



# Kansas Register

Ron Thornburgh, Secretary of State

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## State of Kansas

## Kansas Sentencing Commission

## Notice of Meeting

The Kansas Sentencing Commission will meet from 1:30 to 3:30 p.m. Friday, March 19, in the Senate Room of the Jayhawk Tower, 700 S.W. Jackson, Topeka. For more information call (785) 296-0923.

Patricia Biggs  
Executive Director

Doc. No. 030382

## State of Kansas

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

Notice is hereby given of the commencement of negotiations for architectural services for the renovation of the district crew/equipment storage building for the Kansas Department of Transportation, Hutchinson. The existing building is a metal building with approximately 10,875 sq. ft. of space. It is comprised of office space, commodity and equipment storage. Twenty employees from paint striping, bridge and special maintenance crews currently use the building to store and maintain their equipment.

Renovation will allow the addition of 17 construction engineering technicians and 11 Highway Patrol troopers in approximately 5,800 sq. ft. of office and storage space

and 4,500 sq. ft. of covered storage. New covered storage will be provided for motorized equipment units.

The project architect will prepare a budget and construction documents and will provide construction administration services. KDOT construction crews will be utilized, and construction administration is expected to take longer than a normal project. Location of a project architect within a 60-mile radius of the facility is preferred.

For more information concerning the scope of services, contact Jaci Vogel, Bureau of Construction and Maintenance, (785) 296-3576.

**To be considered, a letter of interest, SF255 form, and information regarding similar projects should be provided in one bound proposal. Also required are four bound copies of the same information and one CD with one PDF file of the same information.** Each submittal should include an e-mail address, be concise and follow the State Building Advisory Commission guidelines, which have previously been distributed to firms. If copies of the guidelines are needed, contact Phyllis Fast, Division of Facilities Management, Room 600, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612, (785) 296-5796. Submittals not complying with the guidelines will not be considered.

Expressions of interest and the SF255 submittals should be received by Phyllis Fast before noon March 12.

D. Keith Meyers  
Director, Division of  
Facilities Management

Doc. No. 030385

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## State of Kansas

## Department of Human Resources

Request for Proposals for Local Area I  
Workforce Investment Board

The Local Area I Workforce Investment Board in Kansas is issuing a request for proposals (RFP) from qualified entities to enter into contracts to accomplish the following services for the Workforce Investment Act (WIA) Program. Bidders may apply for any or all of these contracts:

1. Administrative Entity
2. Paymaster Services
3. Case Management Services (Adult and Dislocated Worker participants)

Local Area I is located in the western and central part of Kansas and is comprised of 62 counties. An Internet link to a map of the area, as it relates to the total size of Kansas, can be found at <http://entkdhhr.state.ks.us/OneStop/ENTMap03.htm>. This area received approximately \$1.2 million for the current program year ending June 30, 2004. The funding available will pay the costs of the administrative entity, paymaster services, participant enrollments and all case management services.

The contract period will be from July 1, 2004 to June 30, 2006. If the bidder selected is other than the current administrative entity, paymaster or case manager, the July 1, 2004, date may be earlier to allow for a transition period.

Eligible entities for the Administrative Entity Contract or Case Management Services Contracts may be the following:

1. Postsecondary educational institution;
2. Private nonprofit organization (includes community-based organizations);
3. Private for-profit entity;
4. Government agency; or
5. Other interested organization or entity (such as local chambers of commerce or other business organizations).

Eligible entities for the Paymaster Services Contract must meet the following requirements:

1. Be an established entity with experience providing paymaster or similar services;
2. Have an accounting system to record and execute transactions and provide auditable reports and accounts;
3. Be able to generate all payments by check;
4. Use generally accepted accounting principles and follow state and WIA policy requirements;
5. Ensure each person acting on behalf of bidder to handle WIA funds be bonded at a minimum of \$150,000 to protect against loss.

The request for proposal package will be available March 1. Deadline for receipt of proposals is 5 p.m. Thursday, March 25. Proposals received after the stated time will not be considered. To obtain the RFP package, contact Linda J. Weaver, Employment and Training, 401 S.W.

Topeka Blvd., Topeka, 66603, (785) 295-2159, e-mail: [ljweaver@hr.state.ks.us](mailto:ljweaver@hr.state.ks.us).

Local Area I  
Workforce Investment Board

Doc. No. 030391

## State of Kansas

## Wildlife and Parks Commission

## Notice of Meeting

A public meeting will be conducted by the Wildlife and Parks Commission at 1:30 p.m. Thursday, March 25, at the National Guard Armory, 1029 N. State St., Iola, to consider the proposed changes to big game administrative regulations of the Kansas Department of Wildlife and Parks.

A workshop meeting on business of the Wildlife and Parks Commission will begin at 1:30 p.m. March 25 at the above location. The meeting will recess at 5 p.m., then resume at 7 p.m. at the same location for the rest of the workshop meeting. There will be public comment periods at the beginning of the afternoon and evening meetings for any issues not on the agenda, and additional comment periods will be available during the meeting on agenda items. Old and new business also may be discussed at this time. If necessary to complete the workshop or other business matters, the commission will reconvene at 9 a.m. March 26 at the same location.

Any individual with a disability may request accommodation in order to participate in the public meeting and may request the proposed regulations and economic impact statements in an accessible format, if applicable. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Sheila Kemmis, commission secretary, at (620) 672-5911. Persons with a hearing impairment may call the Kansas Commission for the Deaf and Hard of Hearing at 1-800-432-0698 to request special accommodations.

This notice period prior to the workshop constitutes a public comment period for the purpose of receiving written public comments on proposed changes to administrative regulations.

All interested parties may submit written comments prior to the workshop meeting to the chairman of the commission, Kansas Department of Wildlife and Parks, 1020 S. Kansas Ave., Suite 200, Topeka, 66612. All interested parties will be given a reasonable opportunity at the hearing to express their views orally in regard to the adoption of the proposed regulations. During the workshop session, all written and oral comments submitted by interested parties will be considered by the commission as a basis for approving, amending and approving, or rejecting the proposed regulations.

There will be no regulatory hearing period in the evening.

John R. Dykes  
Chairman

Doc. No. 030383

## State of Kansas

## State Fair Board

## Notice of Meeting

The Kansas State Fair Board will meet at 10 a.m. Wednesday, March 10, in the second floor meeting room, Cottonwood Court, on the Kansas State Fairgrounds in Hutchinson. For more information contact Deana Novak at (620) 669-3612.

Mary Alice Lair  
President

Doc. No. 030384

## State of Kansas

## Board of Examiners in Optometry

Notice of Hearing on Proposed  
Administrative Regulations

A public hearing will be conducted at 9 a.m. Thursday, May 13, in the conference room of Suite 303, 555 S. Kansas Ave., Topeka, to consider the revocation of a rule and regulation of the Kansas Board of Examiners in Optometry.

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 rule and regulation. All parties may submit written comments prior to the hearing to the secretary-treasurer of the Kansas State Board of Examiners in Optometry, 3111 W. 6th, Suite A, Lawrence, 66049. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulation during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request each participant to limit any oral presentation to five minutes.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the 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 Frieden, Haynes & Forbes at (785) 232-7266. Handicapped parking is located on the east end of the building, and the street entrance to the building is accessible to individuals with disabilities.

Copies of the regulation and the economic impact statement may be obtained by contacting the secretary-treasurer of the board at the address above or by calling (785) 832-9986. A summary of the regulation proposed for revocation follows:

**K.A.R. 65-8-5.** This regulation required each licensee of the board to provide the release of a contact lens prescription, provided the enumerated conditions were met. The regulation was subsequently incorporated into state law by the Kansas Legislature.

Sharon M. Green, O.D.  
Secretary-Treasurer

Doc. No. 030394

## State of Kansas

## Kansas Advocacy &amp; Protective Services, Inc.

## Request for Proposals

Kansas Advocacy & Protective Services (KAPS) is accepting proposals for preparation of the A-133 and financial statement audits and for the preparation of IRS Form 990 for fiscal years 2002 and 2003. Proposals must be received in the KAPS office, 3745 S.W. Wanamaker Road, Topeka, 66610, by 5 p.m. March 18. Interested bidders may download the request for proposal at [www.ksadv.org/auditrfp](http://www.ksadv.org/auditrfp). For more information call (785) 273-9661, extension 11.

Rocky Nichols  
Executive Director

Doc. No. 030393

## 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:

03/08/2004	07106	Abandoned Well Plugging
03/08/2004	07112	Aggregate District #4
03/11/2004	07123	Primary Medical Care Provider
03/11/2004	07124	Environmental Services for Dry Cleaning Facility Release Trust Fund Program
03/11/2004	07133	Bituminous Plant Mixture (District #1)
03/12/2004	07132	Bituminous Plant Mixture, Commercial Grade (District #4)
03/18/2004	07114	GPS Tracking of Offenders
03/19/2004	07116	Collection Services On Site
03/29/2004	07115	Lease of Pastureland
03/31/2004	07122	Inmate Electronic Health Information/ Medical Records System

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

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

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:

03/30/2004	A-9610	Group II Armories Renovation
03/30/2004	A-9611	Group II Armories Renovation
03/30/2004	A-9614	Group II Armories Renovation
03/30/2004	A-9616	Group II Armories Renovation
03/30/2004	A-9617	Group II Armories Renovation
03/30/2004	A-9781	Partial Exterior Facade Repair
03/30/2004	A-9783	Entrance Facade Restoration
03/30/2004	A-9808	Steckline-Lair Interactive Children's Fountain

Keith Meyers  
Director of Purchases

Doc. No. 030397

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 2-23-04 through 2-29-04**

Term	Rate
1-89 days	1.00%
3 months	0.91%
6 months	1.02%
1 year	1.17%
18 months	1.43%
2 years	1.69%

Derl S. Treff  
Director of Investments

Doc. No. 030379

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. March 17 and then publicly opened:

**District One—Northeast**

**Atchison**—59-3 K-8278-01—U.S. 59, Stranger Creek, 2.2 miles northeast of the junction of K-116, bridge replacement. (Federal Funds)

**Doniphan**—20-22 K-6414-01—K-20 Independence Creek drainage, 0.3 mile east of the Brown-Doniphan county line, bridge replacement. (Federal Funds)

**Doniphan**—36-22 K-7394-01—U.S. 36, 0.3 mile east of Wathena east to the Missouri River bridge, 4 miles, grading, bridge and surfacing. (Federal Funds)

**District**—75-106 K-7887-01—U.S. 75 from the north city limits of Sabetha north to the Kansas-Nebraska state line, guard fence. (Federal Funds)

**Johnson**—46 N-0222-01—Lamar Avenue over Turkey Creek in Mission, bridge repair. (Federal Funds)

**Johnson**—435-46 K-9579-01—I-435 from the junction of U.S. 169 (Metcalf Avenue) west to Quivira Road, 3.1 miles, patching, sealing and pavement marking. (State Funds)

**Riley**—24-81 U-1971-01—U.S. 24 and Ehlers Road in Manhattan, intersection improvement. (Federal Funds)

**Shawnee**—75-89 K-9147-01—U.S. 75 bridge over local road, 2 miles north of the Osage-Shawnee county line, bridge repair. (State Funds)

**Shawnee**—75-89 K-9138-01—U.S. 75 Wakarusa River, bridge repair. (State Funds)

**District Two—Northcentral**

**Cloud**—9-15 K-9143-01—K-9 Elk Creek, bridge repair. (State Funds)

**Marion**—77-57 K-6800-01—U.S. 77 from the Butler-Marion county line north to 1 mile north of the north junction of county route 875, 4.4 miles, grading and surfacing. (Federal Funds)

**Mitchell**—14-62 K-8401-01—Court Street to 3rd Street on K-14 in Beloit, 0.2 mile, pavement reconstruction. (State Funds)

**Ottawa**—81-72 K-9465-01—U.S. 81 bridges at the junction of K-18, 4 miles north of the Saline-Ottawa county line, slide repair. (State Funds)

**Republic**—148-79 K-9153-01—K-148 Marsh Creek bridge, bridge repair. (State Funds)

**District Three—Northwest**

**Gove**—70-32 K-9447-01—I-70, 1 mile east of the junction of K-23 east to the Gove-Trego county line, 18.3 miles, seal. (State Funds)

**District Four—Southeast**

**Cherokee**—400-11 K-9160-01—U.S. 400, Wolf Creek bridge, bridge repair. (State Funds)

**Franklin**—68-30 K-9157-01—K-68, Island Creek bridge, bridge repair. (State Funds)

**District Five—Southcentral**

**Rush**—83 K-8419-01—12th Street to K-4 on Oak Street in LaCrosse, 0.3 mile, pavement reconstruction. (State Funds)

**Reno**—61-78 K-9172-01—K-61 pedestrian overpass, bridge painting. (State Funds)

**District Six—Southwest**

**Ford**—50-29 K-9235-01—U.S. 50 and 6th Street in Dodge City, left turn lanes and traffic signal installation. (State 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. 030369

## State of Kansas

## Legislature

## Legislative Bills and Resolutions Introduced

The following numbers and titles of bills and resolutions were introduced February 12-18 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 2852**, An act concerning motor vehicle liability insurance; allowing the insurance commissioner to require certain insurers to provide certain information in electronic format; amending K.S.A. 8-173 and repealing the existing section, by Committee on Insurance.

**HB 2853**, An act concerning private construction contracts; enacting the Kansas fairness in private construction contract act, by Committee on Federal and State Affairs.

**HB 2854**, An act concerning public improvements and buildings; relating to public works bonds; amending K.S.A. 2003 Supp. 60-1111 and repealing the existing section, by Committee on Federal and State Affairs.

**HB 2855**, An act concerning crimes, punishments and penalties; relating to domestic battery; amending K.S.A. 2003 Supp. 21-3412a and repealing the existing section, by Committee on Federal and State Affairs.

**HB 2856**, An act concerning cities; relating to certain redevelopment projects; amending K.S.A. 12-1771a and repealing the existing section, by Committee on Federal and State Affairs.

**HB 2857**, An act concerning certain contracts; relating to public construction contracts; amending K.S.A. 75-6401, 75-6402 and 75-6403 and repealing the existing sections, by Committee on Federal and State Affairs.

**HB 2858**, An act relating to the state corporation commission; transferring certain powers to the department of transportation; concerning railroads; amending K.S.A. 66-105, 66-106, 66-154, 66-154a, 66-154b, 66-155, 66-230 and 66-319 and repealing the existing sections; also repealing K.S.A. 66-103, 66-112, 66-145, 66-146, 66-148, 66-149, 66-153, 66-157, 66-158, 66-159, 66-160, 66-161, 66-162, 66-163, 66-166, 66-168, 66-173, 66-174, 66-180, 66-181, 66-182, 66-201 through 66-216, 66-224, 66-225, 66-226, 66-234 through 66-241, 66-244 through 66-249, 66-273, 66-274, 66-277, 66-278, 66-285 through 66-294, 66-2,108, 66-2,109, 66-2,111, 66-2,112, 66-2,113, 66-2,119, 66-2,120, 66-304, 66-305, 66-306, 66-307 and 66-320, by Committee on Transportation.

**HB 2859**, An act concerning driving privileges; imposing school attendance requirements upon certain persons; amending K.S.A. 8-255 and repealing the existing section, by Committee on Transportation.

**HB 2860**, An act relating to salvage vehicle dealers; providing for buyer's identification cards, by Committee on Transportation.

**HB 2861**, An act concerning crimes and punishment; relating to driving under the influence; amending K.S.A. 2003 Supp. 8-1567, 21-4603d, 21-4610 and 21-4704 and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

**HB 2862**, An act concerning juveniles; amending K.S.A. 38-1604, 38-1616, 38-1663, 38-1671, 38-1691, 38-16,130 and 38-16,133 and K.S.A. 2003 Supp. 21-3811, 21-3826, 38-1611 and 75-7023 and repealing the existing sections; also repealing K.S.A. 76-2111, by Committee on Corrections and Juvenile Justice.

**HB 2863**, An act concerning children; relating to placement in a residential treatment facility, by Committee on Judiciary.

**HB 2864**, An act concerning victims of domestic violence; relating to housing discrimination and tenancy agreements; amending K.S.A. 44-1015, 44-1016, 58-2543 and 58-2559 and K.S.A. 2003 Supp. 58-2570 and repealing the existing sections, by Committee on Judiciary.

**HB 2865**, An act concerning agriculture; relating to sale of transgenic wheat seed; requirements and penalties for certain unlawful acts, by Committee on Agriculture.

**HB 2866**, An act concerning sales taxation; relating to exemptions; meals delivered to certain persons at home; amending K.S.A. 2003 Supp. 79-3606 and repealing the existing section, by Committee on Taxation.

**HB 2867**, An act concerning adult care homes; providing for a medical review panel, by Committee on Health and Human Services.

**HB 2868**, An act concerning physical therapy; amending K.S.A. 2003 Supp. 65-2901 and 65-2912 and repealing the existing sections, by Committee on Health and Human Services.

**HB 2869**, An act concerning criminal procedure; relating to preliminary examinations, by Committee on Corrections and Juvenile Justice.

**HB 2870**, An act concerning imitation firearms; amending K.S.A. 12-16,115 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

**HB 2871**, An act regulating traffic; concerning certain traffic infractions for motor carriers; amending K.S.A. 8-1901, 8-2118, 66-1315, 66-1324 and 79-34,122 and K.S.A. 2003 Supp. 8-2107 and 66-1,130 and repealing the existing sections, by Committee on Transportation.

**HB 2872**, An act relating to evaluations of education employees; amending K.S.A. 72-9004 and repealing the existing section, by Committee on Education.

**HB 2873**, An act concerning mortgage registration fees; relating to refunds; amending K.S.A. 79-3102 and repealing the existing section, by Committee on Taxation.

**HB 2874**, An act concerning the uniform interstate family support act; amending K.S.A. 23-9,102, 23-9,103, 23-9,201, 23-9,208, 23-9,209, 23-9,303, 23-9,308, 23-9,310, 23-9,312, 23-9,314, 23-9,316, 23-9,317, 23-9,319, 23-9,602, 23-9,604, 23-9,612, 23-9,701, 23-9,802 and 23-9,901 and K.S.A. 2003 Supp. 23-9,101, 23-9,202, 23-9,205, 23-9,206, 23-9,207, 23-9,301, 23-9,304, 23-9,305, 23-9,306, 23-9,307, 23-9,311, 23-9,313, 23-9,401, 23-9,501, 23-9,502, 23-9,503, 23-9,506, 23-9,507, 23-9,605, 23-9,606, 23-9,607, 23-9,610, 23-9,611 and 23-9,801 and repealing the existing sections; also repealing K.S.A. 2003 Supp. 23-9,902, by Committee on Judiciary.

**HB 2875**, An act concerning parimutuel racing; amending K.S.A. 74-8819 and repealing the existing section, by Committee on Federal and State Affairs.

**HB 2876**, An act concerning racial profiling, by Committee on Federal and State Affairs.

**HB 2877**, An act concerning the division of emergency management; relating to the powers and duties thereof; amending K.S.A. 2003 Supp. 48-928 and repealing the existing section, by Committee on Federal and State Affairs.

**HB 2878**, An act concerning property taxation; relating to unpaid real property taxes; judgment and enforcement thereof pursuant to code of civil procedure, by Committee on Federal and State Affairs.

**HB 2879**, An act concerning certain medical procedures; providing for adoption of standards relating thereto; providing remedies for violations, by Committee on Federal and State Affairs.

**HB 2880**, An act concerning the courts; amending K.S.A. 20-101, 20-162, 20-318, 20-320, 20-361, 20-3014 and 75-3122 and K.S.A. 2003 Supp. 20-158 and 20-319 and repealing the existing sections; also repealing K.S.A. 20-152, 20-153, 20-154, 20-161, 20-321, 20-322, 20-323 and 20-351a, by Committee on Judiciary.

**HB 2881**, An act concerning seed contracts, by Committee on Judiciary.

**HB 2882**, An act concerning income taxation; relating to credit; commercial and industrial machinery and equipment; amending K.S.A. 2003 Supp. 79-32,206 and repealing the existing section, by Committee on Taxation.

**HB 2883**, An act concerning income taxation; relating to estimated tax of individuals; amending K.S.A. 2003 Supp. 79-32,101 and repealing the existing section, by Committee on Taxation.

**HB 2884**, An act concerning sales taxation; relating to manufacturer's rebates on sales or leases of motor vehicles; amending K.S.A. 2003 Supp. 79-3602 and repealing the existing section, by Committee on Taxation.

**HB 2885**, An act concerning good time credits for juvenile offenders; amending K.S.A. 38-16,130 and repealing the existing section, by Committee on Federal and State Affairs.

**HB 2886**, An act concerning state employees; prescribing written reports relating to certain state employee salary increases, by Committee on Appropriations.

**HB 2887**, An act concerning explosives; enacting the Kansas explosives act, by Committee on Appropriations.

**HB 2888**, An act concerning fireworks; enacting the Kansas fireworks act, by Committee on Appropriations.

**HB 2889**, An act concerning the Kansas open records act; relating to records not required to be open; amending K.S.A. 2003 Supp. 45-221 and repealing the existing section, by Committee on Federal and State Affairs.

**HB 2890**, An act relating to public health; concerning infectious and contagious diseases, by Committee on Appropriations.

**HB 2891**, An act establishing procedure for redevelopment districts to finance investigation and remediation of flood-plain conditions; tax increment bonds; amending K.S.A. 2003 Supp. 12-1770a and repealing the existing section, by Committee on Taxation.

**HB 2892**, An act concerning taxation; relating to duties of secretary of revenue; tax incidence impact analysis, by Committee on Taxation.

**HB 2893**, An act concerning taxation; relating to reports to the legislature by secretary of revenue, by Committee on Taxation.

**HB 2894**, An act concerning certain business entities; imposing a franchise tax; franchise fees; 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 Committee on Taxation.

**HB 2895**, An act concerning the Kansas apprenticeship council; amending K.S.A. 44-661 and repealing the existing section, by Committee on Federal and State Affairs.

**HB 2896**, An act concerning counties; relating to bonded debt limitations; amending K.S.A. 10-306 and repealing the existing section, by Committee on Appropriations (By request).

**HB 2897**, An act concerning property taxation; relating to public utilities; exemptions; amending K.S.A. 79-201f and K.S.A. 2003 Supp. 79-5a01 and repealing the existing sections, by Committee on Taxation.

### House Concurrent Resolutions

**HCR 5038**, A proposition to amend section 1 of article 11 of the constitution of the state of Kansas.

**HCR 5039**, A concurrent resolution naming October 15 as Pregnancy and Infant Loss Remembrance Day.

### House Resolutions

**HR 6024**, A resolution celebrating the 50th anniversary of United States Supreme Court's decision in *Brown v. Board of Education*.

**HR 6025**, A resolution honoring the men and women of Kansas serving in America's armed forces.

### Senate Bills

**SB 518**, An act concerning certain contracts; relating to public construction contracts; amending K.S.A. 75-6401, 75-6402 and 75-6403 and repealing the existing sections, by Committee on Federal and State Affairs.

**SB 519**, An act concerning state finance; concerning repeal of certain transfers to local units of government and ending balance requirement; amending K.S.A. 65-163j, 65-3306, 65-3327 and 68-581 and K.S.A. 2003 Supp. 75-3721, 75-6702, 79-3425, 79-34,104 and 79-34,126 and repealing the existing sections; also repealing K.S.A. 19-2694, 68-581a, 79-2960, 79-2961, 79-2962, 79-2965, 79-2966, 79-2967, 79-3425f and 79-3425g and K.S.A. 2003 Supp. 79-2959, 79-2964, 79-3425c, 79-3425i and 79-34,147, by Committee on Ways and Means.

**SB 520**, An act concerning the Kansas downtown redevelopment act; relating to tax benefits for improvements made to real property, by Committee on Commerce.

**SB 521**, An act concerning property taxation; relating to exemptions; business aircraft; amending K.S.A. 79-201k and repealing the existing section, by Committee on Assessment and Taxation.

**SB 522**, An act relating to natural gas public utilities; concerning transportation customers; requirements, by Committee on Utilities.

**SB 523**, An act concerning taxing subdivisions of the state; relating to budgets thereof; amending K.S.A. 79-2929a and repealing the existing section, by Committee on Federal and State Affairs.

**SB 524**, An act concerning agriculture; amending K.S.A. 2-127, 2-128, 2-129, 2-129i, 2-131b, 2-131d, 2-131e, 2-132, 2-137, 2-142, 2-144d, 2-158, 2-714, 2-716, 2-907, 2-1002, 2-1004, 2-1004a, 2-1010, 2-1013, 2-1014, 2-1201, 2-1209, 2-1220, 2-1226, 2-1227, 2-1228, 2-1316, 2-1317, 2-1318, 2-1319, 2-1322, 2-1327, 2-1331, 2-1424a, 2-1425, 2-1427, 2-1437, 2-2003, 2-2005, 2-2009, 2-2202, 2-2210, 2-2212, 2-2438a, 2-2439, 2-2444a, 2-2461, 2-2464a, 2-2469, 2-2472, 2-2802, 2-2803, 2-2814, 2-2901, 2-2903, 2-3309, 2-3315, 11-201, 12-636, 12-761, 12-766, 12-2713, 16-1503, 16-1505, 19-1561b, 19-2963, 24-407, 24-418, 24-656, 24-659, 24-1202, 24-1204, 27-328, 28-813, 42-701, 42-725, 44-820, 47-1902, 47-1903, 47-1904, 47-1905, 47-2001, 47-2301, 50-905, 55-153, 65-6a19, 65-6a24, 65-6a26, 65-6a28, 65-6a29, 65-6a30, 65-6a31, 65-6a32, 65-6a33, 65-6a35, 65-6a44, 65-6a45, 65-6a56,

65-64,103, 65-5703, 68-1414, 68-1702, 68-2203, 74-504, 74-504a, 74-504b, 74-504e, 74-505, 74-505c, 74-506a, 74-506b, 74-506d, 74-509, 74-510a, 74-511, 74-515a, 74-515b, 74-542, 74-550, 74-554, 74-555, 74-2610, 74-5048, 75-3149, 75-3150, 76-478, 82a-301a, 82a-303a, 82a-307a, 82a-405, 82a-603, 82a-612, 82a-701, 82a-706e, 82a-732, 82a-734, 82a-903, 82a-1021, 82a-1023, 82a-1301, 82a-1335, 82a-1501 and 83-403 and K.S.A. 2003 Supp. 2-1333, 2-2906, 47-816, 65-6a18, 74-2622, 74-8101, 79-3425c, 82a-731, 82a-954 and 82a-1603 and repealing the existing sections, by Committee on Agriculture.

**SB 525**, An act concerning telecommunications public utility; relating to transmission of calling party numbers; individual customer pricing; promotion offers; universal service fund; amending K.S.A. 66-1,187, 66-2005 and 66-2008 and repealing the existing sections, by Committee on Commerce.

**SB 526**, An act enacting the emergency contraception education act; providing for education and dissemination of information relating thereto, by Committee on Federal and State Affairs.

**SB 527**, An act concerning the Kansas water office; establishing the water supply storage assurance fund; establishing the local water project match fund, by Committee on Ways and Means.

**SB 528**, An act concerning the Kansas parole board; amending K.S.A. 2003 Supp. 22-3709 and repealing the existing section, by Committee on Ways and Means.

**SB 529**, An act concerning physical therapy; amending K.S.A. 2003 Supp. 65-2901 and 65-2912 and repealing the existing sections, by Committee on Ways and Means.

**SB 530**, An act concerning public water supply; requiring fluoridation in certain public water supply systems; amending K.S.A. 65-162a, 65-171m and 65-171p and repealing the existing sections, by Committee on Ways and Means.

**SB 531**, An act concerning the department of social and rehabilitation services; relating to state developmental disabilities institutions; creating the developmental disabilities institutions closure commission; prescribing powers, duties and functions for the commission, the governor and the secretary of social and rehabilitation services, by Committee on Ways and Means.

**SB 532**, An act concerning sales taxation; relating to time for returns and payment of tax; waiver of penalties and interest in certain circumstances; income tax credit for certain retailer costs; remittance credits; amending K.S.A. 2003 Supp. 79-3607, 79-3615 and 79-3706 and repealing the existing sections, by Committee on Ways and Means.

**SB 533**, An act concerning the Kansas racing and gaming commission; relating to appointment of assistant attorneys general; amending K.S.A. 74-8809 and repealing the existing section, by Committee on Ways and Means.

**SB 534**, An act concerning real estate brokers and salespersons; relating to certain commercial real estate transactions; amending K.S.A. 2003 Supp. 58-3062 and repealing the existing section, by Committee on Federal and State Affairs.

**SB 535**, An act concerning the state board of tax appeals; relating to filing fees for certain appeals; relating to certain exemptions thereof; amending K.S.A. 2003 Supp. 74-2438a and repealing the existing section, by Committee on Ways and Means.

### Senate Resolutions

**SR 1812**, A resolution congratulating and commending the Kansas recipients of the 2004 Milken Family Foundation Educator Awards.

**SR 1813**, A resolution congratulating and commending the 2004 Horizon Award Program educators.

**SR 1814**, A resolution congratulating and commending the 2003 Kansas National Board Certified teachers.

**SR 1815**, A resolution congratulating and commending the Baxter Springs Volunteer Fire Department.

**SR 1816**, A resolution observing February 18 as Armed Forces Appreciation Day.

**SR 1817**, A resolution congratulating and commending Jan Lyons.

**SR 1818**, A resolution congratulating and commending the Butler County Community College football team.

Doc. No. 030380

State of Kansas

**Office of Judicial Administration  
Supreme Court Docket**

(Note: Dates and times of arguments are subject to change.)

**Monday, March 15, 2004**

**9:00 a.m.**

Case No.	Case Name	Attorneys	Jurisdiction
88,434	Aldena Rose, et al., Appellants/Cross Appellees, v. Via Christi Health System, Inc., Appellee/Cross Appellant.	Thomas M. Warner, Jr. Don D. Gribble II	Sedgwick
90,066	State of Kansas, Appellee, v. Theodore V. Horn II, Appellant.	Phillip D. Kline, Atty. Gen. Lesley A. Isherwood, Asst. District Atty. Sarah Ellen Johnson, Asst. Appellate Defender	Sedgwick
91,044	Regina G. Brewer, Appellee, v. Janet S. Chalansky, Appellant.	Keith Martin Reid Stacey	Johnson
90,933/ 90,934	In the Matter of D.M.	Christine E. Kenney, District Atty. Juanita M. Carlson	Douglas

**1:30 p.m.**

89,773/ 90,402	James Bland, et al., Appellants, v. Sean M. Scott, et al., Appellees.	Daniel F. Church Paul Hasty, Jr. Rose Marino	Douglas
87,790	State of Kansas, Appellee, v. Sonji Daniels, Appellant.	Phillip D. Kline, Atty. Gen. Christine E. Kenney, District Atty. Petition for Review Sandra Carr, Asst. Appellate Defender	Douglas
90,441	State of Kansas, Appellee, v. Charles K. Burhans, Appellant.	Phillip D. Kline, Atty. Gen. Christine E. Kenney, District Atty. Jessica R. Kunen	Douglas

**Tuesday, March 16, 2004**

**9:00 a.m.**

Case No.	Case Name	Attorneys	Jurisdiction
89,775	Barbara Godley and Lynda Moore, Appellees, v. Valley View State Bank, et al., Appellants.	Bernard F. Weinand Jennifer L. Benedict	Johnson
90,007	State of Kansas, Appellee, v. Lloyd Neil Messer, Appellant.	Phillip D. Kline, Atty. Gen. Paul J. Morrison, District Atty. Scott G. Hatstrup	Johnson
88,722	State of Kansas, Appellee, v. David W. Trammell, Appellant.	Phillip D. Kline, Atty. Gen. Paul J. Morrison, District Atty. Petition for Review Debra J. Wilson, Capital Appellate Defender	Johnson
90,132	State of Kansas, Appellee, v. Germaine R. Van Hoet, Appellant.	Phillip D. Kline, Atty. Gen. Paul J. Morrison, District Atty. James T. Barker	Johnson



## 1:30 p.m.

89,213	Shirley Lopez, Appellant, v. Unified Government of Wyandotte County, et al., Appellees.	Jason P. Osteen Kelly D. Sears	Petition for Review	Wyandotte
89,042	State of Kansas, Appellee, v. Johnny F. Tosh II, Appellant.	Phillip D. Kline, Atty. Gen. F. William Cullins, County Atty. Korey A. Kaul, Asst. Appellate Defender	Petition for Review	Montgomery
89,355	State of Kansas, Appellee, v. Charles R. Deffebaugh, Jr., Appellant.	Phillip D. Kline, Atty. Gen. F. William Cullins, County Atty. Rick Kittel, Asst. Appellate Defender	Petition for Review	Montgomery

## Wednesday, March 17, 2004

## 9:00 a.m.

Case No.	Case Name	Attorneys		Jurisdiction
90,124	In the Matter of Jane Doe.	Diane F. Barger Darren E. Root		Shawnee
90,850 90,854	State of Kansas, Appellant, v. Jerri Huff, Appellee.	Phillip D. Kline, Atty. Gen. Ellen H. Mitchell, County Atty. Randall L. Hodgkinson, Deputy Appellate Defender Michael K. Sheahon		Saline
90,372	State of Kansas, Appellee, v. Keith Hanson, Appellant.	Phillip D. Kline, Atty. Gen. Ellen H. Mitchell, County Atty. Roger D. Struble		Saline
90,872	Heckert Construction Company, Inc., et al., Appellants, v. City of Fort Scott, Appellee.	John C. Frieden Larry D. Nuss		Bourbon

## 1:30 p.m.

90,143	State of Kansas, Appellee, v. Wendell E. Parker, Appellant.	Phillip D. Kline, Atty. Gen. Robert D. Hecht, District Atty. Nathan B. Webb, Asst. Appellate Defender		Shawnee
89,512	State of Kansas, Appellee, v. Larry L. Purdy, Appellant.	Phillip D. Kline, Atty. Gen. John M. Settle, County Atty. Cory D. Riddle, Asst. Appellate Defender	Petition for Review	Pawnee
90,975	Benny Titterington, Appellee, v. Brooke Insurance, et al., Appellants.	William L. Phalen Mark A. Buck		Workers Comp.

## Thursday, March 18, 2004

## 9:00 a.m.

Case No.	Case Name	Attorneys		County
91,025	Exploration Place, Inc., et al., Appellants, v. Midwest Drywall Co., Inc., Appellee.	Stephen M. Kerwick Kelly S. Herzik		Sedgwick
88,977	State of Kansas, Appellee, v. Michael E. Shelby, Appellant.	Phillip D. Kline, Atty. Gen. Robert D. Hecht, District Atty. Michelle A. Davis, Asst. Appellate Defender		Shawnee

(continued)

91,077	In the Matter of E. Thomas Pyle III, Respondent.	Alexander M. Walczak, Deputy Discip. Admin. E. Thomas Pyle III, Pro Se	Original
91,295	In the Matter of Ronald Dean Barta, Respondent.	Frank D. Diehl, Deputy Discip. Admin. Ronald Dean Barta, Pro Se	Original

Friday, March 19, 2004

**Summary Disposition of Sentencing Appeals—No Oral Argument**

**Pursuant to Supreme Court Rule 7.041(a)**

90,461 State v. Jerald D. Ward	90,953 State v. Garry L. Storey	90,962 State v. Michael V. Jones
90,767 State v. Juan Gamilla	90,960 State v. Andrew Paul Harrison	91,056 State v. Vernon Leon Kirkpatrick

Carol G. Green  
Clerk of the Appellate Courts

Doc. No. 030328

**State of Kansas**

**Secretary of State**

**Executive Appointments**

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

**Judge of the Court of Appeals,  
Position 4**

**Patrick D. McAnany**, 3rd Floor, Kansas Judicial Center, 301 S.W. 10th Ave., Topeka, 66612.

**District Judge, 6th Judicial District,  
Division 1**

**Amy Lynn Harth**, Miami County Courthouse, P.O. Box 187, Paola, 66071.

**Kansas Adjutant General**

**Major General Tod M. Bunting**, 5341 S.W. 45th St., Topeka, 66610. Serves at the pleasure of the Governor. Succeeds Gregory B. Gardner.

**Kansas Agricultural Remediation Board**

**Kamyar Nikoomanesh**, 17855 Bluejacket, Olathe, 66062. Term expires June 30, 2007. Reappointed.

**Timothy A. Peterson, Vice Chair**, 2015 Cedar Crest, Winona, 67764. Term expires June 30, 2007. Succeeds Linda D. Peterson.

**Athletic Trainers Council**

**Travis L. Francis**, 120 S.E. 125th St., Sedgwick, 67135. Term expires June 30, 2005. Succeeds Brad Parry.

**Scott A. Winslow**, 1302 E. 32nd, Hays, 67601. Term expires June 30, 2006. Reappointed.

**Kansas Development Finance Authority**

**Audrey H. Langworthy**, 6324 Ash St., Shawnee Mission, 66208. Term expires January 15, 2005. Succeeds Thomas A. Page, resigned.

**Employment Security Board of Review**

**Harry D. Helsner**, 9111 W. 21st St. North, #1, Wichita, 67205. Term expires March 15, 2007. Reappointed.

**Superintendent, Kansas Highway Patrol**

**Col. William R. Seck**, 122 S.W. 7th, Topeka, 66603. Effective June 19, 2003. Serves at the pleasure of the Governor. Succeeds Don Brownlee.

**Secretary, Department of Human Resources**

**Jim D. Garner**, 401 S.W. Topeka Blvd., Topeka, 66603. Effective January 7, 2003. Serves at the pleasure of the Governor. Succeeds Richard Beyer.

**Kansas Parole Board**

**Paul Feleciano**, 815 Barbara St., Wichita, 67217. Effective September 17, 2003. Term expires January 15, 2007. Succeeds Carl Cushinberry.

**Public Employees Retirement System  
Board of Trustees**

**Douglas Wolff**, 21176 N. Valley Road, Kildeer, IL 60047. Term expires January 15, 2007. Succeeds Vern R. Chesbro.

**Secretary, Department of Revenue**

**Joan Wagnon**, Room 230-W, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612. Effective March 17, 2003. Serves at the pleasure of the Governor. Succeeds Stephen S. Richards.

Ron Thornburgh  
Secretary of State

Doc. No. 030367

State of Kansas

**Office of Judicial Administration  
Court of Appeals Docket**

**Kansas Court of Appeals  
U.S. Courthouse  
Courtroom 643  
500 State Ave.  
Kansas City, Kansas**

**Before Malone, P.J.; Marquardt and Hill, JJ.**

**Tuesday, March 9, 2004**

**9:00 a.m.**

Case No. / Case Name	Attorneys	Jurisdiction
<b>90,406</b> Rockgate Management Company, Bradley Sax and Marriott International, Inc., Appellants v. CGU Insurance, Inc./PG Insurance Company of New York, Appellees	Dan Biles Randall L. Manvitz David W. Hauber	Johnson
<b>90,218/90,219</b> Laray Jenkins, Appellant v. State of Kansas, Appellee	Stephen B. Chapman Attorney General Steven J. Obermeier, Asst. D.A.	Johnson
<b>91,150</b> Steve Aylward, Appellant v. Dar Ran Furniture Industries, Inc., Appellee	John Gilliford Jr. Gregory J. Pappas	Johnson
<b>91,073</b> Leonard Bock and Sharon Bock, Individually and as Representatives of a Class of Persons Similarly Situated, Appellees v. Westar Energy, Inc., Appellant	John C. Tillotson Dan K. Wiley Daniel D. Crabtree Ann M. Scarlett	Leavenworth
<b>1:30 p.m.</b>		
<b>89,908</b> State of Kansas, Appellee v. Fred Vasquez, Appellant	Attorney General Paul Waters, Asst. D.A. Korey A. Kaul, Asst. A.D.	Wyandotte
<b>89,531</b> State of Kansas, Appellee v. Melvin Jacks, Appellant	Attorney General Steven J. Obermeier, Asst. D.A. Nathan Webb, Asst. A.D.	Johnson
<b>89,207</b> Michael A. Banks, Appellant v. State of Kansas, Appellee	Matthew J. Edge, Asst. A.D. Michael A. Banks, #45889, Pro Se Attorney General Steven J. Obermeier, Asst. D.A.	Johnson
<b>90,082</b> In re Parade of Toys Litigation  Jeffrey R. Sanders, Appellant v. Hillcrest Bank, et al., Appellees	Albert L. Kamas Leland H. Corley Leonard B. Rose	Johnson

**Wednesday, March 10, 2004**

**9:00 a.m.**

Case No. / Case Name	Attorneys	Jurisdiction
<b>90,434</b> In the Matter of the Application of Friends of Miege, L.L.C. for Exemption From Ad Valorem Taxation in Johnson County, Kansas	Eldon J. Shields Kathryn D. Myers	Tax Appeal

*(continued)*

90,852 State of Kansas, Appellee v. LaJuan Clemmons, Appellant	Attorney General Frank E. Kohl, C.A. Michael S. Mogenson	Leavenworth
91,209 In the Matter of the Marriage of Paula Fulton, Appellee v. Michael Fulton, Appellant	Bruce D. Mayfield Melanie S. Morgan	Johnson
89,871 Phillip Thome, Appellant v. State of Kansas, Appellee	Sue DeVoe Attorney General Gary Luke Foiles, C.A.	Osage

### Summary Calendar—No Oral Argument

Case No. / Case Name	Attorneys	Jurisdiction
91,237 Jaime Raygoza, Appellant v. IBP, Inc., Appellee	Stanley R. Ausemus Gregory D. Worth	Work Comp.
90,630 Sherman Wright, Appellant v. State of Kansas, Appellee	Sherman Wright, #37693, Pro Se Jon D. Graves	Reno
91,157 Kay Owoyemi, Appellant v. University of Kansas, Appellee	Mark Beam-Ward John C. McFadden	Wyandotte
90,507 Willie Thomas Taylor, Appellant v. State of Kansas, Appellee	Matthew J. Edge, Asst. A.D. Attorney General Michael A. Russell, Asst. D.A.	Wyandotte
89,939 Guadalupe Gomez, Appellant v. State of Kansas, Appellee	Theresa Barr, Asst. A.D. Attorney General Lara Blake Bors, Asst. C.A.	Finney
91,249 Bobby Sharp, #18348, Appellant v. Mr. Matson, et al., Appellees	Paula D. Hofaker Robert Wasinger	Norton
91,106 Laura Fontes, Appellee v. Excel Corporation, Appellant	Chris A. Clements D. Shane Bangerter	Work Comp.
90,260 G.L. Macray, Appellee v. Clubs, Inc. and Chad Waldrop, Appellants	Michael J. Peterson David M. Bryan	Wyandotte
90,646 In the Interest of K.M., Date of Birth: 04/30/89, a Child Under the Age of 18 Years	Scott E. Wasserman Steven J. Obermeier, Asst. D.A.	Johnson
90,973 In the Interest of: B.A.D. (WM D/O/B 09/22/95), a Person Under Eighteen Years of Age M.L.D. (WM D/O/B 02/04/97), a Person Under Eighteen Years of Age P.J.D. (WM D/O/B 01/17/98), a Person Under Eighteen Years of Age	William R. Griffith Richard A. Macias	Sedgwick
90,586 State of Kansas, Appellee v. Cleveland Lavell Lee, Appellant	Attorney General Steven W. Wilhoft, C.A. Steven R. Zinn, Deputy A.D.	Labette

90,687 State of Kansas, Appellee v. Howard G. Sutton, Appellant	Attorney General Debra S. Peterson, Asst. D.A. Appellate Defender	Sedgwick
89,870 David A. Smith, Appellant v. State of Kansas, Appellee	Donald S. Smith Attorney General Steven J. Obermeier, Asst. D.A.	Johnson
90,699 Katherine J. Dye, Appellant v. Kansas Department of Revenue, Appellee	Gregory L. Bernhardt Brian Cox	Sedgwick
90,921 Jerry M. McIntosh, Appellant v. City of Wichita, Appellee	Robert R. Lee Edward D. Heath Jr.	Work Comp.
91,061 Tanya Vann, Appellant v. Southwestern Bell Telephone, Appellee	Roger D. Fincher Anton Anderson	Work Comp.
90,840 State of Kansas, Appellee v. Jesus Guerra-Barraza, Appellant	Attorney General Tristram W. Hunt, Asst. D.A. Randall L. Hodgkinson, Deputy A.D.	Wyandotte
90,754 State of Kansas, Appellee v. Bamish J. Peterson, Appellant	Attorney General Debra S. Peterson, Asst. D.A. Appellate Defender	Sedgwick

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

**Before Rulon, C.J.; Greene, J.; and Rogg, S.J.**

**Tuesday, March 9, 2004**

**9:00 a.m.**

Case No. / Case Name	Attorneys	Jurisdiction
90,249 State of Kansas, Appellee v. Raphael R. Stokes, Appellant	Attorney General Robert D. Hecht, D.A. Michelle Davis, Asst. A.D.	Shawnee
89,726 State of Kansas, Appellee v. Joseph McCray, Appellant	Attorney General Robert D. Hecht, D.A. Theresa L. Barr, Asst. A.D.	Shawnee
90,188 State of Kansas, Appellant v. Matthias W. Schroeder, Jr., Appellee	Attorney General Stacy Lynn Cuning, Asst. C.A. Sarah Ellen Johnson, Asst. A.D.	Saline
89,855 State of Kansas, Appellee v. Robert M. Roux, Appellant	Attorney General Stacy Lynn Cuning, Asst. C.A. Mary Curtis, Asst. A.D.	Saline
90,053 State of Kansas, Appellee v. Ronald J. Sullivan, Appellant	Attorney General Bobby J. Hiebert, Jr., Asst. C.A. Kathryn B. Wall, Asst. A.D.	Saline

*(continued)*

## 1:30 p.m.

<b>90,864</b> State of Kansas, Appellant v. Rosa Rodriguez, Appellee	Attorney General Amy J. Brunner, Asst. C.A. J. Wade Bainum	Saline
<b>90,920</b> State of Kansas, Appellant v. Norbert Aceves, Appellee	Attorney General Amy J. Brunner, Asst. C.A. Roger D. Struble	Saline
<b>90,913</b> J & J Wholesale, Inc., d/b/a Bitterman-Button, Appellee v. Euro-American Brands, LLC, Appellant	Craig J. Altenhofer David P. Troup	Geary
<b>90,942</b> Saline County Board of County Commissioners and Saline County Appraiser, Appellants v. Richard R. Jensen and Sandra L. Jensen, Appellees	Michael A. Montoya Kenneth W. Wasserman	Saline

## Wednesday, March 10, 2004

## 9:00 a.m.

Case No. / Case Name	Attorneys	Jurisdiction
<b>90,453</b> Hallmark Cards, Inc., Appellant v. Kansas Department of Commerce and Housing, Appellee	Mark A. Burghart Robert E. North	Shawnee
<b>90,643</b> Teresa Chief Eagle, Appellant v. C & G Auto, Jim Farthing and MD Loans, LLC, Appellees	Bruce Plenk Kenneth M. McRae	Douglas
<b>91,255</b> In the Interest of J.D., DOB: 01/11/1988, a Male Under 18 Years of Age	Gary Ellis Terry D. Holdren, Asst. C.A.	Riley

## Summary Calendar—No Oral Argument

Case No. / Case Name	Attorneys	Jurisdiction
<b>91,012</b> Kelly M. Duff, #48882, Appellant v. Warden L. E. Bruce, et al., Appellees	Michael P. Whalen Jon D. Graves	Reno
<b>90,693</b> State of Kansas, Appellee v. Anthony Parker, Appellant	Attorney General Ellen Mitchell, C.A. Paige A. Nichols	Saline
<b>90,415</b> In the Interest of: C.O., DOB: 06/25/88; W.O. III, DOB: 07/24/89; D.O., DOB: 07/15/91; J.O., DOB: 01/29/93; Minor Children Under 18 Years of Age	Richard L. Dickson Larry S. Vernon	Sedgwick
<b>90,503</b> State of Kansas, Appellee v. Carmen E. Lazos, Appellant	Attorney General Ellen H. Mitchell, C.A. Heather Cessna, Asst. A.D.	Saline
<b>91,222</b> In the Matter of the Marriage of Louann Marie Austin, Appellee and Timothy Ray Austin, Appellant	Susan Ellis F. C. "Rick" Davis II	Sedgwick

<b>91,039</b> State of Kansas, Appellee v. Paul A. McCain, Appellant	Attorney General County Attorney Appellate Defender	Lyon
<b>91,337</b> State of Kansas, Appellant v. Neal Black, Appellee	Attorney General Jon P. Whitton, Asst. C.A. James L. Sweet	Saline
<b>91,338</b> State of Kansas, Appellant v. Jason Allen, Appellee	Attorney General Jon P. Whitton, Asst. C.A. Wm. Rex Lorson	Saline
<b>91,210</b> Dalton R. Winn, By and Through His Next Friend, Michelle Winn, and Curtis and Michelle Winn, Individually, Appellant v. The City of Leawood, Kansas, Appellee	Andrew S. Mendelson Christina L. Ingersoll	Johnson
<b>90,614</b> Michael Tyrone Harris, Appellant v. State of Kansas, Appellee	Michelle Davis, Asst. A.D. Attorney General Michael A. Russell, Asst. D.A.	Wyandotte
<b>90,222</b> State of Kansas, Appellee v. Rayford E. Reed, Appellant	Attorney General Michael Gear, Asst. C.A. Steven R. Zinn, Deputy A.D.	Miami
<b>90,675</b> State of Kansas, Appellee v. Bradley W. Colson, Appellant	Attorney General Joel B. Jackson, C.A. Libby K. Snider, Asst. A.D.	Stafford
<b>91,217</b> Glynda Henderson, Appellee v. Russell Stover Candies, and Hartford Accident & Indemnity, Appellants	Roger D. Fincher Brenden W. Webb	Work Comp.
<b>90,052</b> State of Kansas, Appellee v. Anthony L. Lee-El, a/k/a Anthony L. Lee, Appellant	Attorney General Robert D. Hecht, D.A. Theresa Barr, Asst. A.D.	Shawnee
<b>90,622</b> The City of Junction City, Kansas, Appellee v. Ametria Tate, Appellant	Bruce C. Barry Michael P. McKone	Geary
<b>89,956</b> Derric J. Fuchs, Appellant v. Kansas Department of Revenue, Appellee	Michael S. Holland II James G. Keller	Ellis
<b>90,591</b> In the Interest of: A.Y.S. (DOB: 01/03/97); I.J.S. (DOB: 07/04/99)	Roger Batt Larry S. Vernon	Sedgwick
<b>90,177</b> State of Kansas, Appellee v. Steven A. Atkins, Appellant	Attorney General Jay Sizemore, Asst. C.A. Ty Kaufman, C.A. Roger D. Struble	McPherson

(continued)

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

Before Johnson, P.J.; Green, J.; and Robert J. Fleming, D.J., Assigned.

Tuesday, March 9, 2004

1:30 p.m.

Case No. / Case Name	Attorneys	Jurisdiction
<b>90,216</b> William D. Albright, Appellant v. State of Kansas; Carla Stovall, Kansas Attorney General; Charles E. Simmons, Secretary, Kansas Department of Corrections; and Mike Nelson, Warden, El Dorado Correctional Facility, Appellees	Michael S. Holland Lee Davidson, Asst. A.G.	Kingman
<b>90,022</b> State of Kansas, Appellee v. Timothy A. Carr, Jr., Appellant	Attorney General Debra S. Peterson, Asst. D.A. Charles L. Rutter, Asst. D.A. Cory D. Riddle, Asst. A.D.	Sedgwick
<b>90,863</b> Michael C. Anderson, Appellant v. Estate of Gordon L. Peterson, Deceased, Appellee	Randy S. Stalcup Michael J. Norton	McPherson
<b>90,255</b> State of Kansas, Appellee v. Michael A. Patten, Appellant	Attorney General Ty Kaufman, C.A. Patrick H. Dunn, Asst. A.D.	McPherson
<b>88,709</b> In the Matter of the Estate of Benedict F. Schamberger, a/k/a Ben Schamberger, Deceased Shanell Schamberger, Administrator of the Estate of Benedict F. Schamberger, a/k/a Ben Schamberger, Deceased, Appellant/Cross-Appellee v. Paul Schamberger, Appellee/Cross-Appellant, and Ty Weddell, Appellee	Tony A. Potter Paul R. Oller Jerry D. Fairbanks	Trego

Wednesday, March 10, 2004

9:00 a.m.

Case No. / Case Name	Attorneys	Jurisdiction
<b>90,178</b> Daniel J. Taylor, Appellant v. City of Andover, Kansas, Appellee	James D. Oliver Richard A. Olmstead Alan L. Rupe	Butler
<b>90,152</b> Marlon D. Jackson, Appellant v. State of Kansas, Appellee	Michael P. Whalen Attorney General Debra S. Peterson, Asst. D.A.	Sedgwick
<b>90,522</b> Mark Heidebrecht, Appellee v. Peter Letterese, Appellant	Ray L. Connell John W. Johnson	Butler
<b>89,862</b> State of Kansas, Appellee v. Brian K. Dunfee, Appellant	Attorney General Debra S. Peterson, Asst. D.A. Lesley A. Isherwood, Asst. D.A.	Sedgwick



<p><b>88,108</b>                  State of Kansas, Appellee                  v.                  Linda E. Davis, Appellant</p>	<p>Attorney General                  Debra S. Peterson, Asst. D.A.                  Kristi L. Barton, Asst. D.A.                  Kathryn B. Wall, Asst. A.D.                  Linda E. Davis, Pro Se</p>	<p>Sedgwick</p>
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1:30 p.m.

<p><b>90,183</b>                  State of Kansas, Appellee                  v.                  Dale E. Capps, Appellant</p>	<p>Attorney General                  James R. Watts, Asst. C.A.                  Richard Ney</p>	<p>Butler</p>
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<p><b>90,025</b>                  Will A. Wimbley, Appellant                  v.                  State of Kansas, Appellee</p>	<p>Mary Curtis, Asst. A.D.                  Attorney General                  Debra S. Peterson, Asst. D.A.                  Boyd K. Isherwood, Asst. D.A.</p>	<p>Sedgwick</p>
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**Summary Calendar—No Oral Argument**

<b>Case No. / Case Name</b>	<b>Attorneys</b>	<b>Jurisdiction</b>
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<p><b>90,542</b>                  Brian Birzer, Appellant                  v.                  Kansas Gas Service Company, a Division of ONEOK, Inc.;                  Martin Birzer and Mary Birzer, Husband and Wife;                  Richard Drake and Diane Drake, Husband and Wife;                  Gayle S. Johnson, Formerly Gayle S. Barker; Brent L.                  Barker; and Home Federal Savings and Loan                  Association, Appellees</p>	<p>Kerry J. Granger                  S. Eric Steinle</p>	<p>Reno</p>
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<p><b>89,391</b>                  State of Kansas, Appellee                  v.                  Douglas Marshall, Appellant</p>	<p>Attorney General                  Keith E. Schroeder, D.A.                  Theresa Barr, Asst. A.D.</p>	<p>Reno</p>
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<p><b>90,345</b>                  State of Kansas, Appellee                  v.                  Leo Schuyler, Appellant</p>	<p>Attorney General                  Debra S. Peterson, Asst. D.A.                  Kristi L. Barton, Asst. D.A.                  Darla Lilley</p>	<p>Sedgwick</p>
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<p><b>90,199</b>                  Justin P. Von Lintel, Appellant                  v.                  Kansas Department of Revenue, Appellee</p>	<p>Michael S. Holland II                  James G. Keller</p>	<p>Ellis</p>
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<p><b>90,401</b>                  State of Kansas, Appellee                  v.                  Guy Currie, Appellant</p>	<p>Attorney General                  Thomas R. Stanton, Deputy D.A.                  Cory D. Riddle, Asst. A.D.</p>	<p>Reno</p>
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<p><b>91,301</b>                  In the Matter of the Marriage of Tanya Katrina Williams,                  n/k/a Tanya Katrina Wimer, Appellant                  and                  Patrick Kenneth Williams, Appellee</p>	<p>Terry J. Malone                  Curtis E. Campbell                  Jae M. Lee</p>	<p>Ford</p>
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<p><b>90,979</b>                  In the Matter of the Care and Treatment of Randall J.                  Blevins, Respondent</p>	<p>Philip J. Bernhart                  Nola F. Wright, Asst. A.G.</p>	<p>Montgomery</p>
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<p><b>90,127</b>                  State of Kansas, Appellee                  v.                  Jimmie A. Sebek, Appellant</p>	<p>Attorney General                  Debra S. Peterson, Asst. D.A.                  Matt J. Maloney, Asst. D.A.                  Libby K. Snider, Asst. A.D.</p>	<p>Sedgwick</p>
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<p><b>90,621</b>                  State of Kansas, Appellee                  v.                  Bret Morris, Appellant</p>	<p>Attorney General                  Joe Shepack, C.A.                  Michael S. Holland II</p>	<p>Ellsworth</p>
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(continued)

<p><b>90,261</b> Franklin E. Patterson, Appellant v. State of Kansas, Appellee</p>	<p>Michael P. Whalen Attorney General Debra S. Peterson, Asst. D.A. Matt J. Maloney, Asst. D.A.</p>	<p>Sedgwick</p>
<p><b>90,449</b> State of Kansas, Appellee v. Marsha K. Hartwell, a/k/a Marsha K. Linnell, a/k/a Marsha Holliday, Appellant</p>	<p>Attorney General Charles A. Peckham, C.A. Steven R. Zinn, Deputy A.D.</p>	<p>Rawlins</p>
<p><b>90,486</b> State of Kansas, Appellee v. Angela D. Saiz, Appellant</p>	<p>Attorney General Debra S. Peterson, Asst. D.A. Matt J. Maloney, Asst. D.A. Sandra Carr, Asst. A.D.</p>	<p>Sedgwick</p>
<p><b>89,987</b> State of Kansas, Appellee v. Charles Rotramel, Appellant</p>	<p>Attorney General Debra S. Peterson, Asst. D.A. Matt J. Maloney, Asst. D.A. Steven R. Zinn, Deputy A.D.</p>	<p>Sedgwick</p>

**Kansas Court of Appeals  
Old Sedgwick County Courthouse  
510 N. Main, 3rd Floor  
Wichita, Kansas  
Before Pierron, P.J.; Lewis and McAnany, JJ.  
Tuesday, March 9, 2004  
2:30 p.m.**

Case No. / Case Name	Attorneys	Jurisdiction
<p><b>90,519</b> Sunflower Bank, N.A., Appellee v. Thom J. Alcazar, a/k/a Thomas J. Alcazar, Individually, and as Trustee of the Alcazar Revocable Trust; Carla Alcazar, a/k/a Carla J. Alcazar, Individually and as Trustee of the Alcazar Revocable Family Trust; The Alcazar Revocable Trust; Appellants Bank IV, n/k/a Bank of America, N.A.; Hartmoor Estates Owners' Assn.; Commerce Bank, N.A.; et al., Appellees</p>	<p>Karl R. Swartz Jeffery L. Carmichael Carrie E. Josserand</p>	<p>Sedgwick</p>
<p><b>90,075</b> State of Kansas, Appellee v. Brian L. Peters, Appellant</p>	<p>Attorney General Frank G. Spurney, Jr., C.A. Kip Johnson</p>	<p>Republic</p>
<p><b>89,936</b> In the Matter of the Estate of Olive M. McIntosh, Deceased</p>	<p>Michael S. Holland Robert W. Coykendall</p>	<p>Ellis</p>
<p><b>90,327</b> In the Matter of the Estate of Robert D. Teeter, Deceased</p>	<p>Preston A. Pratt Douglas C. Spencer</p>	<p>Ellis</p>

**Wednesday, March 10, 2004  
9:00 a.m.**

Case No. / Case Name	Attorneys	Jurisdiction
<p><b>90,874</b> Carol V. Long, et al., Appellants v. Dennis Nicholas Winkelman, et al., Appellees</p>	<p>James J. Long Charles E. Watson Paul Arabia</p>	<p>Harper</p>

<p><b>90,875</b>            Roger N. Jones and Lori R. Jones, Appellees            v.            Ron and Charlene Pedroja James and Georgianne Baker,            Appellants</p>	<p>S. Douglas MacKay            Richard V. Foote</p>	<p>Sedgwick</p>
<p><b>90,971</b>            Dorian Guinn, Appellant            v.            Bill H. Raymond, Appellee</p>	<p>Jeffrey E. Goering            Steven D. Gough            Donald N. Peterson II</p>	<p>Sedgwick</p>
<p><b>90,801</b>            Matson Navigation Company, Appellant            v.            Professional Cargo Services, Inc., Appellee</p>	<p>Todd B. Butler            Shawn E. Minihan            Scott J. Gunderson</p>	<p>Sedgwick</p>
<b>1:30 p.m.</b>		
<p><b>89,308</b>            State of Kansas, Appellee            v.            Charles D. Green, Appellant</p>	<p>Attorney General            Debra S. Peterson, Asst. D.A.            Kristi L. Barton, Asst. D.A.            Matthew J. Edge, Asst. A.D.            Charles D. Green, #57186, Pro Se</p>	<p>Sedgwick</p>
<p><b>90,113</b>            State of Kansas, Appellee            v.            Rosemary Robinson, Appellant</p>	<p>Attorney General            Debra S. Peterson, Asst. D.A.            Matt J. Maloney, Asst. D.A.            Theresa Barr, Asst. A.D.</p>	<p>Sedgwick</p>
<p><b>90,129</b>            Carol Gethins, Appellee            v.            Cedar Living Center,            and            Travelers Insurance Company, Appellants</p>	<p>James R. Roth            Lyndon W. Vix</p>	<p>Work Comp.</p>
<p><b>90,381</b>            State of Kansas, Appellee            v.            James R. Davis, Appellant</p>	<p>Attorney General            Debra S. Peterson, Asst. D.A.            Boyd K. Isherwood, Asst. D.A.            Heather Cessna, Asst. A.D.</p>	<p>Sedgwick</p>
<b>Summary Calendar—No Oral Argument</b>		
<b>Case No. / Case Name</b>	<b>Attorneys</b>	<b>Jurisdiction</b>
<p><b>88,797</b>            State of Kansas, Appellee            v.            Aaron Perez, Appellant</p>	<p>Attorney General            Douglas W. McNett, Asst. C.A.            Michelle Davis, Asst. A.D.</p>	<p>Pawnee</p>
<p><b>90,357</b>            State of Kansas, Appellee            v.            Robert Lee Buffington, Appellant</p>	<p>Attorney General            Steven W. Wilhoft, C.A.            Sarah Ellen Johnson, Asst. A.D.</p>	<p>Labette</p>
<p><b>89,762</b>            State of Kansas, Appellee            v.            William J. McCray, a/k/a Terry Field, Appellant</p>	<p>Attorney General            Debra S. Peterson, Asst. D.A.            Charles L. Rutter, Asst. D.A.            Theresa Barr, Asst. A.D.</p>	<p>Sedgwick</p>
<p><b>89,155</b>            State of Kansas, Appellee            v.            Edward Newson, Appellant</p>	<p>Attorney General            Debra S. Peterson, Asst. D.A.            Matt J. Maloney, Asst. D.A.            Korey A. Kaul, Asst. A.D.</p>	<p>Sedgwick</p>
<p><b>89,698</b>            State of Kansas, Appellee            v.            Donnie L. Taylor, Appellant</p>	<p>Attorney General            Thomas R. Stanton, Deputy D.A.            Michelle Davis, Asst. A.D.</p>	<p>Reno</p>

(continued)

<p><b>90,515</b> Mikel S. Brooks, Appellant v. State of Kansas, Appellee</p>	<p>Steven R. Zinn, Deputy A.D. Attorney General Debra S. Peterson, Asst. D.A. Matt J. Maloney, Asst. D.A.</p>	<p>Sedgwick</p>
<p><b>91,223</b> Richard Luarks, Inmate No. 33036, Appellant v. Kansas Department of Corrections, L. Bruce, Appellees</p>	<p>Richard Luarks, #33036, Pro Se Jon D. Graves</p>	<p>Reno</p>
<p><b>90,624</b> State of Kansas, Appellee v. Richard Arlen Miller, Appellant</p>	<p>Attorney General Debra S. Peterson, Asst. D.A. Lesley A. Isherwood, Asst. D.A. Richard Arlen Miller, #35100, Pro Se</p>	<p>Sedgwick</p>
<p><b>90,759</b> Kyle P. Stephenson, Appellant v. Kansas Department of Revenue, Appellee</p>	<p>Michael S. Holland II James G. Keller</p>	<p>Thomas</p>
<p><b>89,569</b> State of Kansas, Appellee v. Kevin Mark Baker, Appellant</p>	<p>Attorney General Debra S. Peterson, Asst. D.A. Charles L. Rutter, Asst. D.A. Michelle Davis, Asst. A.D.</p>	<p>Sedgwick</p>
<p><b>90,457</b> State of Kansas, Appellee v. Dale M. L. Denney, Appellant</p>	<p>Attorney General Debra S. Peterson, Asst. D.A. Lesley A. Isherwood, Asst. D.A. Roger L. Falk</p>	<p>Sedgwick</p>
<p><b>89,903</b> State of Kansas, Appellee v. Steve Denniston, Appellant</p>	<p>Attorney General Debra S. Peterson, Asst. D.A. Kristi L. Barton, Asst. D.A. Matthew J. Edge, Asst. A.D.</p>	<p>Sedgwick</p>
<p><b>90,254</b> State of Kansas, Appellee v. Travis D. Hauschulz, Appellant</p>	<p>Attorney General Debra S. Peterson, Asst. D.A. Boyd K. Isherwood, Asst. D.A. Theresa Barr, Asst. A.D.</p>	<p>Sedgwick</p>
<p><b>90,304</b> State of Kansas, Appellee v. Victor S. Falcon, Appellant</p>	<p>Attorney General Debra S. Peterson, Asst. D.A. Charles L. Rutter, Asst. D.A. Nathan Webb, Asst. A.D.</p>	<p>Sedgwick</p>
<p><b>90,851</b> Chad M. Baker, Appellant v. Cindy LeAnn Tustin, Individually, and as Trustee of the Merritta Lynn Hazelton Family Trust; and Cindy LeAnn Tustin and Cheryl LaRae Madison, dba Helendale Ranch Partnership; and Cheryl LaRae Madison, Individually; The Bank, a Kansas Banking Corporation; and Farm &amp; Ranch Realty, Inc., a Kansas Corporation, Appellees</p>	<p>Thomas C. Boone Jeffrey A. Houston</p>	<p>Gove</p>
<p><b>90,500</b> State of Kansas, Appellee v. Harold W. Cardi, Appellant</p>	<p>Attorney General Frank G. Spurney, Jr., C.A. Paul R. Oller</p>	<p>Republic</p>
<p><b>90,090</b> In the Interest of R.D.C., Jr.; S.L.C.; N.J.C.; K.C.</p>	<p>Joe M. Bogle, Jr. Anita Settle Kemp Larry S. Vernon</p>	<p>Sedgwick</p>

90,142  
State of Kansas, Appellee  
v.  
Richard J. Manion, Appellant

Attorney General  
Debra S. Peterson, Asst. D.A.  
Kristi L. Barton, Asst. D.A.  
Patrick H. Dunn, Asst. A.D.

Sedgwick

Carol G. Green  
Clerk of the Appellate Courts

Doc. No. 030368

(Published in the Kansas Register February 26, 2004.)

**Summary Notice of Bond Sale**  
**City of Cheney, Kansas**  
**\$154,000**  
**General Obligation Bonds, Series 2004**  
**(General obligation bonds payable from**  
**unlimited ad valorem taxes)**

**Bids**

Subject to the notice of bond sale dated February 12, 2004, sealed, facsimile and electronic bids will be received by the clerk of the City of Cheney, Kansas (the issuer), in the case of sealed and facsimile bids, on behalf of the governing body at 100 W. 1st, P.O. Box 1, Cheney, KS 67028-0997, and in the case of electronic bids, through i-Deal's BiDCOMP/PARITY electronic bid submission system, until 3 p.m. March 11, 2004, for the purchase of \$154,000 principal amount of General Obligation Bonds, Series 2004. No bid of less than 100 percent of the principal amount of the bonds and accrued interest thereon to the date of delivery will be considered.

**Bond Details**

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof, except one bond in the denomination of \$4,000 (or such amount added to \$5,000 or any integral multiple thereof). The bonds will be dated April 15, 2004, and will become due on November 1 in the years as follows:

Year	Principal Amount
2005	\$ 4,000
2006	10,000
2007	10,000
2008	10,000
2009	10,000
2010	10,000
2011	10,000
2012	10,000
2013	10,000
2014	10,000
2015	10,000
2016	10,000
2017	10,000
2018	15,000
2019	15,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as here-

inafter provided, which interest will be payable semiannually on May 1 and November 1 in each year, beginning May 1, 2005.

**Book-Entry-Only System**

The bonds shall be registered under a book-entry-only system administered through DTC.

**Paying Agent and Bond Registrar**

Kansas State Treasurer, Topeka, Kansas.

**Good Faith Deposit**

Each bid shall be accompanied by a good faith deposit in the form of a cashier's or certified check drawn on a bank located in the United States or a qualified financial surety bond in the amount of \$3,080 (2 percent of the principal amount of the bonds).

**Delivery**

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about April 15, 2004, to DTC for the account of the successful bidder.

**Assessed Valuation and Indebtedness**

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 2003 is \$10,204,671. The total general obligation indebtedness of the issuer as of the date of delivery of the bonds, including the bonds being sold but excluding temporary notes to be retired in conjunction therewith, is \$1,784,000.

**Approval of Bonds**

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

**Additional Information**

Additional information regarding the bonds may be obtained from the clerk, (316) 542-3622, fax (316) 542-0185, e-mail: jrdiskin@cheneyks.org; or from the financial advisor, The Public Finance Group, 111 S. Whittier, Wichita, KS 67207, Attention: Charley Young, (316) 689-4295, fax (316) 681-4499, e-mail: charleyyoung@omnibizcenter.com.

Dated February 12, 2004.

City of Cheney, Kansas

Doc. No. 030386

## 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. Heartland Cement 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.

Heartland Cement Company, Bethlehem, Pennsylvania, owns and operates a facility that manufactures portland cement located at Cement Street, Independence, 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 Southeast District Office, 1500 W. 7th, Chanute. To obtain or review the proposed permit and supporting documentation, contact William Stone, (785) 296-6427, at the KDHE central office; and to review the proposed permit only, contact David Stutt, (620) 431-2390, at the KDHE Southeast District Office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to William Stone, KDHE, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka, 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received before the close of business March 29.

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 Brie Wilkins, Bureau of Air and Radiation, not later than the close of business March 29 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. 030390

## 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 City of Belleville Power Plant has applied for a Class II operating permit in accordance with the provisions of K.A.R. 28-19-540. Emissions of oxides of nitrogen (NO<sub>x</sub>), sulfur dioxide (SO<sub>x</sub>), carbon monoxide (CO) and particulate matter equal to or less than 10 microns in diameter (PM<sub>10</sub>) 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 City of Belleville Power Plant, Belleville, owns and operates a municipal power plant located at 810 M. St., Belleville, Republic 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 North Central District Office, 2501 Market Place, Suite D, Salina. 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 Craig Forsberg, (785) 827-9639, at the KDHE North Central 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 before the close of business March 29.

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 Brie Wilkins, Bureau of Air and Radiation, not later than the close of business

ness March 29 in order for the Secretary of Health and Environment to consider the request.

Roderick L. Bremby  
Secretary of Health  
and Environment

Doc. No. 030388

**State of Kansas**

**Department of Health  
and Environment**

**Request for Comments**

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality construction permit. Koch Materials Company—Dodge City, Kansas, has applied for an air quality construction permit in accordance with the provisions of K.A.R. 28-19-300 to install a loading terminal and two new storage tanks. Emissions of volatile organic compounds (VOC) were evaluated during the permit review process.

Koch Materials Company—Dodge City, Kansas, Dodge City, owns and operates the stationary source located at 2600 1200 St., Dodge City, at which the loading terminal and two new storage tanks will be installed.

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 Southwest District Office, 130 S. Market, Suite 6050, Wichita. To obtain or review the proposed permit and supporting documentation, contact John Ramsey, (785) 296-1992, at the KDHE central office; and to review the proposed permit only, contact Don Mies, (316) 337-6107, at the KDHE Southwest District Office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to John Ramsey, KDHE, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka, 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received before the close of business March 29.

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 Brie Wilkins, Bureau of Air and Radiation, not later than the close of business March 29 in order for the Secretary of Health and Environment to consider the request.

Roderick L. Bremby  
Secretary of Health  
and Environment

Doc. No. 030389

**State of Kansas**

**Kansas State University**

**Notice to Bidders**

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

**Thursday, April 1, 2004  
#40100**

Auditing Services

William H. Sesler  
Director of Purchasing

Doc. No. 030387

**State of Kansas**

**Department of Health  
and Environment**

**Notice Concerning Kansas  
Water Pollution Control Permits**

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

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

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

**Public Notice No. KS-AG-04-060  
Application(s) for New or Expansion  
of Existing Swine Facilities**

<b>Name and Address of Applicant</b>	<b>Owner of Property Where Facility Will Be Located</b>
Metzger Farms II Route 2, Box 66 Seneca, KS 66538	Doug Metzger Route 2, Box 66 Seneca, KS 66538
<b>Legal Description</b> NE/4 of Section 22, T02S, R13E, Nemaha County Kansas Permit No. A-MONM-S061	<b>Receiving Water</b> Missouri River Basin

This is an application for a previously unregistered swine facility for 40 head (16 animal units) of swine greater than 55 pounds and 300 head (30 animal units) of swine 55 pounds or less, for a total of 46 animal units. A new or modified permit will not be issued without additional public notice.

*(continued)*

**Public Notice No. KS-AG-04-061/067  
Pending Permits for Confined Feeding Facilities**

Name and Address of Applicant	Legal Description	Receiving Water
Evans Cattle Inc. (West Lot) 798 County Road 52 Gove, KS 67736	SE/4 of Section 25, T14S, R29W, & SW/4 of Section 30, T14S, R28W, Gove County	Smoky Hill River Basin

Kansas Permit No. A-SHGO-C013 Federal Permit No. KS0096822  
This is an expansion in head capacity for an existing facility from 980 head (980 animal units) of cattle weighing more than 700 pounds to 2,500 head (2,500 animal units) of cattle weighing more than 700 pounds and 500 head (250 animal units) of cattle weighing 700 pounds or less, for a maximum capacity of 3,000 head (2,750 animal units) of cattle. This expansion involves increasing the head count in the existing pens only and will not involve the construction of additional pens.

Name and Address of Applicant	Legal Description	Receiving Water
Daniel J. Kerschen 3K Holstein Farm, Inc. 430 S. 263rd West Garden Plain, KS 67050	SW/4 of Section 22, T27S, R03W, Sedgwick County	Lower Arkansas River Basin

Kansas Permit No. A-ARSG-M043  
This is a new permit for an existing facility for 160 head (224 animal units) of mature dairy cattle. A slurry store tank and sedimentation basin are available for retention of wastewater.

Name and Address of Applicant	Legal Description	Receiving Water
Mongeau AB Trust 512 S. 4th Stockton, KS 67669	NW/4 of Section 20, T07S, R18W, Rooks County	Solomon River Basin

Kansas Permit No. A-SORO-C002 Federal Permit No. KS0097551  
This is a new permit for an existing facility for an expansion in head capacity from 800 head (400 animal units) of beef cattle weighing less than 700 pounds each to a maximum of 4,000 head (2,000 animal units) of beef cattle weighing less than 700 pounds each. The facility will construct runoff controls.

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.

Name and Address of Applicant	Legal Description	Receiving Water
Richard Porter Porter Farms 3309 Road W7 Reading, KS 66868	S/2 of Section 20, SE/4 of Section 29, S/2 of Section 28, NE/4 of Section 28, T16S, R13E, Lyon County	Marais des Cygnes River Basin

Kansas Permit No. A-MCLY-C004 Federal Permit No. KS0037966  
This is a new permit for the expansion of an existing facility consisting of 7,000 head (7,000 animal units) of beef cattle weighing greater than 700 pounds and 7 head (14 animal units) of horses. The facility will be expanding to 7,000 head (7,000 animal units) of beef cattle greater than 700 pounds, 2,500 head (1,250 animal units) of beef cattle weighing less than 700 pounds and 7 head (14 animal units) of horses, for a total of 8,264 animal units.

Permeability tests shall be conducted on the earthen wastewater retention structure(s) 1, 2, and 3 that are located in the Southeast Quarter of Section 28. Permeability tests shall be completed after the soil liner(s) have been compacted and prior to placing the earthen wastewater retention structure(s) into service.

Name and Address of Applicant	Legal Description	Receiving Water
Rocking E Feeders LLC 439 E. Road 4 Ulysses, KS 67880	NW/4 of Section 22, T27S, R37W, Grant County	Cimarron River Basin

Kansas Permit No. A-CIGT-C005 Federal Permit No. KS0093670

This is a renewal permit for an existing facility that is expanding by increasing pen density from 8,200 head to 12,200 head (12,200 animal units) of beef cattle weighing more than 700 pounds each.

Name and Address of Applicant	Legal Description	Receiving Water
Sunrise Dairy 1986 Xeric Road N.E. Westphalia, KS 66093	NW/4 of Section 15, T20S, R17E, Coffey County	Marais des Cygnes River Basin

Kansas Permit No. A-MCCF-M001  
This is a new permit for a new facility for 200 head (280 animal units) of mature dairy cattle.

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.

Name and Address of Applicant	Legal Description	Receiving Water
Ward Feedyard, Inc P.O. Box H Larned, KS 67550	W/2 & SE/4 of Section 10, T22S, R16W, Pawnee County	Upper Arkansas River Basin

Kansas Permit No. A-UAPN-C004 Federal Permit No. KS0086487  
This is a permit modification for reconstruction and addition of lagoons for an existing facility for 26,000 head (26,000 animal units) of beef cattle weighing greater than 700 pounds.

Permeability tests on Lagoons #1, #2, #4, #8 and #9 shall be completed within 12 months of the effective date of this permit.

**Public Notice No. KS-04-039/045**

Name and Address of Applicant	Waterway	Type of Discharge
Hill City, City of 205 N. Pomeroy Hill City, KS 67642	South Fork Solomon River	Treated Domestic Wastewater

Kansas Permit No. M-SO19-OO01 Federal Permit No. KS0116882  
Legal: NE¼, NW¼, SE¼, S13, T8S, R23W, Graham County

Facility Description: The proposed action is to reissue an existing permit for operation of an existing wastewater treatment facility treating primarily domestic wastewater. The proposed permit includes limits for biochemical oxygen demand, total suspended solids, ammonia, fecal coliform and pH. Monitoring of total phosphorus, nitrate, nitrite, total Kjeldahl nitrogen, total nitrogen, sulfates, selenium and effluent flow also will be required. Contained in this permit is a schedule of compliance requiring the permittee to provide a study and plan for upgrading/improving operations of the facility. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

Name and Address of Applicant	Waterway	Type of Discharge
Kansas Turnpike Authority Chief Engineer 9401 E. Kellogg Wichita, KS 67207	South Fork Cottonwood River via Mercer Creek via Unnamed Tributary	Treated Domestic Wastewater

Kansas Permit No. C-NE46-OO01 Federal Permit No. KS0053660  
Legal: SE¼, NW¼, NE¼, S31, T22S, R8E, Chase County

Facility Name: Matfield Green Service Area  
Facility Location: Milepost 97, Kansas Turnpike

Facility Description: The proposed action is to reissue an existing permit for operation of an existing wastewater treatment facility treating primarily domestic wastewater. The proposed permit includes limits for biochemical oxygen demand, total suspended solids and pH. Monitoring for fecal coliform and ammonia also will be required. The permit contains a schedule of compliance requiring permittee to complete construction of the new lagoon facility by April 1, 2005. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are technology based.



Name and Address of Applicant	Waterway	Type of Discharge
Ottawa, City of 101 S. Hickory Ottawa, KS 66067	Marais des Cygnes River	Treated Domestic Wastewater
Kansas Permit No. M-MC31-OO03		Federal Permit No. KS0097535

Legal: SW<sup>1</sup>/<sub>4</sub>, SW<sup>1</sup>/<sub>4</sub>, NE<sup>1</sup>/<sub>4</sub>, S36, T16S, R19E, Franklin County

Facility Description: The proposed action is to issue a new permit for operation of a new wastewater treatment facility treating primarily domestic wastewater. This facility is a newly constructed mechanical treatment plant consisting of a peak wet weather basin, two extended aeration basins, two final clarifiers, two aerobic digesters, UV disinfection of effluent and cascade reaeration. This facility receives domestic wastewater from residential and commercial areas and industrial wastewater from local manufacturers. The new facility replaces an older treatment facility that could not meet the applicable permit limits. The proposed permit includes limits for biochemical oxygen demand, total suspended solids, ammonia, fecal coliform and pH. Monitoring of total phosphorus, nitrate, nitrite, total Kjeldahl nitrogen, total nitrogen, dissolved oxygen and effluent flow also will be required. The permittee shall be required to conduct a chronic whole effluent toxicity (WET) test annually and a priority pollutant scan once between January 1 and June 30, 2008. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

Name and Address of Applicant	Waterway	Type of Discharge
Ulysses, City of 115 W. Grant Ulysses, KS 67880	Lakin Draw Wetlands Area	Treated Domestic Wastewater
Kansas Permit No. M-CI22-OO03		Federal Permit No. KS0097594

Legal: E<sup>1</sup>/<sub>2</sub>, SE<sup>1</sup>/<sub>4</sub>, S2, T29S, R37W, Grant County

Facility Description: The proposed action is to issue a new permit for operation of an existing wastewater treatment facility treating primarily domestic wastewater. This facility was formerly permitted as a nondischarging facility. The permittee has requested a status change, as they wish to be able to discharge effluent to the wetlands area of the Lakin Draw. The Lakin Draw is operated as a public area by the Kansas Department of Wildlife and Parks. The proposed permit includes limits for biochemical oxygen demand, total suspended solids and pH. Monitoring of ammonia and fecal coliform also will be required. Contained in this permit is a schedule of compliance requiring the permittee to complete construction of facility upgrades to comply with permit requirements. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are technology based.

Name and Address of Applicant	Waterway	Type of Discharge
United States Bureau of Reclamation 1706 W. 3rd, Rural Route 1 McCook, Nebraska 69001	Waconda Lake	Treated Domestic Wastewater
Kansas Permit No. F-SO08-OO01		Federal Permit No. KS0030465

Legal: N<sup>1</sup>/<sub>2</sub>, SE<sup>1</sup>/<sub>4</sub>, SE<sup>1</sup>/<sub>4</sub>, S28, T6S, R10W, Mitchell County

Facility Name: Cawker City—Waconda Reservoir

Facility Description: This is a three-cell lagoon. The U.S. Bureau of Reclamation controls the final cell and is the permittee. The City of Cawker City controls the first two cells that are operated under this permit. The proposed action is to reissue an existing permit for operation of an existing wastewater treatment facility treating primarily domestic wastewater. The proposed permit includes limits for biochemical oxygen demand, total suspended solids and pH. Monitoring of ammonia, fecal coliform and effluent flow also will be required. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are technology based.

Name and Address of Applicant	Waterway	Type of Discharge
ConocoPhillips Petroleum Company 1220 Phillips Bldg. Bartlesville, OK 74004	Missouri River	Contaminated Groundwater
Kansas Permit No. I-MO25-PO05		Federal Permit No. KS0003140

Legal: NW<sup>1</sup>/<sub>4</sub>, S2, T11S, R25E, Wyandotte County

Facility Name: Kansas City Former Refinery

Facility Location: 2029 Fairfax Trafficway, Kansas City, KS 66115

Facility Description: The proposed action is to reissue an existing permit for operation of an existing groundwater remediation project. Groundwater from a product recovery system is directed through two open top aeration/surge tanks in a series before being discharged. No air is applied to either tank. Longer detention time in the surge tanks helps to separate and collect petroleum product that is pumped to a central collection tank and then is transferred off-site for reprocessing. Stormwater is accumulated in the containment dikes surrounding the storage tanks and manifolds and is pumped through a series of pipelines to a point just upstream of outfall 001. Stormwater from undiked areas is routed to the Fairfax Drainage District. The total average discharge from this facility is about 2.0 million gallons per day. The proposed permit includes limits for benzene, ethylbenzene, toluene, oil and grease, and pH. Monitoring of effluent flow also is required. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

Name and Address of Applicant	Waterway	Type of Discharge
General Motors Corporation General Motors Bldg. 3044 W. Grand Blvd. Detroit, MI 48202	Missouri River via Fairfax Drainage District Storm Sewers	Stormwater Runoff & Misc. Wastewater
Kansas Permit No. I-MO25-CO07		Federal Permit No. KS00085626

Facility Name: GMC Fairfax Plant

Facility Location: 3201 Fairfax Trafficway, Kansas City, KS 66115

Facility Description: The proposed action is to reissue an existing permit for operation of an existing facility. This facility is engaged in the final assembly of automobiles and conducts metal parts stamping operations. All domestic and process wastes are directed to the Fairfax sanitary sewer, which is treated by the Kaw Point Wastewater Treatment Plant. Stormwater runoff is discharged from four outfalls (002, 003, 004, 005). Outfall 002 consists of stormwater from two retention ponds and also contains air conditioner condensate and fire protection system test water and is treated with an oil/water separator. Outfall 003 consists of stormwater from areas with a low potential for contamination and is discharged without treatment. Stormwater runoff from plant areas where the potential for contamination of the runoff exists is directed to an oil/water separation system for treatment prior to being discharged to the Missouri River via Fairfax Drainage District storm sewers. Outfall 005 consists of stormwater from a stormwater collection pond. All outfalls discharge to the Missouri River. This permit contains a schedule of compliance requiring permittee to develop and implement a stormwater pollution prevention plan within one year of the effective date of this permit. The proposed permit contains generic water quality language to protect waters of the state. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

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 April Romero for agricultural permits or ap-  
*(continued)*

plications, 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 March 27 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate Kansas permit number (KS-AG-04-061/067, KS-04-039/045) 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. 030392

## State of Kansas

### Kansas Insurance Department

#### Temporary Administrative Regulations

#### Article 1.—GENERAL

**40-1-50. Insurance scoring; definitions; requirements.** (a) As used in this regulation and L. 2003, ch. 88, §2 through §15 and amendments thereto, these terms shall have the following meanings:

(1) "Farmowner insurance policy" means a policy that provides coverage for a dwelling and its contents, barns, stables, and other buildings. This term shall include liability coverage.

(2) "Insurer" means an insurance company.

(3) "Policy" means any personal insurance or individual farmowner insurance policy.

(4) "Premium charge" means the payment required for an insurance policy as determined by rates and rating factors.

(5) "Rerate" means to calculate premiums based on rates, rating factors, or rating procedures filed with the Kansas insurance department as required by K.S.A. 40-951 through K.S.A. 40-967 and amendments thereto.

(6) "Reunderwrite" means to reexamine insurance risks to determine whether or not to renew policies.

(7) "Third party" means any person or entity that creates an insurance score.

(8) "Underwriting" means examining, accepting, or rejecting insurance risks.

(b) No insurer authorized to write business in the state of Kansas shall use credit information or an insurance score that has an adverse premium or coverage impact on an insured, unless all of the following conditions are met:

(1) The insurer has considered applicable factors other than credit.

(2) The insurer has documented the factors considered.

(3) The insurer provides the insured with each reason for the change in the premium or coverage.

(c) Each insurer using credit information for the purpose of rating shall have specific, written criteria governing how credit information is utilized by the insurer in underwriting, tier placement, and insurance scoring.

(d) If an insurer takes an adverse action against a consumer, the insurer shall perform the following:

(1) Maintain evidence of the notice to the consumer and a record of the contents of the credit information used, for a minimum of five years after the adverse action was taken;

(2) provide to the consumer a written, electronic, or oral notice and an explanation. If an oral notice is given, the notice shall be followed by a written or electronic notice and an explanation to the consumer pursuant to L. 2003, ch. 88, §8, and amendments thereto; and

(3) provide underwriting guidelines to the department upon request. All underwriting guidelines shall be considered trade secrets and confidential under the Kansas open records act.

(e) Any insurer may require that a consumer provide documentation to establish the existence and duration of

personal circumstances justifying that certain adverse credit information not be used. (Authorized by K.S.A. 40-103 and L. 2003, ch. 88, §14; implementing K.S.A. 40-222(a) and L. 2003, ch. 88, §§3, 4, 5, 6, 7, 8, 9, 10, 13, 14, and 15; effective, T-40-2-19-04, Feb. 19, 2004.)

Sandy Praeger  
Kansas Insurance Commissioner

Doc. No. 030398

## State of Kansas

### Kansas Lottery

#### Temporary Administrative Regulations

#### Article 5.—MULTI-STATE ON-LINE GAMES

##### THE GRAND CANYON 2BY2 TRUCK GIVEAWAY

**111-5-111. Name of drawing.** The Kansas lottery shall conduct a drawing entitled "The Grand Canyon 2by2 Truck Giveaway," and will accept entries starting February 8, 2004, for the drawing to be conducted at approximately 4:00 p.m. on April 24, 2004. Rules applicable to this drawing are contained in K.A.R. 111-5-111 through 111-5-115 and K.A.R. 111-6-1 *et seq.* (Authorized by and implementing K.S.A. 74-8710; effective, T-111-2-19-04, Feb. 5, 2004.)

**111-5-112. Prize.** (a) One prize winner selected in the "The Grand Canyon 2by2 Truck Giveaway" on the date specified in K.A.R. 111-5-111 shall receive a 2004 GMC Canyon pickup truck chosen by the Kansas lottery, all applicable sales and property taxes, registration fees, license tag fees, cash, and mandatory state and federal income withholding taxes.

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

(c) The winner of a prize as the result of the said drawing shall return to the lottery a completed claim form as provided by the lottery within 45 days of the date his or her entry was drawn or the person named on the entry drawn will no longer be eligible for the prize. In such an event, the first eligible alternate entry drawn pursuant to subsection (e) of K.A.R. 111-5-114 shall be declared the winner. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-2-19-04, Feb. 5, 2004.)

**111-5-113. Method of entry.** (a) Entry into the "The Grand Canyon 2by2 Truck Giveaway" shall be accomplished as follows:

(1) Beginning at 5:00 a.m. on February 8, 2004, and ending at the close of business as defined in subsection (p) of K.A.R. 111-6-1, on April 17, 2004, for every single 2by2 ticket purchase of \$2.00 or more, the purchaser shall receive free of charge an entry blank for the drawing, which entry blank shall be automatically dispensed from the terminal upon qualifying purchase. In addition, from the time the Kansas lottery begins selling 2by2 tickets using lottery terminal(s) at the 3i Show in Great Bend, Kansas, on April 22, 2004, through and including 3:00 p.m. on April 24, 2004, for every single 2by2 ticket purchased from said terminal(s) of \$2.00 or more, the purchaser shall

receive free of charge an entry blank for the drawing, which entry blank shall be automatically dispensed from the terminal(s) upon the qualifying purchase.

(2) The holder of an entry blank must fill in the entry blank in a legible manner. Only one name shall appear on an entry blank.

(3) Place one or more completed entry blank(s) for said drawing into an envelope with proper postage and mail it to: "Canyon Truck Giveaway," c/o Kansas lottery, P. O. Box 1494, Great Bend, Kansas 67530-1494, or deposit completed entry blank(s) into the lottery receptacle designated at the 3i Show from April 22, 2004, until 3:00 p.m. on April 24, 2004. Mailed entries must be received by morning mail pickup on Tuesday, April 20, 2004.

(4) The holder of the entry is not required to personally attend said drawing or be present at the time of the drawing to be determined a winner.

(5) The drawing will be conducted at the approximate time listed in K.A.R. 111-5-111.

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

(c) All eligible entries which are mailed and received by the morning mail pickup in Great Bend, Kansas, on Tuesday, April 20, 2004, and those deposited at the 3i Show pursuant to subsection (a) herein, shall be entered into said drawing.

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

(e) Completing the information form on the entry blank and entering it into the drawing constitutes authorization to publicly identify the person whose entry is drawn.

(f) The executive director of the Kansas lottery may, in his sole discretion, cancel this promotion at any time. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-2-19-04, Feb. 5, 2004.)

**111-5-114. Selection of winners.** The following process shall be used for the selection of winners in the "The Grand Canyon 2by2 Truck Giveaway":

(a) Kansas lottery personnel shall pick up all mail containing entries mailed to P. O. Box 1494 for the drawing at the United States Post Office in Great Bend, Kansas, with final pick up on Tuesday, April 20, 2004.

(b) Lottery personnel shall transport the mail to the Great Bend regional office where the envelopes will be opened and the entries contained therein stored in a secure location until immediately prior to the drawing, at which time all entries will be placed into the drawing receptacle or drum, along with all entries deposited at the 3i Show pursuant to the rules herein.

(c) The drawing shall be held at the 3i Show in Great Bend, Kansas, in a place accessible to the public and open for public attendance with lottery security personnel present. The drawing shall be audio and video taped.

(d) At the start of the drawing, lottery security personnel shall present the receptacle or drum to the person designated by the executive director to perform the drawing. The receptacle or drum for the said drawing shall contain all eligible entries. The entries shall be thoroughly mixed prior to the entries actually being drawn. The designated individual shall then unseal the receptacle or

(continued)

drum, and using the bare-arm technique, while looking away, remove one entry from the receptacle or drum and mark it in such a way as to identify it as the winning entry. The person whose name appears on the entry shall be the winner of the prize identified in K.A.R. 111-5-112, subject to validation by the lottery as set forth in these rules.

(e) After one entry has been drawn and verified as valid by lottery security, two more entries will be drawn, one at a time, to serve as alternate entries. The alternate entries will be marked in order drawn, 1A and 2A. The alternate entries will be used only if the original winner cannot be located or is declared ineligible, or fails to present a fully-executed claim form to lottery headquarters by 5:00 p.m. of the forty-fifth day following the drawing. The alternates will be used, if necessary, in the order drawn.

(f) The Kansas lottery security official present shall review each entry drawn to determine the validity of the entry into the said drawing in accordance with these regulations. If it is a valid entry and the information is legible, the event manager and the security person present shall record the name of the winner and each alternate. Each winner shall be given or sent a prize claim form to be completed and received by the lottery within 45 days of the drawing.

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

(h) Entries remaining in the drum or receptacle after the drawing has been completed and all entries not received in compliance with these rules shall be destroyed pursuant to K.A.R. 111-3-34. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-2-19-04, Feb. 5, 2004.)

**111-5-115. Certification of drawing.** (a) The "The Grand Canyon 2by2 Truck Giveaway" shall be personally observed by a member of the Kansas lottery security department and a member of the Kansas lottery marketing department or other person or persons designated by the executive director of the lottery ("event manager").

(b) Upon completion of the drawing, the security official and the event manager shall issue a report to the executive director, certifying that the name of each prize winner is correct, and that to the best of their knowledge the procedures required by these rules were followed in selecting the prize winner. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-2-19-04, Feb. 5, 2004.)

Ed Van Petten  
Executive Director

Doc. No. 030396

**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
5-23-1	Amended	V. 23, p. 181
5-23-3	Amended	V. 23, p. 181
5-23-3a	Amended	V. 23, p. 182
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
26-2-9	Amended	V. 22, p. 1259

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

Reg. No.	Action	Register
28-1-2	Amended (T)	V. 22, p. 2030
28-1-2	Amended	V. 23, p. 202
28-1-4	Amended (T)	V. 22, p. 2031
28-1-4	Amended	V. 23, p. 203
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
28-29-75	through	
28-29-82	Amended	V. 23, p. 203-205
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

(continued)

<b>AGENCY 36: DEPARTMENT OF TRANSPORTATION</b>			71-7-1	New	V. 23, p. 152	82-4-32	Amended	V. 22, p. 90
<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>	<b>AGENCY 74: BOARD OF ACCOUNTANCY</b>			82-4-35	Amended	V. 22, p. 91
36-40-1 through 36-40-9	New	V. 22, p. 1806, 1807	<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>	82-4-46	Amended	V. 22, p. 91
<b>AGENCY 40: KANSAS INSURANCE DEPARTMENT</b>			74-1-1	Amended	V. 22, p. 1894	82-4-49b through 82-4-49e	Revoked	V. 22, p. 91
<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>	74-1-2	Amended	V. 22, p. 1894	82-7-2 through 82-7-5	Revoked	V. 22, p. 91
40-1-48	Amended	V. 22, p. 1709	74-1-3	Amended	V. 22, p. 1894	82-8-1	Amended	V. 22, p. 91
40-2-26	Amended	V. 23, p. 151	74-1-6	Amended	V. 22, p. 1895	82-8-2	Amended	V. 22, p. 91
40-3-48	Amended	V. 22, p. 2008	74-1-8	New	V. 22, p. 1895	82-8-3	Amended	V. 22, p. 92
40-4-1	Amended	V. 22, p. 1709	74-2-1	Amended	V. 22, p. 1896	82-11-1	Amended	V. 22, p. 1078
40-4-36	Amended	V. 22, p. 465	74-2-4	Revoked	V. 22, p. 1896	82-11-3	Amended	V. 22, p. 1079
40-5-110	Amended	V. 22, p. 1709	74-4-7	Amended	V. 22, p. 1896	82-11-4	Amended	V. 22, p. 1079
<b>AGENCY 44: DEPARTMENT OF CORRECTIONS</b>			74-4-8	Amended	V. 22, p. 1896	82-11-8	Amended	V. 22, p. 1084
<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>	74-4-9	Amended	V. 22, p. 1897	82-11-10	Amended	V. 22, p. 1084
44-6-115a	Amended (T)	V. 22, p. 383	74-5-202	Amended	V. 22, p. 1898	<b>AGENCY 88: BOARD OF REGENTS</b>		
44-6-115a	Amended	V. 22, p. 1231	74-11-6	Amended	V. 22, p. 1898	<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>
44-12-1002	Amended (T)	V. 22, p. 384	74-11-7	Amended	V. 22, p. 1898	88-23-7	New	V. 22, p. 1709
44-12-1002	Amended	V. 22, p. 1232	74-12-1	Amended	V. 22, p. 1898	<b>AGENCY 91: DEPARTMENT OF EDUCATION</b>		
44-13-201b	Amended (T)	V. 22, p. 384	<b>AGENCY 75: STATE BANK COMMISSIONER—DIVISION OF CONSUMER AND MORTGAGE LENDING</b>			<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>
44-13-201b	Amended	V. 22, p. 1232	<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>	91-1-201	Amended	V. 22, p. 2125
<b>AGENCY 51: DEPARTMENT OF HUMAN RESOURCES—DIVISION OF WORKERS COMPENSATION</b>			75-6-33	New	V. 22, p. 1815	91-1-203	Amended	V. 22, p. 2126
<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>	75-6-34	New	V. 22, p. 1454	91-1-206	Amended	V. 22, p. 2129
51-9-7	Amended	V. 22, p. 1804	<b>AGENCY 82: STATE CORPORATION COMMISSION</b>			91-1-213	Amended	V. 22, p. 2130
51-9-17	New	V. 22, p. 2031	<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>	91-1-16 through 91-31-30	Revoked	V. 22, p. 124
<b>AGENCY 61: BOARD OF BARBERING</b>			82-1-201	Revoked	V. 22, p. 1650	91-31-31 through 91-31-42	New	V. 22, p. 124-128
<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>	82-1-202	Amended	V. 22, p. 1650	91-38-1	Amended	V. 22, p. 356
61-4-2	Amended (T)	V. 22, p. 1304	82-1-204	Amended	V. 22, p. 1650	91-38-2	Amended	V. 22, p. 356
61-7-1	Amended (T)	V. 22, p. 1304	82-1-204a	New	V. 22, p. 1652	91-38-3	Amended	V. 22, p. 357
<b>AGENCY 65: BOARD OF EXAMINERS IN OPTOMETRY</b>			82-1-205	Amended	V. 22, p. 1652	91-38-5	Amended	V. 22, p. 357
<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>	82-1-206	Amended	V. 22, p. 1652	91-38-6	Amended	V. 22, p. 358
65-5-6	Amended	V. 22, p. 1575	82-1-207	Amended	V. 22, p. 1652	91-38-7	Amended	V. 22, p. 360
<b>AGENCY 66: BOARD OF TECHNICAL PROFESSIONS</b>			82-1-208	Amended	V. 22, p. 1652	<b>AGENCY 92: DEPARTMENT OF REVENUE</b>		
<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>	82-1-212	Amended	V. 22, p. 1652	<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>
66-8-5	Amended	V. 23, p. 95	82-1-214	Amended	V. 22, p. 1653	92-19-200 through 92-19-203	New	V. 22, p. 431
<b>AGENCY 68: BOARD OF PHARMACY</b>			82-1-215	Amended	V. 22, p. 1653	92-51-24	Amended	V. 23, p. 40
<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>	82-1-216	Amended	V. 22, p. 1653	92-51-25	Amended	V. 23, p. 40
68-2-9	Amended	V. 22, p. 118	82-1-218	Amended	V. 22, p. 1653	92-51-28	New	V. 23, p. 40
68-2-10	Amended	V. 22, p. 118	82-1-219	Amended	V. 22, p. 1654	92-51-29	New	V. 23, p. 41
68-2-11	Amended	V. 22, p. 118	82-1-220	Amended	V. 22, p. 1654	92-51-34a	New	V. 23, p. 41
68-2-12a	Amended	V. 22, p. 118	82-1-221	Amended	V. 22, p. 1655	92-52-9	Amended	V. 23, p. 41
68-2-15	Amended	V. 22, p. 430	82-1-221b	Revoked	V. 22, p. 1656	<b>AGENCY 93: DEPARTMENT OF REVENUE—DIVISION OF PROPERTY VALUATION</b>		
68-2-20	Amended	V. 22, p. 119	82-1-222	Amended	V. 22, p. 1656	<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>
68-7-12	Amended	V. 22, p. 119	82-1-224	Amended	V. 22, p. 1656	93-6-4	Amended	V. 22, p. 666
68-7-12a	Amended	V. 22, p. 120	82-1-225	Amended	V. 22, p. 1656	93-6-7	New	V. 22, p. 666
68-7-12b	New	V. 22, p. 120	82-1-226	Amended	V. 22, p. 1657	<b>AGENCY 94: BOARD OF TAX APPEALS</b>		
68-8-1	Amended	V. 22, p. 431	82-1-227	Amended	V. 22, p. 1657	<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>
68-9-2	Amended	V. 22, p. 121	82-1-228	Amended	V. 22, p. 1657	94-2-4	Amended (T)	V. 22, p. 1504
68-11-1	Amended	V. 22, p. 122	82-1-229	Amended	V. 22, p. 1658	94-2-4	Amended	V. 22, p. 2009
68-11-2	Amended	V. 22, p. 122	82-1-230	Amended	V. 22, p. 1659	94-2-19	Amended (T)	V. 22, p. 1504
68-12-2	Amended	V. 22, p. 122	82-1-230a	New	V. 22, p. 1659	94-2-19	Amended	V. 22, p. 2009
68-13-1	Amended	V. 22, p. 122	82-1-231	Amended	V. 22, p. 1660	94-2-20	Amended (T)	V. 22, p. 1504
<b>AGENCY 71: KANSAS DENTAL BOARD</b>			82-1-231a	Amended	V. 22, p. 1663	94-2-20	Amended	V. 22, p. 2010
<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>	82-1-231b	Amended	V. 22, p. 1664	94-2-21	New (T)	V. 22, p. 1505
71-1-1	Revoked	V. 23, p. 151	82-1-232	Amended	V. 22, p. 1665	94-2-21	New	V. 22, p. 2010
71-1-2	Revoked	V. 23, p. 151	82-1-235	Amended	V. 22, p. 1666	<b>AGENCY 100: BOARD OF HEALING ARTS</b>		
71-1-3	Revoked	V. 23, p. 151	82-1-237	Amended	V. 22, p. 1666	<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>
71-1-8	Revoked	V. 23, p. 151	82-1-238	Amended	V. 22, p. 1666	100-22-4	New	V. 22, p. 690
71-1-10	Revoked	V. 23, p. 151	82-1-239	Amended	V. 22, p. 1667	100-29-9	Amended	V. 22, p. 1892
71-1-11	Revoked	V. 23, p. 151	82-3-700 through 82-3-704	Amended (T)	V. 23, p. 152-155	100-29-10	Amended	V. 22, p. 1893
71-1-15	Amended	V. 23, p. 151	82-3-705 through 82-3-710	New (T)	V. 23, p. 155-158	100-54-2 through 100-54-8	Amended	V. 22, p. 1926-1929
71-2-1	Revoked	V. 23, p. 151	82-4-2	Amended	V. 22, p. 86	100-55-5	Amended	V. 22, p. 690
71-2-4	Revoked	V. 23, p. 151	82-4-3a	New (T)	V. 22, p. 2175	100-55-9	Amended	V. 22, p. 690
71-2-9	Revoked	V. 23, p. 151	82-4-20	Amended	V. 22, p. 86	100-72-1 through 100-72-7	New (T)	V. 22, p. 79-81
71-2-12	Revoked	V. 23, p. 151	82-4-21	Amended	V. 22, p. 87			
71-3-5	Revoked	V. 23, p. 151	82-4-23	Amended	V. 22, p. 87			
71-4-1	Amended	V. 23, p. 151	82-4-26	Amended	V. 22, p. 87			
71-4-3	Revoked	V. 23, p. 152	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			

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
102-1-10a	Amended	V. 22, p. 2179
102-1-15	Amended	V. 22, p. 1149
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
102-3-3a	Amended	V. 22, p. 1302
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
109-3-2	New	V. 23, p. 202
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
110-10-1	New	V. 23, p. 180

**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
117-9-1	Amended	V. 23, p. 150

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