



Kansas Register

Ron Thornburgh, Secretary of State

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State of Kansas

Office of the Governor

Notice of Available Grant Funding

Grant funds are available from the Kansas Criminal Justice Coordinating Council (KCJCC) for the federal Edward Byrne Memorial State & Local Law Enforcement (BYRNE) Grant for fiscal year 2005. The KCJCC and the federal BYRNE Grant Program guidelines establish eligibility criteria that must be met by all organizations that receive BYRNE grant funds. These grant funds are to be awarded to units of state and local government and Native American tribes with law enforcement functions that the federal government recognizes for carrying out specific programs that offer a high probability of improving the functioning of the criminal justice system. Nonprofit and faith-based organizations are not eligible to receive BYRNE grant funds other than through contracting with units of state and local government and Native American tribes.

The KCJCC developed the following four priorities for

the 2004-2007 Kansas BYRNE Strategy: (1) enforcement; (2) treatment; (3) prevention of drug-related crimes, violent and juvenile crime; and (4) technology to continue efforts to improve the criminal justice information system. Prevention is defined as the active process that creates and rewards conditions that lead to healthy behaviors and lifestyles. It is the goal of the KCJCC to support prevention efforts that lead to a safer Kansas. The 2004-2007 Kansas BYRNE Strategy can be found at http://www.ksgovernor.org/policies/docs/state_strategy.pdf.

Grant applications can be obtained by contacting the office of the Governor's Federal Grants Program at (785) 291-3205. Applications also may be accessed via the Internet at www.ksgovernor.org. This is to obtain a printed copy only. Applications cannot be submitted on-line.

All grant applications must be received by 5 p.m. Friday, April 30.

Juliene Maska
Federal Grants Program Administrator

Doc. No. 030477

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State of Kansas

Kansas State University**Notice to Bidders**

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

Tuesday, April 6, 2004**#4154**

Field Portable, Lightweight, Fast Scanning Spectroradiometer System

Thursday, April 15, 2004**#4157**

Laser Micro Dissection System

William H. Sesler
Director of Purchasing

Doc. No. 030482

(Published in the Kansas Register March 25, 2004.)

**The Sunflower Foundation:
*Health Care for Kansans***

Request for Proposals

The Sunflower Foundation: *Health Care for Kansans* announces a funding opportunity designed to promote physical activity and healthy eating to reduce the prevalence of obesity in Kansas. The foundation is looking for projects that help people make healthy choices—projects that increase opportunities for and remove barriers to physical activity and healthy eating.

This target for funding by the Sunflower Foundation is in response to the building evidence that overweight and obesity in Kansas are increasing at an alarming rate, as they are nationally. The foundation recognizes that this public health problem is complex and needs to be addressed through a variety of community-based intervention sites, including schools, work sites, restaurants, health care settings, parks and recreations facilities, neighborhoods and communities. This request for proposals focuses on approaches in these and related sites.

The postmark deadline for proposals is Friday, April 23. Complete information, including the RFP and related documents, is available on the foundation's Web site at www.sunflowerfoundation.org, by calling the foundation at (785) 232-3000 or toll free at (866) 232-3020, or by e-mail at info@sunflowerfoundation.org.

For more information contact Larry Tobias, Vice President for Programs, The Sunflower Foundation: *Health Care for Kansans*, 1200 S.W. Executive Drive, Suite 100, Topeka, 66615-3850, e-mail: ltobias@sunflowerfoundation.org.

Larry Tobias
Vice President for Programs

Doc. No. 030483

State of Kansas

Department on Aging**Request for Proposals**

The Kansas Department on Aging is accepting applications for the Prevention of Elder Abuse, Neglect and Exploitation (PEANE) Special Project Grant. A project proposal should provide education; training; research for the prevention of elder abuse, neglect or exploitation; or a study of the extent of financial exploitation of older individuals.

Contact Merlene Smith at (785) 368-7230 or 1-800-432-3535 to request a PEANE grant application. To apply for a PEANE grant, submit an original and three copies of the application (including proof of tax-exempt status) to the Kansas Department on Aging, 503 S. Kansas Ave., Topeka, 66603-3404, by 5 p.m. Tuesday, April 13.

Only project proposals requesting \$7,000 or less will be considered. The grant period is from June 1, 2004 through May 31, 2005. Any Kansas public agency or private not-for-profit corporation registered with the Kansas Secretary of State may apply for these funds.

Pamela Johnson-Betts
Secretary of Aging

Doc. No. 030493

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. April 21 and then publicly opened:

District One—Northeast

Atchison—3 C-3873-01—County road 4.5 miles east and 0.2 mile south of Effingham, 0.3 mile, grading, bridge and surfacing. (Federal Funds)

Douglas—23 U-1894-01—O'Connell Road from 23rd to 31st in Lawrence, 0.6 mile, grading and surfacing. (Federal Funds)

Douglas—56-23 K-9227-01—U.S. 56 and 6th Street in Baldwin City, traffic signals. (State Funds)

Nemaha—9-66 K-6410-01—K-9, South Branch Black Vermillion drainage bridges, 0.3 mile, bridge replacement. (Federal Funds)

Osage—31—70 K-8412-01—Hollman Street to Emporia Street on K-31 in Melvern, 0.1 mile, curb and gutter. (State Funds)

Pottawatomie—13-75 K-9557-01—K-13 from the Riley-Pottawatomie county line north to the junction of K-16, 13.6 miles, crack repair. (State Funds)

Riley—13-81 K-9556-01—K-13 from the junction of U.S. 24 north to the Riley-Pottawatomie county line, 1 mile, crack repair. (State Funds)

Riley—18-81 K-9554-01—K-18 from the east junction of K-177 east to the Riley-Wabaunsee county line, 8.9 miles, sealing. (State Funds)

(continued)

Wabaunsee—4-99 K-6806-01—K-4 Dragoon Creek drainage bridge 1.9 miles northeast of the east junction of K-99, bridge replacement. (Federal Funds)

Wabaunsee—18-99 K-9555-01—K-18 from the Riley-Pottawatomie county line east to the junction of K-99, 5.2 miles, sealing. (State Funds)

District Two—Northcentral

Clay—24-14 K-8407-01—U.S. 24 west of 2nd Street to west of the K-15/U.S. 24 junction in Clay Center, 0.5 mile, overlay. (State Funds)

District—106 K-5926-04—Various locations in District 2, 150.2 miles, signing. (State Funds)

Marion—50-57 K-9533-01—U.S. 50, approximately .5 mile east of the east city limits of Peabody, northeast to the west city limits of Florence, sealing and overlay, 9.6 miles. (State Funds)

Marion—50-57 K-9533-02—U.S. 50, approximately .5 mile east of the east city limits of Peabody, northeast to the west city limits of Florence, pavement repair, 9.6 miles. (State Funds)

McPherson—59 U-1930-01—First Street and Centennial in McPherson, intersection improvement. (Federal Funds)

Morris—64 C-3802-01—County road 1 mile south and 2.3 miles west of Dwight, 0.2 mile, grading, bridge and surfacing. (Federal Funds)

District Three—Northwest

District—106 K-5927-03—Various locations in District 3, signing. (State Funds)

Ellis—26 C-3693-01—County road 1977 from Yocemento to the U.S. 183 alternate, surfacing. (Federal Funds)

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)

Phillips—74 C-3717-01—County road 7 miles west and 2 miles south of Phillipsburg, grading and bridge. (Federal Funds)

Phillips—74 C-3765-01—County road 9.3 miles west and 2 miles south of Phillipsburg, 0.1 mile, grading and bridge. (Federal Funds)

Rooks—82 K-8421-01—Ash Avenue to Douglas Avenue on Main Street in Palco, 0.2 mile, pavement reconstruction. (State Funds)

District Four—Southeast

District—106 K-6254-03—Various locations in District 4, 332.4 miles, signing. (State Funds)

Greenwood-Woodson—54-106 K-9433-01—U.S. 54 from the east junction of K-99 east to the Greenwood-Woodson county line; U.S. 54 from the Greenwood-Woodson county line east to the west city limits of Yates Center, 24.9 miles, seal. (State Funds)

Wilson—103 C-3744-01—County road 2 miles north and 0.8 mile east of Altoona, 0.2 mile, grading and bridge. (Federal Funds)

Woodson—104 C-3826-01—County road 6.1 miles east of the U.S. 75/U.S. 54 junction, 0.2 mile, grading, bridge and surfacing. (Federal Funds)

Montgomery—75-63 K-8405-01—Fifth Street north to 1st Street on U.S. 75 in Caney, 0.3 mile, intersection improvement. (State Funds)

District Five—Southcentral

Harvey—50-40 K-9530-01—U.S. 50 from the east city limits of Walton, east to the Harvey-Marion county line, sealing, 6.9 miles. (State Funds)

Harvey—50-40 K-9530-02—U.S. 50 from the east city limits of Walton, east to the Harvey-Marion county line, pavement repair, 6.9 miles. (State Funds)

Pratt—281-76 K-8413-01—South of the Central Kansas Railroad crossing north to 10th Street on U.S. 281 in Pratt, 0.1 mile, pavement reconstruction. (State Funds)

Reno—50-78 K-7886-01—U.S. 50 from the Stafford-Reno county line east to the junction of K-14, guard fence. (Federal Funds)

District Six—Southwest

District—23-106 K-5929-03—Various locations in District 6, 132.4 miles, signing. (State Funds)

Finney-Hamilton—50-106 K-7885-01—Various locations on U.S. 50 in Finney and Hamilton county, guard fence. (Federal Funds)

Ford—29 K-8418-01—Casey Jones Avenue south to Jewell Road on St. Andrews Street in Wright, 0.3 mile, pavement reconstruction. (State Funds)

Stanton—160-94 C-3883-01—U.S. 160, 1.5 miles east of the junction of U.S.160 and K-27, 0.3mile, grading and surfacing. (Federal Funds)

Wichita—96-102 K-9644-01—K-96 from the west city limits of Leoti east to the Wichita-Scott county line, 13.1 miles, crack repair. (State Funds)

Scott—96-86 K-9645-01—K-96 from the Wichita-Scott county line east to Scott City, 11.4 miles, crack repair. (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. 030488

State of Kansas

Department of Transportation

Notice to Consulting Engineers

The Kansas Department of Transportation is seeking qualified consulting engineering firms for the projects listed below. A response may be submitted by e-mail to neil@ksdot.org, or seven signed copies of the response can be mailed to Neil Rusch, P.E., Assistant to the Director, Division of Engineering and Design, KDOT, Room 1084-West, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612-1568. Responses shall be limited to four pages. Responses must be received in Room 1084-West by 5 p.m. April 14 for the consulting engineering firm to be considered.

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

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

54-87 K-8235-01
Sedgwick County

The scope of services is to prepare right-of-way plans for a freeway section on US-54 from the existing freeway west of Goddard, east 5.0 miles to near 183rd Street. There will be interchanges at 247th Street, 215th Street and 199th Street. KDOT will provide all the required surveys, which will be available in March 2005. Right-of-way plans are scheduled to be completed in June 2006.

254-87 K-8234-02
Sedgwick County

The scope of services is to prepare right-of-way plans for a freeway section on US-54 from near 183rd Street east to near 151st Street and on K-254 from US-54 north to near 167th Street. There will be an interchange at US-54/K-254 and at Central. KDOT will provide all the required surveys, which will be available in September 2004. Right-of-way plans are scheduled to be completed in June 2006.

254-87 K-8234-01
Sedgwick County

The scope of services is to prepare right-of-way plans for a freeway section on K-254 from near 167th Street, north and east 7.5 miles to K-96 near 45th Street. There will be an interchange at 21st Street, 29th Street or 37th Street, 119th Street, Maize Road and K-96. KDOT will provide all the required surveys. The survey from 135th

Street to K-96 will be completed in September 2004, with the remaining survey completed in March 2005. Right-of-way plans are scheduled to be completed in June 2006.

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

1. Size and professional qualifications;
2. experience of staff;
3. location of firm with respect to proposed project;
4. work load of firm; and
5. firm's performance record.

Deb Miller
 Secretary of Transportation

Doc. No. 030453

State of Kansas

Department of Transportation

Request for Comments

The Kansas Department of Transportation requests comments on the amendment of the Statewide Transportation Improvement Program (STIP) FY 2004-06 by adding the following projects:

Project C-4019-01, Surfacing, RS-1909 4 miles north of Kinsley then north 3.977 miles, Edwards County

Project K-9665-01, Surfacing, Lewis and Clark Hiking and Biking Trail access road from just north of downtown Atchison to Historic Independence Creek, Atchison County

Project X-2385-01, Railway-highway crossing signals flashing light straight post-type with gates, Union Pacific Railroad crossing with W. 383rd St. south of Osawatomie, Miami County

Project X-2386-01, Railway-highway crossing signals flashing light straight post-type with gates, Union Pacific Railroad crossing with Eagle Drive 1 mile southeast of Paola, Miami County .

Project X-2387-01, Railway-highway crossing signals flashing light straight post-type with gates, Burlington Northern Santa Fe Railroad crossing with 383rd St. north of Fontana, Miami County.

Project X-2388-01, Railway-highway crossing signals flashing light straight post-type with gates, Burlington Northern Santa Fe Railroad crossing with Lone Elm Road south of Fontana, Miami County

The amendment of the STIP requires a 30-day public comment period. To receive more information on any of these projects or to make comments on the STIP amendment, contact the Kansas Department of Transportation, Office of Engineering Support, 7th Floor, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612-1568, (785) 296-7916, fax (785) 296-0723.

This information is available in alternative accessible formats. To obtain an alternative format, contact the KDOT Bureau of Transportation Information, (785) 296-3585 (Voice/TTY).

The comment period regarding the STIP amendment will conclude April 26.

Deb Miller
 Secretary of Transportation

Doc. No. 030500

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 3-22-04 through 3-28-04

Term	Rate
1-89 days	1.00%
3 months	0.90%
6 months	0.99%
1 year	1.07%
18 months	1.28%
2 years	1.48%

Derl S. Treff
Director of Investments

Doc. No. 030469

State of Kansas

Department of Corrections

Notice of Hearing on Proposed
Administrative Regulations

A public hearing will be conducted at 9 a.m. Tuesday, May 25, in the Department of Corrections' main conference room, fourth floor, Landon State Office Building, 900 S.W. Jackson, Topeka, to consider the adoption of proposed permanent amendments to the following Kansas Department of Corrections administrative regulations: K.A.R. 44-5-115, 44-7-104, 44-7-113, 44-12-313 and 44-12-601.

This 60-day notice constitutes a public comment period for the purpose of receiving written public comments on the proposed amendments. All interested parties may submit written comments prior to the hearing to Linden G. Appel, Chief Legal Counsel, Kansas Department of Corrections, 4th Floor, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612-1284. All interested parties will be given a reasonable opportunity at the hearing to present their views orally on the adoption of the proposed amendments. In order to give all parties an opportunity to express their views, it may be necessary to request each participant to limit 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 amendments and economic impact statements in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Linden Appel at (785) 296-4508, TDD (785) 296-8157 or fax (785) 296-0014. Handicapped parking is located at the south end of Landon State Office Building, and the north entrance to the building, which is the public access entrance, is accessible to individuals with disabilities.

The amendments are proposed for adoption on a permanent basis. A summary of the proposed amendments and their economic impact follows:

K.A.R. 44-5-115. Service fees. An amendment to subsection (b) eliminates self-directive language and speci-

fies that the criteria for establishing indigency for the purpose of exempting offenders from payment of community supervision fees are established by an internal management policy and procedure promulgated by the Secretary of Corrections.

A series of amendments to subsection (c), dealing with the medical co-pay fee, are proposed. One amendment would exempt clinical service reports, including those performed in connection with participation in the offender re-entry program, from imposition of the co-pay fee, while a second amendment would exempt trips to facility clinics for purposes of initial assessment and first aid treatment of injuries incurred by inmates while performing an ordinary work detail or private industries job assignment. A third amendment specifically prohibits imposition of service fees for follow-up visits initiated by an inmate within 14 days of an initial visit to the facility clinic for a specific complaint or condition.

A fifth amendment, at subsection (d), permits imposition of a fee for any form of drug screening test approved by the department that results in a positive finding for drug use, thereby expanding such fee impositions beyond the current language dealing only with urinalysis testing.

The sixth and final amendment, creating new subsection (e), authorizes imposition of service fees for certain services for offenders supervised in the community, including global positioning system tracking, electronic monitoring, applications for transfers under the Interstate Compact for Adult Offender Supervision, polygraph examinations, community residential bed housing, and sexual abuser's treatment services if the services are included as part of postincarceration release supervision. Also added is authorization for collection of fees in connection with collection of DNA specimens from offenders under community supervision as required by statute.

The proposed amendments concerning the medical co-pay fee have no quantifiable economic impact upon the Department of Corrections, inmates, other governmental agencies, private businesses or individuals. The proposed amendment imposing a variety of new service fees for offenders under community supervision will generate new revenues permitting the department to partially offset some of the cost of providing the services in question, and will impose some burden upon offenders so supervised. Community supervision will not, generally speaking, be revoked due to failure to pay service fees, and hence no impact upon the department's population capacity is anticipated. There is no anticipated quantifiable economic impact upon other governmental agencies, private businesses, or individuals due to proposed imposition of the additional community supervision service fees.

K.A.R. 44-7-104. Inmate visitation. A number of amendments to this regulation are proposed: First, provision is made for further elaboration of administrative policies governing inmate visitation through the vehicle of internal management policies and procedures promulgated by the Secretary of Corrections, especially in regard to the issue of establishing a system to identify a primary visitor for each inmate.

Second, the number of visitors permitted for each inmate is doubled, from 10 to 20, while at the same time a

number of other administrative details are stricken, in favor of treatment in internal management policies and procedures, and a sentence is added that explicitly states the traditional practice of monitoring conversations and behavior involved with all visits other than legal, clergy and other statutorily privileged visits as specified in subsection (b).

Third, a technical correction is made in the definition of "immediate family" pertaining to persons in the family below age 18, by removing parents and grandparents as relatives fitting in that category.

Fourth, various categories of public officials are removed from mention in connection with visitation, in recognition of the fact that such visits and tours are not properly part of the subject matter of this regulation, which is primarily concerned with ordinary social visits between inmates and their families and friends, as well as attorney-client and clergy visits.

Fifth, rules regarding visits are revised extensively by: 1) permitting individuals serving as mentors in an approved mentoring program to simultaneously appear on the visiting lists of multiple inmates; 2) including former volunteers on the same basis as former employees as to a general ban of social visits for such individuals for two years after leaving employment or the volunteer capacity; 3) by making exception to said general rule prohibiting such visits for a two-year period after termination of employment unless the visit is made in a professional capacity, so as to permit immediate visits when there is a blood or marital tie between the former employee or volunteer and the inmate, unless the former employee or volunteer was barred from a facility due to undue familiarity with an inmate, or trafficking in contraband, regardless of whether a criminal conviction resulted from such activities; and 4) eliminating an obsolete requirement of completing a visitor's security card.

Sixth, a provision is added so that current employees, contract employees and volunteers related by blood or marriage to an inmate may visit the inmate, subject to approval of the warden of the facility where the individual is employed or volunteers, and the warden of the facility where the inmate is assigned.

Seventh, a provision is added expressly stating that an inmate's visiting privileges, like those of outside visitors, may be suspended for violation of facility visitation rules, and that the warden determines the length of such suspensions. However, the length of such suspensions remains subject to a provision, the language of which is clarified, to state that each suspension shall not exceed one year in length, unless renewed by the warden, with each renewal likewise limited to one year and subject to a review at the end of the suspension period.

Eighth, provisions concerning permanently barring persons from entering grounds of any department facility are extensively expanded by permitting such exclusions on the basis of a showing of "some evidence" rather than only by conviction of K.S.A. 21-3628, trafficking in contraband, and by including as grounds for such exclusions commissions, attempts, conspiracies and solicitations to: 1) facilitate escapes; 2) assault an employee, contract employee or volunteer; 3) communicate a threat proscribed by K.S.A. 21-3419 to an employee, contract employee or

volunteer; 4) engage in sexual intercourse, sodomy, or lewd fondling or touching with an inmate while on grounds of the correctional facility, whether or not the sexual contact was consensual; and 5) violate K.S.A. 21-3826 and amendments thereto.

Ninth, subsection (b) is amended by excluding visits by spouses from the category of visits involving statutorily privileged communications that are subject to private consultation and relaxed monitoring.

The proposed amendments to this regulation are expected to have a small impact upon the use of staff time due to the increased numbers of visitors per inmate permitted, but it is presently unquantifiable. No quantifiable impact upon inmates, other governmental agencies, private businesses or individuals is anticipated.

K.A.R. 44-7-113. Religious activity. Amendments to this regulation eliminate language requiring that wardens furnish, at state expense, a bible or other fundamental religious text, in favor of a provision that wardens furnish such religious materials if donated. Other terminology and statutory citation updates, stylistic and grammatical changes also are made.

A small favorable impact upon the Department of Corrections is anticipated in the form of elimination of one sort of expenditure from inmate benefit funds. Some offenders may choose to purchase their own individual fundamental religious text, rather than rely upon borrowing a copy from the facility library, and so may experience some burden, which is not readily quantifiable. No quantifiable impact upon other governmental agencies, private businesses or individuals is anticipated.

K.A.R. 44-12-313. Sexually explicit materials. [Retitled from "Obscenity."]

A number of changes are made to this regulation. First and most importantly, the legal focus and standard is altered from that of a prohibition of possession of items that are deemed "obscene," under the traditional standard for defining obscenity, in favor of adoption of a different legal standard recognized in recent years by various courts as applicable to prison inmates. The latter standard instead concerns itself with regulating so-called "sexually explicit materials," that do not necessarily violate community standards in outside society, but that are nonetheless essentially prurient, or aimed at provoking sexual arousal or gratification.

The variety of the materials covered by the prohibition has been expanded by including drawings and paintings in subsection (a), but the major changes are made in subsection (b), containing the definition of the term "sexually explicit." The latter term has two branches, both including some elements from the current obscenity regulation. The first branch, involving only simple nudity, follows the definition of the term "nude," in K.S.A. 2003 Supp. 21-3516(b)(4), defined as exposure of the male or female genitalia, pubic region, buttocks, or the areola of the female breast for purposes of sexual arousal or gratification. The second branch of the term involves display or depiction of various sex acts, actual or simulated, again for the purpose of sexual arousal or gratification.

The other substantive change is that of modifying the classification of the regulation for purposes of imposition

(continued)

of disciplinary sanctions, set forth in subsections (c), (d) and (e). Formerly, a violation of the obscenity ban by possession of materials that did not depict children under the age of 18 years was a class II offense, while possession of materials involving children was a class I offense, meriting the most severe disciplinary sanctions. The same dichotomy has been carried over to the ban on possession of sexually explicit materials, but a second category for Class I treatment has been created—that of possession of such materials by inmates managed as sex offenders, in recognition of the increased potential for security problems and anti-rehabilitative effects of such materials when held by such inmates.

Finally, the regulation is updated by removing reference to the effective date of the last amendment in the text of the regulation, and by updating a statutory citation in the history section.

It is anticipated that any impact due to the proposed amendments upon the Department of Corrections will be short-lived and small, as some staff time will be devoted to disposing of existing materials now in the hands of inmates that are prohibited by the amendments. Some presently unquantifiable impact upon inmates, in the form of postage for mailing out copies of prohibited materials for those inmates who choose to do so, is anticipated, though it is also anticipated that the amount of postage per inmate will be small. An unquantifiable negative impact upon publishers of magazines containing the prohibited materials also is anticipated. No quantifiable impact upon other governmental agencies, other private businesses or individuals is anticipated.

K.A.R. 44-12-601. Mail. This regulation is extensively amended in three regards. First, it has been reorganized into topical or functional subsections with descriptive headings. Second, a number of discrete substantive changes are made. Finally, it has been updated and grammatically modified as needed.

As to the various substantive amendments, the first, in the definitions subsection (a)(1)(A), changes the definition of “legal mail” to include mail between an inmate and interns or employees of lawyers or law firms, legal clinics and legal services organizations.

The second amendment, in subsection (a)(1)(C), expands the definition of “privileged mail” to encompass mail between an inmate and psychiatrists, psychologists, and other licensed mental health therapists, and discards the imprecise term “doctor” for “physician.”

The third amendment, at (a)(2)(B), modifies the definition of “inspect” to include cursory reading necessary in order to verify the legal or official character of mail permitted to be sent at the cost of the facility for indigent inmates, in connection with a later amendment appearing at subsection (f)(3) authorizing such a procedure.

The fourth substantive amendment, found in the general provisions at (b)(7), amends the former subsection (l) by removing the prohibition on delivery of bulk rate mail in favor of permitting delivery of mail individually addressed to specific inmates, regardless of whether it is sent free or at a reduced rate. It further requires that all incoming mail bear the sender’s name and address in order to facilitate tracking of mail containing contraband or

material not otherwise in accordance with department policies and procedures.

The fifth substantive amendment, concerning legal, official and privileged mail at subsection (c), modifies former subsection (d) to recognize the existence of the procedure for inspection and cursory reading of legal and official mail in order to verify its character for purposes of granting credit to indigent inmates.

The sixth substantive amendment modifies the censorship ground currently found at subsection (i)(4), concerning unauthorized mail between offenders, to also include mail between an inmate and any former inmate, regardless of current custodial status.

The seventh substantive amendment, also concerning the censorship grounds and procedures, at subsection (d), adds the new ground of “sexually explicit material” as defined and prohibited by proposed amendments to K.A.R. 44-12-313, sexually explicit materials (formerly titled “Obscenity”).

The eighth amendment, at (d)(3)(B) (formerly (k)(2)), adds the phrase “if known,” in order to clarify that inmates will of course not be given the identity of senders of mail that has been censored, where the sender has failed to identify himself or herself.

The ninth amendment, at subsection (f)(3) (formerly (o)(3)), strikes language authorizing facility wardens to curb abuse of free legal or official postage by indigent inmates through imposition of restrictions, in favor of authorizing extension of credit for such postage under terms of department-wide internal management policies and procedures. It also authorizes inspection and cursory reading of such mail in the presence of the inmate correspondent for the purpose of verifying its legal or official character.

The tenth amendment, at subsection (g)(1) (formerly (q)(1)), amends language that permitted any inmate except one assigned to the reception and diagnostic unit for evaluation to receive publications, in favor of permitting possession of publications as permitted by department internal management policies and procedures.

Finally, the eleventh amendment, at (g)(3) (formerly (q)(3)), deletes as a ground for censorship of publications that of obscenity, substituting for it the new ground of “sexually explicit material,” as defined and proscribed by provisions of K.A.R. 44-12-313, as amended.

The anticipated economic impact of the proposed amendments to this regulation is anticipated to be the same as set forth above for the proposed amendments to K.A.R. 44-12-313.

A complete copy of the proposed amendments of existing regulations and the complete economic impact statements may be obtained by contacting Linden G. Appel at the address and phone numbers given above from 8 a.m. to 5 p.m. Monday through Friday.

Roger K. Werholtz
Secretary of Corrections

Doc. No. 030471

State of Kansas

Social and Rehabilitation Services

Notice of Hearing on Proposed
Administrative Regulations

A public hearing will be conducted at 10 a.m. Friday, May 28, in Room 481-West of the Docking State Office Building, 915 S.W. Harrison, Topeka, to consider the adoption of amendments to existing rules and regulations on a permanent basis effective July 1, 2004. Telephone conference will not be available.

This 60-day notice of the public hearing shall constitute a public comment period for the proposed regulations. All interested parties may submit written comments prior to or during the public hearing to Hope Burns, Office of the Secretary for SRS, Room 603-N, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612. All interested parties will be given a reasonable opportunity to present their views, but 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 regulations and economic impact statements in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Hope Burns at (785) 296-3274 or by calling the Kansas Relay Center at 1-800-766-3777.

The adoption of the regulations will take place at 10 a.m. Tuesday, June 8, in the SRS executive conference room, 603-N, Docking State Office Building.

Copies of the regulations and the economic impact statement may be obtained by contacting Hope Burns. A summary of the proposed regulations and the economic impact follows:

Article 4.—PUBLIC ASSISTANCE PROGRAM

30-4-50. Assistance eligibility, general. This regulation is being amended to allow drug felons who undergo substance abuse treatment by a certified provider to receive cash assistance.

Economic Impact: This change is expected to result in a cost of \$282,360 (all state general funds).

Bearer of Cost: Kansas taxpayers.

Affected Parties: This change will have a beneficial impact on 130 consumers by removing the lifetime ban on their eligibility to receive assistance due to a felony drug conviction. This change also will benefit the children of these consumers by providing income to stabilize the household.

Other Methods: Another option allowed by federal law was to eliminate the lifetime ban without stipulating qualifications, such as undergoing substance abuse treatment. This option was considered but not adopted. Undergoing substance abuse treatment may help these consumers avoid future drug use and felony convictions and is a positive step in the preservation of the family.

Note: House Bill 2727, which proposes this change, also includes lifting the ban on the receipt of food stamps. Because the Food Stamp Program is a federally-regulated

and federally-funded program and not included in the K.A.R.s, the economic impact to the Food Stamp Program has not been included.

**Article 6.—MEDICAL ASSISTANCE PROGRAM—
CLIENTS' ELIGIBILITY FOR PARTICIPATION**

30-6-91. Youth formerly in foster care. The regulation is being amended to add a new group of determined eligibles of medical assistance. Persons who were in foster care on their 18th birthday may continue to receive medical assistance under the Medicaid program until age 21. No income or asset test is associated with this group.

Economic Impact: This change is expected to increase annual Medicaid expenditures by \$5 million, and of this \$1.9 million is state general funds.

Bearer of Cost: Kansas taxpayers will bear the cost associated with this change.

Affected Parties:

(1) This change will provide extended medical coverage to an estimated 600 former foster care youth.

(2) This change will have a moderate impact on Medicaid agency staff who administer the new coverage group, including eligibility determination and maintenance.

Other Methods: Other methods to provide ongoing medical coverage to these individuals were considered but were not adopted, as the Legislature appropriated funds for this coverage and federal matching funds are only available by formally implementing this optional Medicaid coverage group.

Article 46.—CHILD ABUSE AND NEGLECT

30-46-10. Definitions. This regulation is being amended with the following proposed changes:

- Current definition of the Kansas code for children from a "preponderance" of the evidence to "clear and convincing" evidence and also changes the physical abuse definition from "likelihood of harm" to an "imminent risk of serious harm."
- In strengthening the definitions, the agency also proposes to change the current three-tier finding system of unsubstantiated, substantiated and validated findings to a two-tier system of unsubstantiated and substantiated only. All substantiated findings will be entered into the central registry.
- Language allows case finding on perpetrators who reside out of state.

Federal Mandate: This regulation change is not federally mandated.

Economic Impact: It is anticipated that development and facilitation of training and Web site development to agency staff and community partners regarding this regulation change will be conducted by existing staff. The cost revision of existing brochures (first year) with new regulation language for distribution to customers and community partners is minimal, with the total cost at approximately \$10,000.

Bearer of Cost: The cost of will be borne by SRS.

Affected Parties: Children and Family Services - Child Protective Services customers.

(continued)

Other Methods: There were no other appropriate methods for the desired outcome.

30-46-13. Right to interview. This regulation is being amended to change the terminology from a "validated" alleged perpetrator to a "substantiated" alleged perpetrator who has the opportunity to be interviewed before a finding is issued (changes due to K.A.R. 30-46-10 definition changes).

Federal Mandate: This regulation change is not federally mandated.

Economic Impact: None. It is anticipated that development and facilitation of training and Web site development to agency staff and community partners regarding this regulation change will be conducted by existing staff in the Children and Family Services division.

Bearer of Cost: Not applicable.

Affected Parties: Children and Family Services - Child Protective Services customers.

Other Methods: There were no other appropriate methods for the desired outcome.

30-46-15. Notice of decision. This regulation is being amended to change the terminology from a "confirmed" perpetrator to a "substantiated" perpetrator, who shall be notified in writing of the agency decision to substantiate the perpetrator for purposes of placing the name of the perpetrator in the child abuse and neglect central registry (changes due to K.A.R. 30-46-10 definition changes).

Federal Mandate: This regulation change is not federally mandated.

Economic Impact: None. It is anticipated that development and facilitation of training and Web site development to agency staff and community partners regarding this regulation change will be conducted by existing staff in the Children and Family Services division.

Bearer of Cost: Not applicable.

Affected Parties: Children and Family Services - Child Protective Services customers.

Other Methods: There were no other appropriate methods for the desired outcome.

30-46-16. Child abuse and neglect registry. This regulation is being amended to change the terminology from the name of a "validated" perpetrator to a "substantiated" perpetrator until the person has exhausted or failed to exercise the appeal process (changes due to K.A.R. 30-46-10 definition changes).

Federal Mandate: This regulation change is not federally mandated.

Economic Impact: None. It is anticipated that development and facilitation of training and Web site development to agency staff and community partners regarding this regulation change will be conducted by existing staff in the Children and Family Services division.

Bearer of Cost: Not applicable.

Affected Parties: Children and Family Services - Child Protective Services customers.

Other Methods: There were no other appropriate methods for the desired outcome.

30-46-17. Expungement of validated perpetrator from the registry. This regulation is being amended to include expungement of a "validated" perpetrator terminology to

a "substantiated" perpetrator due to definition changes in K.A.R. 30-46-10. A revision in this section was made to include the perpetrator's name on the central registry for three years prior to application for expungement and to limit the number of expungement requests to one review every 12 months by the expungement panel.

Federal Mandate: This regulation change is not federally mandated.

Economic Impact: None. It is anticipated that development and facilitation of training and Web site development to agency staff and community partners regarding this regulation change will be conducted by existing staff in the Children and Family Services division.

Bearer of Cost: Not applicable.

Affected Parties: Children and Family Services - Child Protective Services customers.

Other Methods: There were no other appropriate methods for the desired outcome.

Janet Schalansky
Secretary of Social and
Rehabilitation Services

Doc. No. 030472

State of Kansas

Kansas Development Finance Authority

Notice of Hearing

A public hearing will be conducted at 9 a.m. Thursday, April 8, in the conference room in the offices of the Kansas Development Finance Authority, 555 S. Kansas Ave., Suite 202, Topeka, on the proposal for the Kansas Development Finance Authority to issue approximately \$9,500,000 principal amount Housing Development Revenue Bonds for KC Venture Group, L.L.C., a Missouri Limited Liability Company, or an affiliated entity (the developer). The bonds will be issued, pursuant to K.S.A. 74-8901 *et seq.*, to finance the costs of acquisition and rehabilitation of an existing 176-unit multifamily housing complex to be operated as Springhill Apartments and located in Overland Park, Johnson County, Kansas, and related improvements and equipment to be used for public housing purposes (the project).

The bonds, when issued, will be a limited obligation of the KDFA and will not constitute a general obligation or indebtedness of the state of Kansas or any political subdivision thereof, including the KDFA, nor will the bonds constitute an indebtedness for which the faith and credit and taxing powers of the state of Kansas are pledged. The bonds will be payable solely from amounts received from the developer, the obligation of which will be sufficient to pay the principal of, interest and redemption premium, if any, on the bonds when they become due.

All individuals who appear at the hearing will be given an opportunity to express their views, and all written comments previously filed with the KDFA at its offices at 555 S. Kansas Ave., Suite 202, Topeka, 66603, will be considered. Additional information regarding the project may be obtained by contacting the KDFA.

Steven R. Weatherford
President

Doc. No. 030474

State of Kansas

Social and Rehabilitation Services

Notice of Hearing on Proposed
Administrative Regulations

A public hearing will be conducted at 9 a.m. Tuesday, April 27, in the SRS board room, sixth floor, Docking State Office Building, 915 S.W. Harrison, Topeka, to consider the adoption of amendments to an existing rule and regulation on a permanent basis effective 15 days after publication in the Kansas Register. Telephone conference is not available.

This 30-day notice of the public hearing shall constitute a public comment period for the proposed regulation as stated in K.S.A. 2003 Supp. 77-421(a)(3). All interested parties may submit written comments prior to the hearing to Hope Burns, Office of the Secretary for SRS, Room 603-N, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612. All interested parties will be given a reasonable opportunity to present their views, but 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 Hope Burns at (785) 296-3274 or by calling the Kansas Relay Center at 1-800-766-3777.

The adoption of the regulation will take place at 10 a.m. Friday, April 30, in the SRS executive conference room, 603-N, Docking State Office Building. Telephone conference will not be available.

Copies of the regulation and the economic impact statement may be obtained by contacting Hope Burns. A summary of the proposed regulations and the economic impact follows:

Article 5.—PROVIDER PARTICIPATION, SCOPE OF SERVICES, AND REIMBURSEMENT FOR THE MEDICAID (MEDICAL ASSISTANCE) PROGRAM

30-5-64. Prior authorization. The following changes will be made to K.A.R. 30-5-64 regarding prior authorization of pharmaceutical products:

To ensure the most clinically appropriate utilization of this drug in the most cost-effective manner, the following drug will require prior authorization because this is the same drug (flu vaccine) as the injectable but it is much more expensive. It is only medically necessary for people who have a documented clinical contraindication to the injectable influenza vaccine.

- FluMist®

Federal Mandate: This regulation change is not federally mandated.

Economic Impact: It is expected that this change will reduce Medicaid expenditures by \$80,000 SGF and \$120,000 FFP, annually.

Bearer of Cost: The cost of reviewing prior authorization (PA) will be borne by SRS. If a Medicaid consumer wishes to have a drug despite a PA denial, the cost will be borne by the consumer.

Affected Parties: Medicaid consumers, pharmacists and the Medicaid agency.

Other Methods: There were no other appropriate methods for the desired outcome.

Janet Schalansky
Secretary of Social and
Rehabilitation Services

Doc. No. 030473

State of Kansas

Kansas Development Finance Authority

Notice of Hearing

A public hearing will be conducted at 9 a.m. Thursday, April 8, in the offices of the Kansas Development Finance Authority, 555 S. Kansas Ave., Suite 202, Topeka, on the proposal for the K DFA to issue its Agricultural Development Revenue Bond for the project numbered below in the respective maximum principal amount. The bond will be issued to assist the respective borrower named below (who will be the owner and operator of the project) to finance the cost in the amount of the bond of acquiring the project or for the purpose of refunding a bond previously issued to finance the project. The project shall be located as shown:

Project No. 000600—Maximum Principal Amount: \$60,000. Owner/Operator: DeVon D. and Dena L. Benfer. Description: Acquisition of 50 acres of agricultural land and related improvements and equipment to be used by the owner/operator for farming purposes. The project is located at the North Half of the Northeast Quarter of Section 36, Township 5, Range 3, Cloud County, Kansas, approximately 2 miles east of Concordia on K-9 highway then .5 mile north on the west side of 180th Road.

The bond, when issued, will be a limited obligation of the K DFA and will not constitute a general obligation or indebtedness of the state of Kansas or any political subdivision thereof, including the K DFA, nor will it be an indebtedness for which the faith and credit and taxing powers of the state of Kansas are pledged. The bond will be payable solely from amounts received from the respective borrower, the obligation of which will be sufficient to pay the principal of, interest and redemption premium, if any, on the bond when it becomes due.

All individuals who appear at the hearing will be given an opportunity to express their views, and all written comments previously filed with the K DFA at its offices at 555 S. Kansas Ave., Suite 202, Topeka, 66603, will be considered. Additional information regarding the project may be obtained by contacting the K DFA.

Any individual affected by the above-described project may, at or prior to the hearing, file a written request with the K DFA that a local hearing be held on the proposal to issue a bond to finance said project. A local hearing, if requested, would be conducted in the county where the project in question is located.

Stephen R. Weatherford
President

Doc. No. 030490

State of Kansas

Kansas Sentencing Commission

Notice of Meeting

The Kansas Sentencing Commission will meet from 1:30 to 3:30 p.m. Friday, April 23, 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. 030475

(Published in the Kansas Register March 25, 2004.)

Summary Notice of Bond Sale

City of Hutchinson, Kansas

\$2,265,000*

General Obligation Bonds, Series 2004-A

(General obligation bonds payable from unlimited ad valorem taxes)

Bids

Subject to the notice of bond sale dated March 25, 2004, bids will be received by the deputy city manager/city clerk of the city of Hutchinson, Kansas, on behalf of the governing body at City Hall, 125 E. Ave. B, or, in the case of electronic proposals, via *PARITY* electronic bid submission system, until 10 a.m. April 6, 2004, for the purchase of \$2,265,000* principal amount of General Obligation Bonds, Series 2004-A. No bid of less than the entire par value of the bonds, except a discount of not greater than .50 percent of the par value of the bonds, and accrued interest to the date of delivery will be considered.

Bond Details

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

Maturity October 1	Principal Amount*
2005	\$215,000
2006	65,000
2007	65,000
2008	185,000
2009	200,000
2010	325,000
2011	215,000
2012	225,000
2013	235,000
2014	245,000
2015	25,000
2016	25,000
2017	25,000
2018	25,000
2019	30,000
2020	30,000
2021	30,000
2022	30,000
2023	35,000
2024	35,000

The bonds will bear interest from that date at rates to be determined when the bonds are sold as provided, which interest will be payable semiannually on April 1 and October 1 in each year, beginning April 1, 2005. A bidder may elect to have all or a portion of the bonds scheduled to mature in consecutive years issued as term bonds subject to the requirements set forth in the notice of sale.

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States or a financial surety bond in a form that complies with the requirements set forth in the notice of sale in the amount of \$45,300 (2 percent of the principal amount of the bonds).

Delivery

The city will pay for preparation of the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about April 28, 2004, at the offices of the Depository Trust Company, New York, New York.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 2003 is \$220,732,228. The total applicable general obligation indebtedness of the city as of the date of the bonds, including the bonds being sold, is \$28,946,350. Of that amount, temporary notes in the amount of \$521,350 will be retired with the proceeds of the bonds and other available funds.

Approval of Bonds

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

Additional Information

Additional information regarding the bonds may be obtained from the deputy city manager/city clerk, (620) 694-2613, or from bond counsel, Kutak Rock LLP, 444 W. 47th St., Suite 200, Valencia Place, Kansas City, MO 64112-1914; Attention: Dorothea Riley, (816) 960-0090.

Dated March 25, 2004.

City of Hutchinson, Kansas
By Ross Vander Hamm
Deputy City Manager/City Clerk
Hutchinson City Hall
125 E. Ave. A
Hutchinson, KS 67501

*Subject to change.

Doc. No. 030480

State of Kansas

State Conservation Commission

Notice of Meeting

The State Conservation Commission will meet at 9 a.m. Monday, April 12, in the commission's conference room, Suite 500, 109 S.W. 9th, Topeka. Individuals requiring special accommodations should contact the agency at (785) 296-3600 at least three days in advance of the meeting date.

Tracy Streeter
Executive Director

Doc. No. 030492

State of Kansas

Department of Health
and Environment

Request for Comments

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

Anadarko Gathering Company, Houston, Texas, owns and operates McAtee natural gas compressor station located at S23, T34S, R39W, Stevens County, Kansas.

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

Direct written comments or questions regarding the proposed permit to Tibusay Marin, KDHE, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka, 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received before the close of business April 26.

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 April 26 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. 030479

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. BP America Production 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.

BP America Production Company, Houston, Texas, owns and operates Ulysses AB dehydration facility located at S5-T29S-R38W, Grant County, Kansas.

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

(continued)

South Central District Office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Tibisay Marin, KDHE, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka, 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received before the close of business April 26.

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 April 26 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. 030485

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. Northern Natural Gas 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.

Northern Natural Gas Company, Houston, Texas, owns and operates a natural gas compressor station located at Sec. 20-T28S-R19W, Mullinville Compressor Station, Kiowa County, Kansas.

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

Direct written comments or questions regarding the proposed permit to Tibisay Marin, KDHE, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka, 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received before the close of business April 26.

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 April 26 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. 030478

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-04-081/084

Pending Permits for Confined Feeding Facilities

Name and Address of Applicant	Legal Description	Receiving Water
Steve Ochs, dba Diamond O Feeders Route 1, Box 67 Jetmore, KS 67854	SE/4 of Section 26, T23S, R26W, Hodgeman County	Upper Arkansas River Basin

Kansas Permit No. A-UAHG-C009 Federal Permit No. KS0094765
This is a renewal permit for an existing facility for 13,000 head (13,000 animal units) of beef cattle weighing greater than 700 pounds.

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

Name and Address of Applicant	Legal Description	Receiving Water
Royal Beef Division of Irsik and Doll 11060 N. Falcon Road Scott City, KS 67871	W/2 of Section 30, T16S, R33W, Scott County	Smoky Hill River Basin

Kansas Permit No. A-SHSC-C005 Federal Permit No. KS0115673
This is a permit modification and renewal of an existing facility for 55,000 head (55,000 animal units) of beef cattle weighing greater than 700 pounds. The facility was previously permitted for 55,000 head (55,000 animal units) and is now constructing pens to confine the 55,000 head.

Permeability tests shall be conducted on the earthen wastewater retention structures of Lagoon 1, 5, 6 and 7. Permeability tests shall be completed within one year of the effective date of the permit.

Name and Address of Applicant	Legal Description	Receiving Water
North Weatridge, LLC P.O. Box 55 Long Island, KS 67647	SW/4 of Section 02, T01S, R20W, Phillips County	Upper Republican River Basin

Kansas Permit No. A-URPL-H006 Federal Permit No. KS0094307
This is a renewal permit for an existing facility for 4,800 head (1,920 animal units) of swine weighing more than 55 pounds and 2,400 head (240 animal units) of swine weighing less than 55 pounds, for

a total of 7,200 head (2,160 animal units). The permit also includes a description of the existing swine mortality composting operation that was not described in the previous permits.

Name and Address of Applicant	Legal Description	Receiving Water
Hilltop Farms HC 63, Box 22 Leonra, KS 66951	SW/4 of Section 19, T04S, R15W, Smith County	Solomon River Basin

Kansas Permit No. A-SOSM-B002

This is a permit renewal and downsizing of an existing facility having a maximum capacity of 800 head (400 animal units) of cattle weighing 700 pounds or less.

Public Notice No. KS-04-053/056

Name and Address of Applicant	Waterway	Type of Discharge
Ash Grove Aggregates, Inc. P.O. Box 70 Butler, MO 64730	South Fork Pottawatomie Creek via Bradshaw Creek	Pit Dewatering & Stormwater Runoff

Kansas Permit No. I-MC53-PO02 Federal Permit No. KS0093521
Legal: SE¼, SW¼, S30, T21S, R20E, Anderson County

Facility Name: Welda Quarry

Facility Description: The proposed action is to reissue an existing permit for the discharge of wastewater during quarry operation. This facility is a limestone quarry and crushing operation with no washing. The proposed permit includes generic water quality language to protect waters of the state. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

Name and Address of Applicant	Waterway	Type of Discharge
Fort Scott, City of 910 Burke St. Fort Scott, KS 66701	Marmaton River	Process Wastewater

Kansas Permit No. I-MC11-PO10 Federal Permit No. KS0097217
Legal: NE¼, SE¼, NW¼, S36, T25S, R24E, Bourbon County

Facility Name: Fort Scott Water Treatment Plant

Facility Description: The proposed action is to modify and reissue a permit for operation of the wastewater treatment for an existing public water supply treatment facility. The facility is unable to meet the total suspended solids limit in the existing permit and has provided a plan to construct a two-cell lagoon system to settle the solids from the primary solids contact basin. Raw water is treated with lime for pH adjustment, alum, activated carbon, polymer, and potassium permanganate, settled, filtered, and chlorinated prior to introduction into the distribution system. Sludge from the primary solids contact basins is routed directly to the Marmaton River. The chlorinated filter backwash water is routed to a wastewater holding basin and then returned to the primary flash mix basin at the head of the plant. This permit is for the discharge of the sludge from the primary solids contact basins to the Marmaton River, and after the upgrades, via the two cell lagoon system. The modified permit contains a schedule of compliance requiring the permittee to meet final limits by August 1, 2005. The proposed permit includes limits for total suspended solids and pH. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

Name and Address of Applicant	Waterway	Type of Discharge
Palco, City of P.O. Box 257 Palco, KS 67657	Spring Creek via Unnamed Tributary	Treated Domestic Wastewater

Kansas Permit No. M-SO30-OO02 Federal Permit No. KS0093122
Legal: NW¼, NW¼, SE¼, S21, T9S, R20W, Rooks County

Facility Description: The proposed action is to issue a new permit for operation of a new wastewater treatment facility. This facility will replace the existing wastewater treatment facility for the city. This (continued)

new lagoon system will replace a mechanical treatment plant. The proposed permit includes limits for biochemical oxygen demand, total suspended solids and pH. Monitoring of ammonia and fecal coliform also will be required. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are technology based.

Name and Address of Applicant	Waterway	Type of Discharge
Unified Government of Kansas City/Wyandotte County 50 Market St. Kansas City, KS 66118	Kansas River	Treated Domestic Wastewater

Kansas Permit No. M-KS27-RO20 Federal Permit No. KS0080195
Legal: NW¼, S32, T11S, R24E, Wyandotte County
Facility Name: Kansas City Treatment Plant #20
Facility Location: 2443 S. 88th St., Kansas City, KS 66111
Facility Description: The proposed action is to modify and reissue an existing permit for operation of an existing wastewater treatment facility treating primarily domestic wastewater. Limitations for BOD, TSS, fecal coliform and pH. All other conditions of the existing permit will remain unchanged. Limits proposed for whole effluent toxicity and ammonia are based on the seasonal seven day once in 10 year (7Q10) and 30 day once in 10 year (30Q10) low flow river values, respectively, reported in the Mixing Zone Study dated July 7, 2003. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

Public Notice No. KS-ND-04-005/007

Name and Address of Applicant	Legal Location	Type of Discharge
Clausen Koch Corporation Highway 83 North HCR 1, Box 14A Sublette, KS 67877	SE¼, S25, T28S, R33W, Haskell County	Nonoverflowing

Kansas Permit No. I-CI21-NO02
Facility Description: The proposed action is to reissue an existing permit for operation of the existing wastewater treatment facility. This facility produces livestock feed supplements by processing whole blood and plasma that is obtained from slaughtering facilities. Blood plasma is passed through nano-filtration. The blood plasma concentrate is dried and used in feed supplements. The nano-filtration permeate is further treated using reverse osmosis (RO). The RO concentrate is sent to a municipal wastewater treatment facility. The RO permeate, supplemented with fresh well water, is used for clean-in-place (CIP) of tankers and silos, truck wash, domestic uses and plant washdown. The wastewater is treated in an anaerobic lagoon followed by an aerated storage lagoon (both lagoons are constructed with a primary synthetic liner and a secondary clay liner with intermediate leak detection system). The treated wastewater is irrigated on crop land. Biosolids generated in the process are land applied. The wastewater treatment facility design flow is 100,000 gallons per day. Contained in the permit is a schedule of compliance requiring the permittee to provide operating data and upgrade the facility. Discharge of wastewater from this treatment facility to surface waters of the state of Kansas is prohibited by this permit.

Name and Address of Applicant	Legal Location	Type of Discharge
Dodge City, City of P.O. Box 880 Dodge City, KS 67801-0880	E½, SW¼, and W½, SE¼, S23, T28S, R25W, Ford County	Nonoverflowing

Kansas Permit No. M-UA11-NO01
Facility Address: 100 McCaustland Road #1, Dodge City, KS 67801
Facility Description: The proposed action is to reissue an existing permit for operation of the existing wastewater treatment facility. The primary method of wastewater disposal is by irrigation of the wastewater on farm ground. The proposed permit includes requirements for monitoring of total Kjeldahl nitrogen, ammonia, nitrate, total

phosphorus, total potassium, sodium, chlorides, boron, biochemical oxygen demand, chemical oxygen demand and pH. Also included in the permit is a requirement for biannual soil sampling and groundwater monitoring. Discharge of wastewater from this treatment facility to surface waters of the state of Kansas is prohibited by this permit.

Name and Address of Applicant	Legal Location	Type of Discharge
Verta Weidner 3032 S.W. Randolph Ave. Topeka, KS 66611-1752	NE¼, S1, T15S, R15E, Osage County	Nonoverflowing

Kansas Permit No. C-MC44-NO01
Facility Name: Four Corners Wastewater Treatment Lagoon
Facility Address: Corner of U.S. Hwy. 56 and Old U.S. Hwy. 75
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 services a restaurant, auction house, antique shop and three homes. Included in this permit is a schedule of compliance requiring the permittee to obtain the services of a KDHE-certified wastewater treatment plant operator to achieve compliance with this permit. Discharge of wastewater from this treatment facility to surface waters of the state of Kansas is prohibited by this permit.

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 applications, or to the permit clerk for all other permits, at the Kansas Department of Health and Environment, Division of Environment, Bureau of Water, 1000 S.W. Jackson, Suite 420, Topeka, 66612-1367.

All comments regarding the draft permit or application notice postmarked or received on or before April 24 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate Kansas permit number (KS-AG-04-081/084, KS-04-053/056, KS-ND-04-005/007) 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. 030484

State of Kansas

Legislature

Legislative Bills and Resolutions Introduced

The following numbers and titles of bills and resolutions were introduced March 11-17 by the 2004 Kansas Legislature. Copies of bills and resolutions are available free of charge from the Legislative Document Room, 145-N, State Capitol, 300 S.W. 10th Ave., Topeka, 66612, (785) 296-4096. Full texts of bills, bill tracking and other information may be accessed at www.kslegislature.org.

House Bills

HB 2926, An act concerning the attorney general; authorizing transfers between certain funds, by Committee on Appropriations.

HB 2927, An act concerning the crime victims funds; amending K.S.A. 74-7336 and repealing the existing section, by Committee on Appropriations.

HB 2928, An act concerning motor fuel taxation; relating to rates of tax; sale of motor fuel, certain prohibited acts; civil penalties; duties of division of weights and measures and attorney general; private remedy; amending K.S.A. 2003 Supp. 79-3492b, 79-34,118, 79-34,141 and 79-34,142 and repealing the existing sections, by Committee on Taxation.

HB 2929, An act concerning the interstate water litigation fund; providing for a river master; amending K.S.A. 82a-1802 and repealing the existing section, by Committee on Appropriations.

HB 2930, An act concerning mortgage registration fees; amending K.S.A. 79-3102 and repealing the existing section, by Committee on Taxation.

HB 2931, An act concerning the state health care benefits program; relating to participation of public school districts; amending K.S.A. 2003 Supp. 75-6506 and repealing the existing section, by Committee on Appropriations.

HB 2932, An act concerning schools and school districts; relating to school finance; providing revenue therefor; amending K.S.A. 72-6405, 72-6410, 72-6412, 72-6413, 72-6414 and 72-6442 and K.S.A. 2003 Supp. 72-6407, 72-6431, 79-32,110, 79-3603, 79-3620, 79-3703 and 79-3710 and repealing the existing sections; also repealing K.S.A. 72-6433b and 72-6440 and K.S.A. 2003 Supp. 72-6431b, 72-6431c, 79-201y, 79-3603c, 79-3620c and 79-3710a, by Committee on Appropriations.

HB 2933, An act concerning certain postsecondary educational institutions; relating to out-district tuition; amending K.S.A. 2003 Supp. 13-

13a25, 13-13a26, 13-13a27, 13-13a29, 13-13a31, 13-13a32, 13-13a33, 13-13a34, 19-101a, 71-301a, 71-304, 71-305, 71-306, 71-308, 71-401, 71-402, 71-403, 71-610 and 71-1705 and repealing the existing sections, by Committee on Appropriations.

HB 2934, An act concerning tax increment financing; relating to redevelopment project costs; amending K.S.A. 2003 Supp. 12-1770a and repealing the existing section, by Committee on Taxation.

HB 2935, An act concerning taxation; relating to authority of cities, counties and school districts to impose certain taxes; repeal of certain transfers to local units of government; amending K.S.A. 12-140, 12-1,101, 12-1,106, 65-163j, 65-3306, 65-3327 and 68-581 and K.S.A. 2003 Supp. 12-187, 12-189, 12-192, 19-101a, 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 Taxation.

HB 2936, An act concerning sales taxation; relating to exemptions; community-based mental retardation facility or mental health center; amending K.S.A. 2003 Supp. 79-3606 and repealing the existing section, by Committee on Taxation.

HB 2937, An act relating to school finance; authorizing school districts to reduce or eliminate a certain property tax exemption; concerning a cost of living weighting; amending K.S.A. 72-6413, 72-6414 and 72-8801 and K.S.A. 2003 Supp. 72-6407, 79-201x and 79-5040 and repealing the existing sections, by Committee on Appropriations.

HB 2938, An act concerning social welfare; establishing the health care access improvement program; state medicaid plan; hospitals and health maintenance organizations, by Committee on Appropriations.

HB 2939, An act concerning the membership of the health care data governing board; amending K.S.A. 65-6803 and repealing the existing section, by Committee on Appropriations.

HB 2940, An act concerning schools; relating to required courses of study; amending K.S.A. 72-1101 and repealing the existing section; also repealing K.S.A. 72-1103 and 72-1117.

House Concurrent Resolutions

HCR 5040, A concurrent resolution encouraging the other 49 states to establish their own Mission of Mercy programs.

HCR 5041, A proposition to amend section 1 of article 11 of the constitution of the state of Kansas, relating to taxation of property.

HCR 5042, A proposition to amend section 1 of article 11 of the constitution of the state of Kansas.

House Resolutions

HR 6027, A resolution promoting Brachial Plexus Injury Awareness.

HR 6028, A resolution memorializing the Congress of the United States regarding the No Child Left Behind Act.

Senate Bills

SB 560, An act concerning the interstate water litigation fund; providing for a river master; amending K.S.A. 82a-1802 and repealing the existing section, by Committee on Ways and Means.

SB 561, An act concerning deer; relating to a landowner deer management program; amending K.S.A. 2003 Supp. 32-968 and repealing the existing section, by Committee on Ways and Means.

Senate Resolutions

SR 1826, A resolution congratulating and commending Flossie Bishop Page.

SR 1827, A resolution congratulating and commending the Lawrence Free State High School boys' swimming and diving team.

SR 1828, A resolution honoring Harry Whistler.

SR 1829, A resolution urging the State Corporation Commission, the Kansas Department of Revenue and State Geological Survey to develop a standardized form for the filings by oil and gas producers.

Doc. No. 030470

State of Kansas

Board of Veterinary Examiners

Permanent Administrative Regulations

Article 5.—FEES

70-5-1. Amount of fees. The following fees shall be charged.

- (a) Veterinary medicine license; application \$125.00
(b) Veterinary medicine license; annual renewal \$ 75.00
(c) Veterinary medicine license renewal, if renewal is for an initial license that was issued after April 30 of the preceding license year \$ 20.00
(d) Veterinary medicine license; late renewal penalty \$ 50.00
(e) National board examination; application fee..... \$100.00
(f) Veterinary premises registration; application..... \$ 50.00
(g) Veterinary premises registration; renewal..... \$ 15.00
(h) Veterinary premises registration; late renewal penalty \$ 50.00
(i) Veterinary premises; initial inspection..... \$ 50.00
(j) Veterinary premises; noncompliance inspections \$100.00
(k) Veterinary technician registration; application \$ 20.00
(l) Veterinary technician registration; renewal \$ 10.00

(Authorized by K.S.A. 47-821, K.S.A. 2002 Supp. 47-822, K.S.A. 47-824, and K.S.A. 47-829; implementing K.S.A. 2002 Supp. 47-822, K.S.A. 47-824, 47-829, and 47-840; effective May 1, 1985; amended, T-70-6-13-88, June 13, 1988; amended July 3, 1989; amended May 23, 1994; amended Feb. 21, 1997; amended April 9, 2004.)

Dirk Hanson, DVM
Executive Director

Doc. No. 030486

State of Kansas

Department of Health and Environment

Permanent Administrative Regulations

Article 1.—DISEASES

28-1-20. Immunizations required for school entry. (a) Except as provided in K.S.A. 75-5209(b) and amendments thereto, each child or adolescent shall be required to receive the following vaccinations before enrolling in any Kansas school:

- (1) Diphtheria;
(2) hepatitis B;
(3) measles (rubeola);
(4) mumps;
(5) pertussis (whooping cough);
(6) poliomyelitis;
(7) rubella (German measles);
(8) tetanus; and
(9) varicella (chickenpox), unless proof of prior varicella disease is provided. This proof shall be verified by one of the following:

(A) The signed statement of a physician indicating the child's or adolescent's date of this illness;

(B) the signed statement of a parent indicating the child's or adolescent's date of this illness; or

(C) laboratory evidence of varicella immunity.

(b) The immunization record of each pupil shall document that the pupil has received the vaccinations specified in subsection (a) from a licensed physician or local health department in accordance with the "recommended childhood and adolescent immunization schedule—United States 2003," approved by the advisory committee on immunization practices and hereby adopted by reference. (Authorized by K.S.A. 72-5211; implementing K.S.A. 72-5209; effective, E-79-18, July 20, 1978; effective May 1, 1979; amended April 9, 2004.)

Roderick L. Bremby
Secretary of Health and Environment

Doc. No. 030476

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:

- 04/05/2004 07206 Differential Scanning Calorimeter System
04/05/2004 07211 Motor Vehicles
04/06/2004 07205 Corrugated Metal Pipe and End Sections
04/06/2004 07216 Construction of Concrete Street and Asphalt Millings Road
04/08/2004 07189 Packaging Items
04/08/2004 07204 Work Gloves
04/09/2004 07201 Abandoned Well Plugging—Apt Lease
04/09/2004 07218 Maintenance of Water Tower and Tank

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

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

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

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

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

- 04/14/2004 A-9763 Reroof Job Service Center
04/20/2004 A-9745 Area Shop Renovation
04/20/2004 A-9752 Plumbing System Upgrades, A-9755 Living Unit, and Relocate Water Main—Paint Room
04/20/2004 A-9868 Tuckpoint, Masonry Repair, Clean and Seal
04/29/2004 A-9472 New Sub-Area Shop

Keith Meyers
Director of Purchases

Doc. No. 030489

State of Kansas

Kansas Insurance Department

Permanent Administrative
Regulations

Article 1.—GENERAL

40-1-51. Securities valuation; requirements. The following document prepared by the national association of insurance commissioners and dated July 2003 is hereby adopted by reference: "purposes and procedures of the securities valuation office of the national association of insurance commissioners." (Authorized by K.S.A. 40-103; implementing K.S.A. 40-103 and K.S.A. 40-229; effective April 9, 2004.)

Sandy Praeger
Kansas Insurance Commissioner

Doc. No. 030487

State of Kansas

Secretary of State

Certification of New State Laws

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

Ron Thornburgh
Secretary of State

(Published in the Kansas Register March 25, 2004.)

SENATE BILL No. 323

AN ACT concerning the state general fund; relating to revenue estimates; amending K.S.A. 2003 Supp. 75-6701 and repealing the existing section.

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

Section 1. K.S.A. 2003 Supp. 75-6701 is hereby amended to read as follows: 75-6701. (a) ~~Except as provided in subsection (d),~~ On or before each December 4 and on or before each April 4 20, the director of the budget and the director of the legislative research department shall prepare a joint estimate of revenue to the state general fund for the current fiscal year and the ensuing fiscal year.

(b) If prior to final adjournment of any regular session of the legislature any law is enacted providing for additional or less revenues to be deposited in the state treasury to the credit of the state general fund, the director of the budget and the director of the legislative research department shall prepare a joint estimate of such revenues.

(c) In the event of a disagreement or failure to agree upon a joint estimate of revenue pursuant to subsection (a) or (b), the legislature shall utilize the estimates of the director of the legislative research department and the governor shall utilize the estimates of the director of the budget.

(d) ~~During fiscal year 2003, the director of the budget and the director of the legislative research department shall prepare the joint estimate of revenue to the state general fund for the current fiscal year and the ensuing fiscal year on or before April 22 in lieu of on or before April 4.~~

Sec. 2. K.S.A. 2003 Supp. 75-6701 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the Kansas register.

State of Kansas

Governmental Ethics Commission

Opinion No. 2004-06

Written March 18, 2004, to Betsy Gwin, Wichita.

This opinion is in response to your letter of March 2, 2004, in which you request an opinion from the Kansas Governmental Ethics Commission concerning the Campaign Finance Act (K.S.A. 25-4142 *et seq.*). We note at the outset that the Commission's jurisdiction concerning your question is limited to the application of K.S.A. 25-4142 *et seq.* Thus, whether some other statutory system, common law theory or agency rule or regulation applies to your inquiry is not covered by this opinion.

Factual Statement

We understand that you request this opinion in your capacity as a candidate wishing to close out your campaign account after an unsuccessful bid for public office. You have asked whether in-kind contributions paid directly to a vendor by a contributor can be repaid from campaign funds pursuant to K.S.A. 25-4157a(d).

Question

Pursuant to K.S.A. 25-4157a(d), may a candidate use campaign funds to repay a contributor the value of an in-kind contribution?

Opinion

When candidates choose to close their accounts, they must dispose of the residual funds in one of the methods enumerated in K.S.A. 25-4157a(d):

At the time of the termination of any campaign and prior to the filing of a termination report in accordance with K.S.A. 25-4157, and amendments thereto, all residual funds otherwise not obligated for the payment of expenses incurred in such campaign or the holding of office shall be contributed to a charitable organization, as defined by the laws of the state, contributed to a party committee or returned as a refund in whole or in part to any contributor or contributors from whom received or paid into the general fund of the state. (Emphasis added.)

The Campaign Finance Act defines a contribution, in part, as:

Any advance, conveyance, deposit, distribution, gift, loan or payment of money or any other thing of value given to a candidate, candidate committee, party committee or political committee for the express purpose of nominating, electing or defeating a clearly identified candidate for a state or local office. K.S.A. 25-4143(e)(1)(A). (Emphasis added.)

In Opinion No. 74-02, the Commission held that a "thing of value" provided to a campaign, or on behalf of a campaign, was an "in-kind" contribution. Consequently, a contributor includes a person who provides a thing of value to, or for the benefit of, the campaign. Therefore, pursuant to K.S.A. 25-4157a(d), the value of that contribution may be returned, in whole or in part, to the contributor. It should be noted that pursuant to K.A.R. 19-24-1, the value of the in-kind contribution is equal to the fair market value of the item or service contributed.

Daniel Sevart
Chairman

Doc. No. 030491

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
9-19-11 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
28-15-35	Amended	V. 23, p. 305
28-15-36	Amended	V. 23, p. 309
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		
28-45-30	New (T)	V. 22, p. 537-548
28-45-12		
28-45-30	New	V. 22, p. 1310-1321
28-45a-1		
28-45a-19	New (T)	V. 22, p. 548-557
28-45a-1		
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		
28-51-116	New	V. 22, p. 2100-2102

AGENCY 30: SOCIAL AND REHABILITATION SERVICES

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

30-60-10	Amended	V. 22, p. 1093
30-60-11	Amended	V. 22, p. 1093
30-60-12	Amended	V. 22, p. 1093
30-60-13	New	V. 22, p. 1094
30-60-14	New	V. 22, p. 1094
30-60-15	New	V. 22, p. 1094
30-60-16	New	V. 22, p. 1094
30-60-17	Amended	V. 22, p. 1095
30-60-18	Amended	V. 22, p. 1095
30-16-19	Amended	V. 22, p. 1096
30-60-25	Amended	V. 22, p. 1096
30-60-26	Amended	V. 22, p. 1097
30-60-27	Amended	V. 22, p. 1097
30-60-28	Amended	V. 22, p. 1097
30-60-29	New	V. 22, p. 1097
30-60-30	New	V. 22, p. 1098
30-60-40	Amended	V. 22, p. 1098
30-60-41	Amended	V. 22, p. 1098
30-60-45	Amended	V. 22, p. 1099
30-60-46	Amended	V. 22, p. 1099
30-60-47	Amended	V. 22, p. 1099
30-60-48	New	V. 22, p. 1099
30-60-49	New	V. 22, p. 1100
30-60-50	Amended	V. 22, p. 1100
30-60-51	New	V. 22, p. 1101
30-60-55	Amended	V. 22, p. 1102
30-60-56	New	V. 22, p. 1103
30-60-57	New	V. 22, p. 1103
30-60-60	Revoked	V. 22, p. 1103
30-60-61	Revoked	V. 22, p. 1103
30-60-62	Amended	V. 22, p. 1103
30-60-63	New	V. 22, p. 1104
30-60-64	New	V. 22, p. 1105
30-60-70	Amended	V. 22, p. 1108
30-60-71	Amended	V. 22, p. 1108
30-60-72	Amended	V. 22, p. 1108
30-60-73	Amended	V. 22, p. 1108
30-60-74	Amended	V. 22, p. 1109
30-60-75	Revoked	V. 22, p. 1109
30-60-76	Amended	V. 22, p. 1109
30-61-1	Amended	V. 22, p. 1109
30-61-2	Amended	V. 22, p. 1109
30-61-5	Amended	V. 22, p. 1109
30-61-6	Amended	V. 22, p. 1110
30-61-10	Amended	V. 22, p. 1110
30-61-11	New	V. 22, p. 1110
30-61-15	Amended	V. 22, p. 1110
30-61-16	Revoked	V. 22, p. 1111

AGENCY 36: DEPARTMENT OF TRANSPORTATION

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

AGENCY 40: KANSAS INSURANCE DEPARTMENT

Reg. No.	Action	Register
40-1-48	Amended	V. 22, p. 1709
40-1-50	New (T)	V. 23, p. 244
40-2-26	Amended	V. 23, p. 151
40-3-48	Amended	V. 22, p. 2008
40-4-1	Amended	V. 22, p. 1709
40-4-36	Amended	V. 22, p. 465
40-5-110	Amended	V. 22, p. 1709

AGENCY 44: DEPARTMENT OF CORRECTIONS

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

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

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

AGENCY 61: BOARD OF BARBERING

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

AGENCY 65: BOARD OF EXAMINERS IN OPTOMETRY

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

AGENCY 66: BOARD OF TECHNICAL PROFESSIONS

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

AGENCY 68: BOARD OF PHARMACY

Reg. No.	Action	Register
68-2-9	Amended	V. 22, p. 118
68-2-10	Amended	V. 22, p. 118
68-2-11	Amended	V. 22, p. 118
68-2-12a	Amended	V. 22, p. 118
68-2-15	Amended	V. 22, p. 430
68-2-20	Amended	V. 22, p. 119
68-7-12	Amended	V. 22, p. 119
68-7-12a	Amended	V. 22, p. 120
68-7-12b	New	V. 22, p. 120
68-8-1	Amended	V. 22, p. 431
68-9-2	Amended	V. 22, p. 121
68-11-1	Amended	V. 22, p. 122
68-11-2	Amended	V. 22, p. 122
68-12-2	Amended	V. 22, p. 122
68-13-1	Amended	V. 22, p. 122

AGENCY 71: KANSAS DENTAL BOARD

Reg. No.	Action	Register
71-1-1	Revoked	V. 23, p. 151
71-1-2	Revoked	V. 23, p. 151
71-1-3	Revoked	V. 23, p. 151
71-1-8	Revoked	V. 23, p. 151
71-1-10	Revoked	V. 23, p. 151
71-1-11	Revoked	V. 23, p. 151
71-1-15	Amended	V. 23, p. 151
71-2-1	Revoked	V. 23, p. 151
71-2-4	Revoked	V. 23, p. 151
71-2-9	Revoked	V. 23, p. 151
71-2-12	Revoked	V. 23, p. 151
71-3-5	Revoked	V. 23, p. 151
71-4-1	Amended	V. 23, p. 151
71-4-3	Revoked	V. 23, p. 152
71-7-1	New	V. 23, p. 152

AGENCY 74: BOARD OF ACCOUNTANCY

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

AGENCY 75: STATE BANK

COMMISSIONER—DIVISION OF CONSUMER AND MORTGAGE LENDING

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

AGENCY 82: STATE CORPORATION COMMISSION

Reg. No.	Action	Register
82-1-201	Revoked	V. 22, p. 1650
82-1-202	Amended	V. 22, p. 1650
82-1-204	Amended	V. 22, p. 1650
82-1-204a	New	V. 22, p. 1652

(continued)

82-1-205	Amended	V. 22, p. 1652
82-1-206	Amended	V. 22, p. 1652
82-1-207	Amended	V. 22, p. 1652
82-1-208	Amended	V. 22, p. 1652
82-1-212	Amended	V. 22, p. 1652
82-1-214	Amended	V. 22, p. 1653
82-1-215	Amended	V. 22, p. 1653
82-1-216	Amended	V. 22, p. 1653
82-1-218	Amended	V. 22, p. 1653
82-1-219	Amended	V. 22, p. 1654
82-1-220	Amended	V. 22, p. 1655
82-1-221	Amended	V. 22, p. 1655
82-1-221b	Revoked	V. 22, p. 1656
82-1-222	Amended	V. 22, p. 1656
82-1-224	Amended	V. 22, p. 1656
82-1-225	Amended	V. 22, p. 1656
82-1-226	Amended	V. 22, p. 1657
82-1-227	Amended	V. 22, p. 1657
82-1-228	Amended	V. 22, p. 1657
82-1-229	Amended	V. 22, p. 1658
82-1-230	Amended	V. 22, p. 1659
82-1-230a	New	V. 22, p. 1659
82-1-231	Amended	V. 22, p. 1660
82-1-231a	Amended	V. 22, p. 1663
82-1-231b	Amended	V. 22, p. 1664
82-1-232	Amended	V. 22, p. 1665
82-1-235	Amended	V. 22, p. 1666
82-1-237	Amended	V. 22, p. 1666
82-1-238	Amended	V. 22, p. 1666
82-1-239	Amended	V. 22, p. 1667
82-3-700		
through		
82-3-704	Amended (T)	V. 23, p. 152-155
82-3-705		
through		
82-3-710	New (T)	V. 23, p. 155-158
82-4-2	Amended	V. 22, p. 86
82-4-3a	New (T)	V. 22, p. 2175
82-4-20	Amended	V. 22, p. 86
82-4-21	Amended	V. 22, p. 87
82-4-23	Amended	V. 22, p. 87
82-4-26	Amended	V. 22, p. 87
82-4-26a	Amended	V. 22, p. 88
82-4-27	Amended	V. 22, p. 88
82-4-27a	Amended	V. 22, p. 88
82-4-27e	Amended	V. 22, p. 89
82-4-28	Amended	V. 22, p. 89
82-4-28a	Amended	V. 22, p. 89
82-4-29	Amended	V. 22, p. 90
82-4-29a	Amended	V. 22, p. 90
82-4-30a	Amended	V. 22, p. 90
82-4-32	Amended	V. 22, p. 90
82-4-35	Amended	V. 22, p. 91
82-4-46	Amended	V. 22, p. 91
82-4-49b		
through		
82-4-49e	Revoked	V. 22, p. 91
82-7-2		
through		
82-7-5	Revoked	V. 22, p. 91
82-8-1	Amended	V. 22, p. 91
82-8-2	Amended	V. 22, p. 91
82-8-3	Amended	V. 22, p. 92
82-11-1	Amended	V. 22, p. 1078
82-11-3	Amended	V. 22, p. 1079
82-11-4	Amended	V. 22, p. 1079
82-11-8	Amended	V. 22, p. 1084
82-11-10	Amended	V. 22, p. 1084

AGENCY 88: BOARD OF REGENTS

Reg. No.	Action	Register
88-23-2	Amended	V. 23, p. 276
88-23-2a	New	V. 23, p. 278
88-23-3	Revoked	V. 23, p. 279
88-23-3a	New	V. 23, p. 279
88-23-7	New	V. 22, p. 1709

AGENCY 91: DEPARTMENT OF EDUCATION

Reg. No.	Action	Register
91-1-201	Amended	V. 22, p. 2125
91-1-203	Amended	V. 22, p. 2126
91-1-206	Amended	V. 22, p. 2129
91-1-213	Amended	V. 22, p. 2130

91-18-24	Revoked	V. 23, p. 280
91-18-27	Revoked	V. 23, p. 280
91-18-29	Amended	V. 23, p. 280
91-18-34	Revoked	V. 23, p. 280
91-18-40	Revoked	V. 23, p. 280
91-31-16		
through		
91-31-30	Revoked	V. 22, p. 124
91-31-31		
through		
91-31-42	New	V. 22, p. 124-128
91-38-1	Amended	V. 22, p. 356
91-38-2	Amended	V. 22, p. 356
91-38-3	Amended	V. 22, p. 357
91-38-5	Amended	V. 22, p. 357
91-38-6	Amended	V. 22, p. 358
91-38-7	Amended	V. 22, p. 360

AGENCY 92: DEPARTMENT OF REVENUE

Reg. No.	Action	Register
92-19-200		
through		
92-19-203	New	V. 22, p. 431
92-51-24	Amended	V. 23, p. 40
92-51-25	Amended	V. 23, p. 40
92-51-28	New	V. 23, p. 40
92-51-29	New	V. 23, p. 41
92-51-34a	New	V. 23, p. 41
92-52-9	Amended	V. 23, p. 41

**AGENCY 93: DEPARTMENT OF REVENUE—
DIVISION OF PROPERTY VALUATION**

Reg. No.	Action	Register
93-6-4	Amended	V. 22, p. 666
93-6-7	New	V. 22, p. 666

AGENCY 94: BOARD OF TAX APPEALS

Reg. No.	Action	Register
94-2-4	Amended (T)	V. 22, p. 1504
94-2-4	Amended	V. 22, p. 2009
94-2-19	Amended (T)	V. 22, p. 1504
94-2-19	Amended	V. 22, p. 2009
94-2-20	Amended (T)	V. 22, p. 1504
94-2-20	Amended	V. 22, p. 2010
94-2-21	New (T)	V. 22, p. 1505
94-2-21	New	V. 22, p. 2010

AGENCY 100: BOARD OF HEALING ARTS

Reg. No.	Action	Register
100-22-4	New	V. 22, p. 690
100-29-9	Amended	V. 22, p. 1892
100-29-10	Amended	V. 22, p. 1893
100-54-2		
through		
100-54-8	Amended	V. 22, p. 1926-1929
100-55-5	Amended	V. 22, p. 690
100-55-9	Amended	V. 22, p. 690
100-72-1		
through		
100-72-7	New (T)	V. 22, p. 79-81
100-72-1		
through		
100-72-6	New	V. 22, p. 691, 692
100-72-7	New	V. 22, p. 1893
100-75-1	New (T)	V. 22, p. 82
100-75-1	New	V. 22, p. 693

**AGENCY 102: BEHAVIORAL SCIENCES
REGULATORY BOARD**

Reg. No.	Action	Register
102-1-3a	Amended (T)	V. 22, p. 1267
102-1-3a	Amended	V. 22, p. 1808
102-1-3b	New (T)	V. 22, p. 1268
102-1-3b	New	V. 22, p. 1809
102-1-8	Amended	V. 22, p. 1148
102-1-10a	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

Reg. No.	Action	Register
111-2-151		
through		
111-2-156	New	V. 23, p. 95, 96
111-2-154	Amended	V. 23, p. 261
111-2-155	Amended	V. 23, p. 262
111-2-156	Amended	V. 23, p. 262
111-2-157	New	V. 23, p. 262
111-3-22	Amended	V. 23, p. 97
111-4-881	Amended	V. 23, p. 97
111-4-1448	Amended	V. 23, p. 98
111-4-2052	Amended	V. 23, p. 262
111-4-2055	Amended	V. 23, p. 263
111-4-2057	Amended	V. 23, p. 263
111-4-2074	Amended	V. 23, p. 98
111-4-2093	Amended	V. 23, p. 309
111-4-2094	New	V. 23, p. 100
111-4-2095		
through		
111-4-2115	New	V. 23, p. 264-275
111-4-2097	Amended	V. 23, p. 310
111-4-2098	Amended	V. 23, p. 310
111-4-2116		
through		
111-4-2125	New	V. 23, p. 311-318
111-5-96	Amended	V. 23, p. 101

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:

111-5-111 through 111-5-115 New V. 23, p. 245, 246
 111-7-188 through 111-7-192 New V. 23, p. 319, 320

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. 23, p. 337
117-9-1	Amended	V. 23, p. 150

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