Asst. D.A. Stephen B. Chapman</p> <p>Dennis L. Horner Michael P. Bandre</p>	<p>Johnson</p> <p>Wyandotte</p> <p>Work Comp.</p>
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**1:30 p.m.**

<p><b>89,344</b> State of Kansas, Appellee v. Gregory Dean Jones, Appellant</p> <p><b>89,722</b> State of Kansas, Appellee v. Dominike Trotter, Appellant</p> <p><b>89,969</b> State of Kansas, Appellee v. Cory L. Crawford, Appellant</p> <p><b>89,477</b> State of Kansas, Appellant v. Justin S. Johnson, Appellee</p> <p><b>90,367</b> Frank Swanson, Appellee v. State of Kansas, et al., Appellants</p> <p><b>89,365</b> Farm Bureau Mutual Insurance Company, Inc., Appellant v. Richard A. Carmody; Oerke Farms; Marvin Oerke; Shirley Oerke; Roger Johnson; Hershewe &amp; Gulick, P.C.; Northland Insurance Company; Patricia Forehand; Patricia Forehand, as Conservator of the Estate of Steven E. Forehand; and Steven E. Forehand, Appellees</p>	<p>Attorney General Steven J. Obermeier, Asst. D.A. Theresa Barr, Asst. A.D.</p> <p>Attorney General Steven J. Obermeier, Asst. D.A. Rick Kittel, Asst. A.D.</p> <p>Attorney General Michael A. Russell, Asst. D.A. Rick Kittel, Asst. A.D.</p> <p>Attorney General Tristram W. Hunt, Asst. D.A. Cory D. Riddle, Asst. A.D.</p> <p>Robert E. Duncan II Kenneth Smith</p> <p>Paul Hasty, Jr. Daniel F. Church</p>	<p>Johnson</p> <p>Johnson</p> <p>Wyandotte</p> <p>Wyandotte</p> <p>Leavenworth</p> <p>Johnson</p>
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**Friday, February 13, 2004****9:00 a.m.**

Case No. / Case Name	Attorneys	Jurisdiction
<p><b>89,729</b> John E. Sandifer, Appellant v. State of Kansas, Appellee</p> <p><b>90,397</b> Intellisports LLC, Appellant v. Tim Fitzgerald, et al., Appellees</p> <p><b>90,510</b> Justin Nelson and Patricia Debolt, Appellants v. Kaw Valley Center, Inc., et al., Appellees, and The State of Kansas, Department of Social and Rehabilitation Services, Appellee</p>	<p>Craig A. Lubow Attorney General Constance M. Alvey, Asst. D.A.</p> <p>Patrick J. Whalen Mark Hinderks</p> <p>Donald L. Hochanadel Laura T. Goettsch C. William Ossmann Danny J. Baumgartner</p>	<p>Wyandotte</p> <p>Johnson</p> <p>Wyandotte</p>



**89,143**  
 Chrysoula Liberty, Appellant  
 v.  
 Westwood United Super, Inc., Appellee

Brian F. McCallister  
 Michelle R. Stewart

Johnson

**90,581**  
 Berkshire Aircraft, Inc., Appellant  
 v.  
 AEC Leasing Company, a Nevada Corporation, Appellee

David A. Rameden  
 Matthew C. Miller  
 Hal D. Meltzer  
 Juliann Johnson

Johnson

1:30 p.m.

**91,110**  
 David R. Lowder, Appellant  
 v.  
 Trey T. Meyer, Special Administrator of the Estate of John  
 H. Petefish, Deceased

Charles Whitman  
 Robert W. Ramsdell

Douglas

**Summary Calendar — No Oral Argument**

Case No. / Case Name	Attorneys	Jurisdiction
<b>90,213</b> Coni Leoni, Appellant v. Michael D. Eubank, Appellee	Coni Leoni, Pro Se	Johnson
<b>90,936</b> Dale M.L. Denney, #46874, Appellant v. L.E. Bruce, Warden, Appellee	Dale M. L. Denney, #46874, Pro Se Julie St. Peter	Butler
<b>90,100</b> Michael A. Bankes, Appellant v. State of Kansas, Appellee	Matthew J. Edge, Asst. A.D. Michael A. Bankes, #45889, Pro Se Attorney General Renee S. Henry, Asst. D.A.	Wyandotte
<b>90,450</b> State of Kansas, Appellee v. James Kirby, Appellant	Attorney General Jae M. Lee, Asst. C.A. Randall L. Hodgkinson, Deputy A.D.	Gray
<b>90,246</b> Dana Fischer, Appellant v. Farmers Insurance Company, Inc., Appellee	Michael D. Gibbens N. Jack Brown	Leavenworth
<b>90,797</b> Heron Jackson, Jr., Appellant v. State of Kansas, Department of Corrections, Appellee	Roger L. Falk Julie St. Peter	Sedgwick
<b>90,272</b> State of Kansas, Appellee v. Michael Tush, Appellant	Attorney General Frederick B. Campbell, C.A. John Jenab	Anderson
<b>90,008</b> State of Kansas, Appellee v. Alberto Mendoza, Appellant	Attorney General Thomas R. Stanton, Deputy D.A. Michelle Davis, Asst. A.D.	Reno
<b>90,371</b> State of Kansas, Appellee v. Delvein J. Wasinger, Appellant	Attorney General Gregory A. Schwartz Michael S. Holland II	Ellis
<b>89,960</b> State of Kansas, Appellee v. Dennis R. Hughes, Appellant	Attorney General Debra S. Peterson, Asst. D.A. Lesley A. Isherwood, Asst. D.A. Theresa L. Barr, Asst. A.D.	Sedgwick

(continued)

**90,927**  
 Namita Sahgal, M.D., Appellant  
 v.  
 University of Kansas Medical Center, Appellee

Joseph R. Colantuono  
 John C. McFadden, Special Asst. A.G.

Wyandotte

**90,565/90,775**  
 In the Interest of J.G., DOB: January 8, 1998

Allan E. Coon  
 Christopher M. Reeht  
 Steven J. Obermeier, Asst. D.A.

Johnson

**90,355**  
 Robert J. Hernandez, Appellant  
 v.  
 State of Kansas, Appellee

Matthew J. Edge, Asst. A.D.  
 Attorney General  
 Bonnie Hannan, Asst. D.A.

Wyandotte

**89,866**  
 State of Kansas, Appellee  
 v.  
 Jamie J. Burnett, Appellant

Attorney General  
 Brenda M. Jordan, Asst. C.A.  
 Libby Snider, Asst. A.D.

Riley

Carol G. Green  
 Clerk of the Appellate Courts

Doc. No. 030263

**INDEX TO ADMINISTRATIVE REGULATIONS**

This index lists in numerical order the new, amended and revoked administrative regulations and the volume and page number of the *Kansas Register* issue in which more information can be found. Temporary regulations are designated with a (T) in the Action column. This cumulative index supplements the 2003 Volumes of the *Kansas Administrative Regulations*.

**AGENCY 1: DEPARTMENT OF ADMINISTRATION**

Reg. No.	Action	Register
1-6-21	Amended	V. 22, p. 1968
1-6-23	Amended (T)	V. 22, p. 466
1-6-23	Amended	V. 22, p. 1230
1-45-1 through 1-45-7	Revoked	V. 22, p. 226
1-45-7a	Revoked	V. 22, p. 226
1-45-8 through 1-45-14	Revoked	V. 22, p. 226
1-45-15	Revoked	V. 22, p. 226
1-45-16	Revoked	V. 22, p. 226
1-45-17	Revoked	V. 22, p. 226
1-45-18 through 1-45-24	New	V. 22, p. 226-228
1-47-1	Amended	V. 22, p. 850
1-49-1	Amended	V. 22, p. 851
1-49-12	New	V. 22, p. 851

**AGENCY 4: DEPARTMENT OF AGRICULTURE**

Reg. No.	Action	Register
4-4-900	Amended	V. 22, p. 1191
4-4-956	Amended	V. 22, p. 1192
4-4-982	Amended	V. 22, p. 1192
4-4-983	Amended	V. 22, p. 1192
4-4-985	New	V. 22, p. 1193
4-4-986	New	V. 22, p. 1194
4-8-43	New (T)	V. 22, p. 82
4-8-43	New	V. 22, p. 432
4-13-1	Amended	V. 22, p. 1194
4-13-2	Amended	V. 22, p. 1195
4-13-4a	Amended	V. 22, p. 1195
4-13-6	Amended	V. 22, p. 1196
4-13-7	Amended	V. 22, p. 1196
4-13-26	Amended	V. 22, p. 1196

4-20-5	Amended	V. 22, p. 1747
4-20-11	Amended	V. 22, p. 385
4-20-15	Amended	V. 22, p. 385
4-21-1	Amended	V. 22, p. 385
4-21-3	Amended	V. 22, p. 386
4-21-4	Amended	V. 22, p. 386
4-21-5	Amended	V. 22, p. 387
4-21-6	Amended	V. 22, p. 387
4-21-7	New	V. 22, p. 387
4-25-16	Amended (T)	V. 22, p. 2176
4-25-16	Amended	V. 23, p. 95

**AGENCY 5: DEPARTMENT OF AGRICULTURE—DIVISION OF WATER RESOURCES**

Reg. No.	Action	Register
5-1-1	Amended	V. 22, p. 1747
5-1-4	Amended	V. 22, p. 1751
5-1-6	Amended	V. 22, p. 1752
5-1-9	Amended	V. 22, p. 1753
5-1-12	Amended	V. 22, p. 1753
5-3-1	Amended	V. 22, p. 1753
5-3-1b	New	V. 22, p. 1754
5-3-3a	New	V. 22, p. 1754
5-3-4c	Amended	V. 22, p. 1754
5-3-4d	Amended	V. 22, p. 1754
5-3-5c	Amended	V. 22, p. 1755
5-3-7	Amended	V. 22, p. 1755
5-3-16a	New	V. 22, p. 1755
5-3-19	Amended	V. 22, p. 1756
5-5-2a	New	V. 22, p. 1756
5-5-16	Amended	V. 22, p. 1757
5-6-13a	New	V. 22, p. 1758
5-6-15	Amended	V. 22, p. 1758
5-7-1	Amended	V. 22, p. 1758
5-9-1	Amended	V. 22, p. 1759
5-9-6	Amended	V. 22, p. 1759
5-14-10	New	V. 22, p. 1759
5-14-11	New	V. 22, p. 1760
5-23-4	Amended	V. 22, p. 1933
5-23-4a	Amended	V. 22, p. 1933
5-23-4b	Amended	V. 22, p. 1934
5-23-5	Revoked	V. 22, p. 1935
5-24-1	Amended	V. 23, p. 65
5-24-2	Amended	V. 23, p. 65
5-24-3	Amended	V. 23, p. 66
5-24-4	Amended	V. 23, p. 68
5-24-6	Amended	V. 23, p. 68
5-24-8	Amended	V. 23, p. 68
5-24-11	New	V. 23, p. 69
5-25-1	Amended	V. 22, p. 1819
5-25-2	Amended	V. 22, p. 1819
5-25-2a	New	V. 22, p. 1819
5-25-3	Amended	V. 22, p. 1820
5-25-4	Amended	V. 22, p. 1820
5-25-5	Amended	V. 22, p. 1820

5-25-8	Amended	V. 22, p. 1821
5-25-10	Amended	V. 22, p. 1821
5-25-11	Amended	V. 22, p. 1821
5-25-12 through 5-25-20	New	V. 22, p. 1821-1824

**AGENCY 7: SECRETARY OF STATE**

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

**AGENCY 9: ANIMAL HEALTH DEPARTMENT**

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

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

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

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

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

17-24-1 Amended V. 22, p. 1574  
 17-24-4 New V. 22, p. 1816

**AGENCY 19: GOVERNMENTAL ETHICS COMMISSION**

Reg. No.	Action	Register
19-2-2	Amended	V. 23, p. 41
19-20-4	New	V. 23, p. 42
19-60-3	Amended	V. 23, p. 42
19-63-6	Amended	V. 23, p. 43

**AGENCY 26: DEPARTMENT ON AGING**

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

**AGENCY 28: DEPARTMENT OF HEALTH AND ENVIRONMENT**

Reg. No.	Action	Register
28-1-2	Amended (T)	V. 22, p. 2030
28-1-4	Amended (T)	V. 22, p. 2031
28-16-28b	Amended	V. 22, p. 1760
28-16-28d	Amended	V. 23, p. 39
28-16-28e	Amended	V. 22, p. 1763
28-17-6	Amended (T)	V. 22, p. 1225
28-17-6	Amended	V. 22, p. 1711
28-19-202	Amended	V. 23, p. 70
28-29-3	Amended	V. 22, p. 798
28-29-20	Amended	V. 22, p. 801
28-29-101	Revoked	V. 22, p. 802
28-29-109	Amended	V. 22, p. 802
28-29-300	New	V. 22, p. 2131
28-29-302	New	V. 22, p. 2131
28-29-304	New	V. 22, p. 2133
28-29-308	New	V. 22, p. 2134
28-29-321	New	V. 22, p. 2137
28-29-325	New	V. 22, p. 2137
28-36-30	Amended	V. 22, p. 1771
28-38-18	Amended	V. 22, p. 1575
28-38-19	Amended	V. 22, p. 1575
28-39-164	through	
28-39-168	Amended	V. 22, p. 2094-2096
28-39-169	Revoked	V. 22, p. 2096
28-39-169a	New	V. 22, p. 2096
28-39-169b	New	V. 22, p. 2097
28-39-169c	New	V. 22, p. 2098
28-39-170	through	
28-39-174	Revoked	V. 22, p. 2099
28-45-2	Revoked (T)	V. 22, p. 531
28-45-2	Revoked	V. 22, p. 1304
28-45-2a	New (T)	V. 22, p. 531
28-45-2a	New	V. 22, p. 1304
28-45-3	Revoked (T)	V. 22, p. 532
28-45-3	Revoked	V. 22, p. 1305
28-45-3a	New (T)	V. 22, p. 532
28-45-3a	New	V. 22, p. 1305
28-45-4	Revoked (T)	V. 22, p. 533
28-45-4	Revoked	V. 22, p. 1306
28-45-4a	New (T)	V. 22, p. 533
28-45-4a	New	V. 22, p. 1306
28-45-5	Revoked (T)	V. 22, p. 533
28-45-5	Revoked	V. 22, p. 1306
28-45-5a	New (T)	V. 22, p. 533
28-45-5a	New	V. 22, p. 1306
28-45-6	Revoked (T)	V. 22, p. 534
28-45-6	Revoked	V. 22, p. 1306
28-45-6a	New (T)	V. 22, p. 534
28-45-6a	New	V. 22, p. 1306
28-45-7	Revoked (T)	V. 22, p. 535
28-45-7	Revoked	V. 22, p. 1308
28-45-7a	New (T)	V. 22, p. 535
28-45-7a	New	V. 22, p. 1308
28-45-8	Revoked (T)	V. 22, p. 536
28-45-8	Revoked	V. 22, p. 1309
28-45-8a	New (T)	V. 22, p. 536
28-45-8a	New	V. 22, p. 1309
28-45-9	Revoked (T)	V. 22, p. 536
28-45-9	Revoked	V. 22, p. 1309
28-45-9a	New (T)	V. 22, p. 536
28-45-9a	New	V. 22, p. 1309
28-45-10	Revoked (T)	V. 22, p. 536
28-45-10	Revoked	V. 22, p. 1309
28-45-10a	New (T)	V. 22, p. 536

28-45-10a	New	V. 22, p. 1309
28-45-11	Revoked (T)	V. 22, p. 537
28-45-11	Revoked	V. 22, p. 1310
28-45-11a	New (T)	V. 22, p. 537
28-45-11a	New	V. 22, p. 1310
28-45-12	through	
28-45-30	New (T)	V. 22, p. 537-548
28-45-12	through	
28-45-30	New	V. 22, p. 1310-1321
28-45a-1	through	
28-45a-19	New (T)	V. 22, p. 548-557
28-45a-1	through	
28-45a-19	New	V. 22, p. 1321-1331
28-51-100	Amended	V. 22, p. 2099
28-51-108	Amended	V. 22, p. 2100
28-51-113	through	
28-51-116	New	V. 22, p. 2100-2102

**AGENCY 30: SOCIAL AND REHABILITATION SERVICES**

Reg. No.	Action	Register
30-4-39	Amended	V. 22, p. 1533
30-4-55	Amended	V. 22, p. 1533
30-4-96	Revoked	V. 22, p. 249
30-4-110	Amended	V. 22, p. 1534
30-5-59	Amended	V. 22, p. 2087
30-5-64	Amended	V. 22, p. 2088
30-5-78	Amended	V. 22, p. 2090
30-5-81u	Amended (T)	V. 22, p. 83
30-5-81u	Amended	V. 22, p. 432
30-5-89	Amended	V. 22, p. 1355
30-5-89a	Amended	V. 22, p. 1355
30-5-102	Amended (T)	V. 22, p. 83
30-5-102	Amended	V. 22, p. 2090
30-5-105	Amended (T)	V. 22, p. 83
30-5-105	Amended	V. 22, p. 2091
30-5-107	Amended	V. 22, p. 1043
30-5-107a	Amended	V. 22, p. 1044
30-5-116	Amended	V. 22, p. 2091
30-5-300	Amended	V. 22, p. 2091
30-6-65	Amended	V. 22, p. 1044
30-6-103	Amended (T)	V. 22, p. 84
30-6-103	Amended	V. 22, p. 433
30-6-106	Amended	V. 22, p. 249
30-6-108	Amended	V. 22, p. 1045
30-6-109	Amended	V. 22, p. 1045
30-10-14	Revoked	V. 22, p. 1355
30-10-15a	Amended	V. 22, p. 1355
30-10-17	Amended (T)	V. 22, p. 990
30-10-17	Amended	V. 22, p. 1233
30-10-18	Amended (T)	V. 22, p. 991
30-10-18	Amended	V. 22, p. 1234
30-10-19	Amended (T)	V. 22, p. 994
30-10-19	Amended	V. 22, p. 1236
30-10-21	Amended	V. 22, p. 1357
30-10-23b	Amended	V. 22, p. 1357
30-14-28	Amended (T)	V. 22, p. 84
30-14-28	Amended	V. 22, p. 434
30-44-5	New	V. 22, p. 1047
30-60-1	Amended	V. 22, p. 1090
30-60-2	Amended	V. 22, p. 1090
30-60-5	Amended	V. 22, p. 1090
30-60-6	Amended	V. 22, p. 1091
30-60-7	Amended	V. 22, p. 1092
30-60-8	New	V. 22, p. 1092
30-60-10	Amended	V. 22, p. 1093
30-60-11	Amended	V. 22, p. 1093
30-60-12	Amended	V. 22, p. 1093
30-60-13	New	V. 22, p. 1094
30-60-14	New	V. 22, p. 1094
30-60-15	New	V. 22, p. 1094
30-60-16	New	V. 22, p. 1094
30-60-17	Amended	V. 22, p. 1095
30-60-18	Amended	V. 22, p. 1095
30-16-19	Amended	V. 22, p. 1096
30-60-25	Amended	V. 22, p. 1096
30-60-26	Amended	V. 22, p. 1097
30-60-27	Amended	V. 22, p. 1097
30-60-28	Amended	V. 22, p. 1097

30-60-29	New	V. 22, p. 1097
30-60-30	New	V. 22, p. 1098
30-60-40	Amended	V. 22, p. 1098
30-60-41	Amended	V. 22, p. 1098
30-60-45	Amended	V. 22, p. 1099
30-60-46	Amended	V. 22, p. 1099
30-60-47	Amended	V. 22, p. 1099
30-60-48	New	V. 22, p. 1099
30-60-49	New	V. 22, p. 1100
30-60-50	Amended	V. 22, p. 1100
30-60-51	New	V. 22, p. 1101
30-60-55	Amended	V. 22, p. 1102
30-60-56	New	V. 22, p. 1103
30-60-57	New	V. 22, p. 1103
30-60-60	Revoked	V. 22, p. 1103
30-60-61	Revoked	V. 22, p. 1103
30-60-62	Amended	V. 22, p. 1103
30-60-63	New	V. 22, p. 1104
30-60-64	New	V. 22, p. 1105
30-60-70	Amended	V. 22, p. 1108
30-60-71	Amended	V. 22, p. 1108
30-60-72	Amended	V. 22, p. 1108
30-60-73	Amended	V. 22, p. 1108
30-60-74	Amended	V. 22, p. 1109
30-60-75	Revoked	V. 22, p. 1109
30-60-76	Amended	V. 22, p. 1109
30-61-1	Amended	V. 22, p. 1109
30-61-2	Amended	V. 22, p. 1109
30-61-5	Amended	V. 22, p. 1109
30-61-6	Amended	V. 22, p. 1110
30-61-10	Amended	V. 22, p. 1110
30-61-11	New	V. 22, p. 1110
30-61-15	Amended	V. 22, p. 1110
30-61-16	Revoked	V. 22, p. 1111

**AGENCY 36: DEPARTMENT OF TRANSPORTATION**

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

**AGENCY 40: KANSAS INSURANCE DEPARTMENT**

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

**AGENCY 44: DEPARTMENT OF CORRECTIONS**

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

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

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

**AGENCY 61: BOARD OF BARBERING**

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

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

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

**AGENCY 66: BOARD OF TECHNICAL PROFESSIONS**

Reg. No.	Action	Register
66-8-5	Amended	V. 23, p. 95

(continued)

**AGENCY 68: BOARD OF PHARMACY**

Reg. No.	Action	Register
68-2-9	Amended	V. 22, p. 118
68-2-10	Amended	V. 22, p. 118
68-2-11	Amended	V. 22, p. 118
68-2-12a	Amended	V. 22, p. 118
68-2-15	Amended	V. 22, p. 430
68-2-20	Amended	V. 22, p. 119
68-7-12	Amended	V. 22, p. 119
68-7-12a	Amended	V. 22, p. 120
68-7-12b	New	V. 22, p. 120
68-8-1	Amended	V. 22, p. 431
68-9-2	Amended	V. 22, p. 121
68-11-1	Amended	V. 22, p. 122
68-11-2	Amended	V. 22, p. 122
68-12-2	Amended	V. 22, p. 122
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. The following regulations were filed after January 1, 2004:

Reg. No.	Action	Register
111-2-151		
through		
111-2-156	New	V. 23, p. 95, 96
111-3-22	Amended	V. 23, p. 97
111-4-881	Amended	V. 23, p. 97
111-4-1448	Amended	V. 23, p. 98
111-4-2074	Amended	V. 23, p. 98
111-4-2093	New	V. 23, p. 99
111-4-2094	New	V. 23, p. 100
111-5-96	Amended	V. 23, p. 101

**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
112-10-3	Amended	V. 23, p. 93
112-11-20	Amended	V. 22, p. 281
112-12-10	Amended	V. 22, p. 86
112-13-2	Amended	V. 23, p. 94
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

**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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In this issue . . .

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

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