

Kansas Register

Ron Thornburgh, Secretary of State

Vol. 24, No. 5 February 3, 2005 Pages 127-166

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State of Kansas

Secretary of State

Code Mortgage Rate for February

Pursuant to the provisions of K.S.A. 2004 Supp. 16a-1-301, Section 11, the code mortgage rate during the period of February 1, 2005 through February 28, 2005, is 12 percent.

Ron Thornburgh
Secretary of State

Doc. No. 031567

State of Kansas

Statewide Independent Living Council

Notice of Meeting

The Statewide Independent Living Council of Kansas, Inc. will meet at 10 a.m. Friday, February 18, in the basement conference room at the Topeka Independent Living Resource Center, 501 S.W. Jackson, Topeka. For more information, contact Mary Lou Dunn or Shannon Jones at (785) 234-6990 or 1-800-217-4525, or e-mail at Marylouya@aol.com.

Shannon Jones
Executive Director

Doc. No. 031568

State of Kansas

Secretary of State

Public Notice

Pursuant to the provisions of K.S.A. 79-32,117h, the Consumer Price Index was 188.9 as of December 31, 2004. The index was 2.7 percent higher than one year ago.

Ron Thornburgh
Secretary of State

Doc. No. 031571

State of Kansas

Secretary of State

Usury Rate for February

Pursuant to the provisions of K.S.A. 2004 Supp. 16-207, the maximum effective rate of interest per annum for notes secured by all real estate mortgages and contracts for deed for real estate (except where the note or contract for deed permits adjustment of the interest rate, the term of the loan or the amortization schedule) executed during the period of February 1, 2005 through February 28, 2005, is 6.97 percent.

Ron Thornburgh
Secretary of State

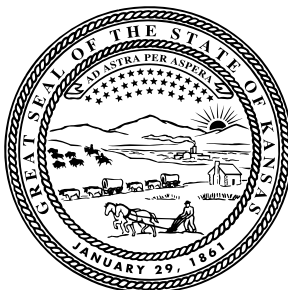
Doc. No. 031566

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(Published in the Kansas Register February 3, 2005.)

City of Olathe, Kansas

Notice to Bidders

Sealed bids will be received at the office of the city clerk at City Hall, 100 E. Santa Fe, Olathe, Kansas, until 11 a.m. local time March 4, 2005, for the construction of **127th Street Overpass over I-35, Kansas City Road to Mur-Len Road, KDOT Project No. 46 N-0271-01, HPC/IMD/CMQ/STP-035-3 (401), City of Olathe Project No. 30298.**

At said time and place all bids that have been duly received will be publicly opened and read aloud. The work consists of the following:

The construction of 127th Street Overpass over I-35, (Kansas City Road to Mur-Len Road) consists of approximately 1,246 meters of new 6-lane roadway and two concrete pre-stress beam structures, each 159.140 meters in length, including 336 meters of new roadway approach work on both Kansas City Road and Mur-Len Road. The project also includes concrete pavement with a alternate for total concrete pavement or asphaltic pavement and concrete pavement combination, concrete curb and gutter, sidewalks, water main relocations, storm sewer, lighting, traffic signals, M.S.E. retaining walls, module walls, pavement markings, fencing, pedestrian railings, landscaping, seeding and sodding, traffic control and construction phasing.

Contract documents, including drawings and specifications, are on file at the office of the Olathe city engineer and are open for public inspection. Copies may be obtained at the office of Kelly Imaging, 10840 W. 86th St., Lenexa, KS 66215-1632, www.kellyimaging.net, for \$450 (full size) or \$200 (half size) including tax, none of which will be refundable.

The entire name of the project must appear on the outside of the bid envelope submitted to the city clerk's office.

A mandatory pre-bid meeting will be at 10 a.m. February 16 at the Governors Meeting Room, Olathe City Hall.

A satisfactory bid bond executed by the bidder and an acceptable surety, in an amount equal to 5 percent of the total bid for work, shall be submitted with each proposal.

The successful bidder will be required to furnish and pay satisfactory performance and payment bond or bonds.

The city of Olathe, Kansas, reserves the right to reject any or all bids or to waive any informalities in the bidding.

Bids may be held by the city of Olathe for a period not to exceed 90 days from the date of the opening of bids for the purpose of reviewing the bids and investigating the qualifications of bidders, prior to awarding the contract.

Effective April 24, 2000, all bidders shall submit in writing to the Director of Human Relations an affirmative action program. No contract will be awarded to any company that has not been issued a Certification of Compliance by the Olathe Human Relations Commission within the past 12 months. A copy of the required form is included in the contract documents. Questions concerning the forms and information required to complete the form

should be directed to the city of Olathe Equal Opportunity Office at (913) 393-6493.

City of Olathe, Kansas
By Debra S. Gragg
City Clerk

Doc. No. 031570

State of Kansas

Secretary of State

Executive Appointments

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

Kansas Court of Appeals, Position 12

Hon. Michael B. Buser, Kansas Judicial Center, 301 S.W. 10th Ave., Topeka, 66612. New position.

District Judge, 7th Judicial District, Division 6

Stephen Six, Douglas County Judicial and Law Enforcement Center, 111 E. 11th St., Lawrence, 66604.

District Judge, 11th Judicial District, Division 2

Oliver Kent Lynch, Crawford County Courthouse, 602 N. Locust St., Pittsburg, 66762.

Kansas African-American Affairs Commission

Curtis L. Whitten, 4421 N. Mission Road, Wichita, 67226. Term expires June 30, 2007. Succeeds James White.

Governor's Mental Health Planning Council

Dr. Jane Adams, 3926 E. Highway 40, Topeka, 66607. Term expires June 30, 2007. Succeeds Bradley Grinage.

Board of Indigents' Defense Services

Cynthia A. Neighbor, 10405 W. 52nd Terrace, Shawnee Mission, 66203. Term expires January 15, 2006. Succeeds Devon Knoll.

Mary L. Rubeck, 4826 S.W. Briarcliff Road, Towanda, 67144. Term expires January 15, 2007. Reappointed.

Dr. Nathaniel L. Terrell, 2025 Schaeffer Way, Emporia, 66801. Term expires January 15, 2007. Reappointed.

John V. Wachtel IV, 12741 Bradford Circle, Wichita, 67206. Term expires January 15, 2007. Succeeds Lynn Ward.

Ron Thornburgh
Secretary of State

Doc. No. 031588

State of Kansas

University of Kansas

Notice to Bidders

Sealed bids for the item listed below will be received by The University of Kansas, Lawrence, until 2 p.m. local time on the date indicated and then will be publicly opened. Interested bidders may call (785) 864-3416 or fax (785) 864-3454 for additional information:

February 14, 2005

RFQ-39056

Mechanical Tissue Tester

Barry Swanson
Director of Purchasing and
Business Services

Doc. No. 031574

State of Kansas

State Corporation Commission

Notice of Hearing

The State Corporation Commission, pursuant to K.S.A. 55-703, has directed that an investigation be instituted to determine the reasonable market demand for gas produced from the fields listed below for the period extending from April 1, 2005 through September 30, 2005, both inclusive; to determine the deliverability and acreage attributable to each of the wells therein; and to fix gas production percentages, quotas and allowables for wells within said fields for said proration period:

- Hugoton gas field in Kearny, Finney, Grant, Haskell, Morton, Stevens, Seward, Stanton, Hamilton, Wichita and Gray counties
- Panoma-Council Grove gas field in Finney, Grant, Hamilton, Haskell, Kearny, Morton, Stanton, Stevens, Wichita and Seward counties
- Greenwood gas field in Morton County
- Glick (Mississippi) gas pool in Barber, Comanche and Kiowa counties

A hearing will be conducted, if necessary under the terms of the commission's order dated December 20, 2004, at 10 a.m. Thursday, March 31, at the State Corporation Commission's office, Room 2078, Finney State Office Building, 130 S. Market, Wichita.

All transporters of gas produced from said fields are hereby notified to furnish to the State Corporation Commission their nominations from said fields for the calendar months included in said proration period as provided in the above-cited commission order.

For more information, contact Allison M. Herring, Assistant General Counsel, State Corporation Commission, Conservation Division, Room 2078, Finney State Office Building, 130 S. Market, Wichita, 67202, (316) 337-6200.

Susan K. Duffy
Executive Director

Doc. No. 031573

State of Kansas

Kansas Judicial Council

Notice of Meetings

The Kansas Judicial Council and its advisory committees will meet according to the following schedule at the Kansas Judicial Center, 301 S.W. 10th Ave., Topeka:

Date	Committee	Time	Location
Feb. 4	Judicial Evaluations	9:30 a.m.	Room 259
Feb. 11	Legal Forms	9:30 a.m.	Room 259
Feb. 18	Probate Law	9:30 a.m.	Room 259
Feb. 18	PIK Civil	9:30 a.m.	TBA
Feb. 25	Appellate Procedure	9:30 a.m.	Room 259
March 4	Judicial Evaluations	9:30 a.m.	Room 259
March 11	Administrative Procedure	9:30 a.m.	Room 259
March 11	Legal Forms	9:30 a.m.	TBA
March 18	PIK Civil	9:30 a.m.	Room 259
March 25	Juvenile Offender/Child in Need of Care	9:30 a.m.	Room 259
March 25	Appellate Procedure	9:30 a.m.	TBA

Hon. Donald L. Allegrucci
Chair

Doc. No. 031591

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) 296-2376:

02/16/2005	08077	Janitorial Services
02/23/2005	08085	Janitorial Services
03/07/2005	08065	Automobile Liability Insurance

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>

Contractors wishing to bid on the projects listed below must be prequalified. For more information about the prequalification process or to obtain the following bid documents, call (785) 296-8899:

02/22/2005	A-9994	Roof Repair
02/23/2005	A-010005	Re-roof State Printing Plant
02/24/2005	A-9528 Rev.	Hubbard Hall Masonry/Siding Restoration
03/03/2005	A-9848	New Parking Facility
03/03/2005	A-9950	Repair of Campus Streets and Drives

Chris Howe
Director of Purchases

Doc. No. 031579

State of Kansas

Pooled Money Investment Board

Notice of Investment Rates

The following rates are published in accordance with K.S.A. 75-4210. These rates and their uses are defined in K.S.A. 12-1675(b)(c)(d), 75-4201(l) and 75-4209(a)(1)(B).

Effective 1-31-05 through 2-6-05

Term	Rate
1-89 days	2.39%
3 months	2.42%
6 months	2.69%
1 year	2.93%
18 months	3.08%
2 years	3.21%

Derl S. Treff
Director of Investments

Doc. No. 031564

State of Kansas

Department of Transportation

Notice to Contractors

Sealed proposals for the construction of road and bridge work in the following Kansas counties will be received at the Bureau of Construction and Maintenance, KDOT, Topeka, or at the Capitol Plaza Hotel, Topeka, until 2 p.m. February 16 and then publicly opened:

District One—Northeast

Johnson—435-46 K-8262-02—I-435 and Antioch Road in Overland Park, grading and surfacing. (State Funds)

Pottawatomie—63-75 K-9566-01—K-63 bridge, 7.4 miles north of the K-16/K-63 north junction, bridge repair. (State Funds)

Shawnee—70-89 K-9568-01—I-70, Polk-Quincy Viaduct, bridge repair. (State Funds)

Shawnee—89 U-1840-01—Southwest 6th Street from Oakley to Southwest Gage in Topeka, 0.5 mile, grading and surfacing. (Federal Funds)

District Two—Northcentral

Chase—50-9 K-9929-01—Various locations on U.S. 50 from the Marion-Chase county line northeast to the Chase-Lyon county line, 30.3 miles, joint repair. (State Funds)

Dickinson—70-21 K-9928-01—I-70 from the Dickinson-Geary county line west 6 miles, joint repair. (State Funds)

Geary—70-31 K-9927-01—I-70 from the Dickinson-Geary county line east to the Geary-Riley county line, 26.3 miles, joint repair. (State Funds)

District Three—Northeast

Phillips—183-74 K-9600-01—U.S. 183, Deer Creek drainage, 0.1 mile south of the junction of U.S. 36, bridge repair. (State Funds)

Russell—84 C-3635-01—Wichita Avenue from St. John's Street to U.S. 281 in Russell, 0.6 mile, grading and surfacing. (Federal Funds)

Wallace—27-100 K-7375-01—Eagle Trail Creek, 0.6 mile south of the U.S. 40 west junction, bridge replacement. (Federal Funds)

District Four—Southeast

Allen—1 C-3776-01—County road 1.4 miles east of Humboldt, 0.2 mile, grading, bridge and surfacing. (Federal Funds)

Crawford—7-19 K-7426-01—K-7, West Fork Dry Wood Creek, 8.8 miles north of K-57, bridge replacement. (Federal Funds)

Neosho—59-67 K-6814-01—U.S. 59, Labette Creek drainage bridge, 2.5 miles north of the Labette-Neosho county line, bridge replacement. (Federal Funds)

Miami—68-61 K-9602-01—K-68 culvert, approximately 7.5 miles east of the Miami-Franklin county line, culvert repair (State Funds)

District Five—Southcentral

Comanche—160-17 K-7392-01—U.S. 160, bridges 4.2 miles and 4.7 miles east of the Clark-Comanche county line, bridge replacement. (Federal Funds)

Cowley—77-18 K-9589-01—U.S. 77, Arkansas River bridge, 3 miles north of the Oklahoma-Kansas state line, bridge repair. (State Funds)

Sedgwick—35-87 K-9128-01—127th Street bridge over the Kansas Turnpike Authority, 0.1 mile northeast of the junction of U.S. 54, bridge widening. (State Funds)

Stafford—50-93 K-9129-01—U.S. 50, Rattlesnake Creek bridge, 11 miles east of the Edwards-Stafford county line, bridge widening. (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. 031590

State of Kansas

**Department of Health
and Environment**

Notice of Hearing

The Kansas Department of Health and Environment will conduct a public hearing to solicit comments from interested persons on the state plans for the Maternal and Child Health Services Block Grant and the Preventive Health and Health Services Block Grant. The hearing will be at 9 a.m. Monday, February 21, in the House Appropriations Committee of the Kansas Legislature, Room 514-S, State Capitol, 300 S.W. 10th Ave., Topeka.

Roderick L. Bremby
Secretary of Health
and Environment

Doc. No. 031582

State of Kansas

**Department of Health
and Environment**

**Request for Bids on the Kansas Childhood
Lead Poisoning Prevention Program**

Sealed bids for the items listed will be received by the Kansas Department of Health and Environment until 2 p.m. on the date indicated. For more information, call (785) 296-1519:

**February 14, 2005
264-05-4**

Project Lead Safe KCK—

Lead Hazard Reduction at the following properties:

- | | |
|-------------|---|
| Property #1 | 2632 N. Mill St.
Kansas City, KS 66101 |
| Property #2 | 5045 Locust Ave.
Kansas City, KS 66106 |
| Property #3 | 4346 Fisher St.
Kansas City, KS 66103 |
| Property #4 | 946 Sandusky
Kansas City, KS 66101 |
| Property #5 | 2735 S. 8th St.
Kansas City, KS 66103 |

Contractors will be required to attend a walkthrough of each property in order to be eligible to respond to the Invitation for Bid. For times and actual locations, call (913) 262-0796 or go to the following Web site: http://www.unleadedks.com/contractor_info.html.

The above referenced bid documents can be downloaded at the Web site listed above.

Roderick L. Bremby
Secretary of Health
and Environment

Doc. No. 031585

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. ONEOK Field Services 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.

ONEOK Field Services, Tulsa, Oklahoma, owns and operates a natural gas liquids processing facility located at Bushton Gas Plant, Section 31, Township 17 South, Range 9 West.

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 North Central District Office, 2501 Market Place, Suite D, Salina. To obtain or review the proposed permit and supporting documentation, contact Michael J. Parhomek, (785) 296-1580, at the KDHE central office; and to review the proposed permit only, contact Stan Marshall, (785) 827-9639, at the KDHE North Central District Office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Michael J. Parhomek, KDHE, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka, 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received before the close of business March 7.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Brie Wilkins, Bureau of Air and Radiation, not later than the close of business March 7 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's 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 Harriet Jones, 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. 031586

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-05-010/014

Pending Permits for Confined Feeding Facilities

Name and Address of Applicant	Legal Description	Receiving Water
Griffiths Dairy David Griffiths 2307 245th St. Fulton, KS 66738	SW/4 of Section 34, T23S, R25E, Bourbon County	Marais des Cygnes River Basin

Kansas Permit No. A-MCBB-M005

This is a new permit for an existing unpermitted facility that is adding a wastewater retention structure (lagoon) and two calf lots that will contain approximately 25 head of calves each, for a maximum animal capacity of 75 head (105 animal units) of mature dairy cattle, 25 head of replacement heifers (25 animal units) weighing more than 700 pounds, and 26 head of calves (13 animal units) weighing less than 700 pounds, for a total of 126 head of cattle (143 animal units).

Name and Address of Applicant	Legal Description	Receiving Water
Bekemeyer Enterprises, Inc. Glenn and Gregory Bekemeyer 1497 17th Road Washington, KS 66968	SW/4 of Section 05, T03S, R03E, Washington County	Big Blue River Basin

Kansas Permit No. A-BBWS-C006 Federal Permit No. KS0095320

This is a modification and renewal permit for an existing facility with a maximum capacity of 2,160 head (2,160 animal units) of cattle

weighing greater than 700 pounds. The facility modifications will provide for containment of the 1.4 acres of pens that are currently uncontrolled.

Name and Address of Applicant	Legal Description	Receiving Water
Frank Bills Feedlot Frank Bills Route 2 Severy, KS 67137	E/2 of Section 25, T26S, R12E, Greenwood County	Verdigris River Basin

Kansas Permit No. A-VEGW-C001 Federal Permit No. KS0097519

This is a permit modification for an existing facility that has recently completed construction of an expansion including new pens and runoff control structures. The modifications consist of construction adjustments that were necessary because of conflicts between the existing geologic conditions and the proposed design. There will be no change in head count or animal units.

Name and Address of Applicant	Legal Description	Receiving Water
Heritage Feeders L.P. - Larned P.O. Box 134 Larned, KS 67550	E/2 of Section 21, T22S, R16W, Pawnee County	Upper Arkansas River Basin

Kansas Permit No. A-UAPN-C001 Federal Permit No. KS0037575

This is a permit modification for the addition of a new waste storage pond. KDHE also is requiring the extension of the irrigation distribution system to two existing center pivots at sites listed on the most current Manure/Waste Management Plan.

Name and Address of Applicant	Legal Description	Receiving Water
Parker Hog Farms Haverkamp Bros. Inc. Route 1, Box 37A Bern, KS 66408	SW/4 of SE/4 of Section 36, T01S, R18E, NW/4 of Section 01, T02S, R18E, Brown County	Missouri River Basin

Kansas Permit No. A-MOBR-H002 Federal Permit No. KS0088463

This is a renewal and reissuance of a permit due to a change in operator at an existing facility with a maximum capacity of 9,882 head (3,953 animal units) of swine weighing more than 55 pounds and 5,420 head (542 animal units) of swine weighing 55 pounds or less.

Public Notice No. KS-05-008/017

Name and Address of Applicant	Waterway	Type of Discharge
Blue Rapids, City of 4 Public Square Blue Rapids, KS 66411	Big Blue River	Treated Domestic Wastewater

Kansas Permit No. M-BB04-OO01 Federal Permit No. KS0024775

Legal: W $\frac{1}{2}$, SW $\frac{1}{4}$, NE $\frac{1}{4}$, S28, T4S, R7E, Marshall County

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

Name and Address of Applicant	Waterway	Type of Discharge
Butler County Sewer District #17 c/o Butler County Commissioners 205 W. Central, Room 105 El Dorado, KS 67042	Hickory Creek via North Branch of Hickory Creek	Treated Domestic Wastewater

Kansas Permit No. M-WA23-OO01 Federal Permit No. KS0082180

Legal: N $\frac{1}{2}$, SW $\frac{1}{4}$, SE $\frac{1}{4}$, S33, T27S, R8E, Butler County

(continued)

Facility Name: Butler County Sewer District No. 17 - Beaumont

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

Name and Address of Applicant	Waterway	Type of Discharge
Greenleaf, City of 504 Commercial St. Greenleaf, KS 66943	Coon Creek via Unnamed Tributary	Treated Domestic Wastewater
Kansas Permit No. M-BB08-OO01	Federal Permit No. KS0048411	
Legal: NW¼, S9, T4S, R4E, Washington County		

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

Name and Address of Applicant	Waterway	Type of Discharge
Mankato, City of P.O. Box 2 Mankato, KS 66956	Republican River via Buffalo Creek	Treated Domestic Wastewater
Kansas Permit No. M-LR16-OO02	Federal Permit No. KS0095231	
Legal: NW¼, SW¼, S22, T3S, R8W, Jewell County		

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

Name and Address of Applicant	Waterway	Type of Discharge
Marshall County Commission 1201 Broadway Marysville, KS 66508	Unnamed Tributary to Spring Creek	Treated Domestic Wastewater
Kansas Permit No. M-BB27-OO01	Federal Permit No. KS0095435	
Legal: E½, SE¼, SW¼, S27, T2S, R8E, Marshall County		

Facility Name: Home City Sewer District No. 1 - Marshall County

Facility Address: East U.S. Highway 36, Home City, KS 66438

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

Name and Address of Applicant	Waterway	Type of Discharge
Marysville, City of 209 N. 8th St. Marysville, KS 66508	Big Blue River	Treated Domestic Wastewater
Kansas Permit No. M-BB13-OO02	Federal Permit No. KS0092142	
Legal: SE¼, S31, T2S, R7E, Marshall County		

Facility Description: The proposed action is to reissue an existing permit for operation of an existing wastewater treatment facility treating primarily domestic wastewater. The proposed permit includes limits for biochemical oxygen demand, total suspended solids, fecal coliform and pH. Monitoring of ammonia and effluent flow also will be

required. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

Name and Address of Applicant	Waterway	Type of Discharge
Netawaka, City of 418 Kansas St. Netawaka, KS 66516	Delaware River via Straight Creek via Unnamed Tributary	Treated Domestic Wastewater
Kansas Permit No. M-KS49-OO01	Federal Permit No. KS0081591	
Legal: SE¼, S22, T5S, R15E, Jackson County		

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

Name and Address of Applicant	Waterway	Type of Discharge
Jack Gregg American Eagle Investments P.O. Box 11125 Kansas City, KS 66111	Kansas River via Little Muddy Creek	Treated Domestic Wastewater
Kansas Permit No. C-KS72-OO07	Federal Permit No. KS0119911	
Legal: SE¼, S14, T11S, R16E, Shawnee County		

Facility Name: Northridge Mobile Home Park

Facility Location: 2620 N.E. Calhoun Bluff, Topeka, KS 66617

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

Name and Address of Applicant	Waterway	Type of Discharge
Vermillion, City of P.O. Box 127 Vermillion, KS 66544	Black Vermillion River	Treated Domestic Wastewater
Kansas Permit No. M-BB20-OO01	Federal Permit No. KS0085529	
Legal: SW¼, NW¼, SW¼, S12, T4S, R10E, Marshall County		

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

Name and Address of Applicant	Waterway	Type of Discharge
Whiting, City of P.O. Box 126 Whiting, KS 66552	Delaware River via Unnamed Tributary	Treated Domestic Wastewater
Kansas Permit No. M-KS81-OO01	Federal Permit No. KS0083372	
Legal: SW¼, SW¼, SE¼, S27, T5S, R16E, Jackson County		

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

Public Notice No. KS-ND-05-002

Name and Address of Applicant	Legal Location	Type of Discharge
New Cambria, City of P.O. Box 38 New Cambria, KS 67470 Kansas Permit No. M-SO46-NO01	NE¼, NW¼, SW¼, S36, T13S, R2W, Saline County	Nonoverflowing

Facility Description: The proposed action is to reissue an existing permit for operation of the existing wastewater treatment facility treating primarily domestic wastewater. 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 March 5 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate Kansas permit number (KS-AG-05-010/014, KS-05-008/017, KS-ND-05-002) 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. 031580

**State of Kansas
Department of Revenue
Notice of Hearing on Proposed
Administrative Regulations**

A public hearing will be conducted at 2 p.m. Thursday, April 14, in Room 481-W, Docking State Office Building, 915 S.W. Harrison, Topeka, to consider the revocation, adoption and amendment of several rules and regulations that support the Kansas retailers' sales tax act and the revocation of one regulation that supports the Kansas liquor control act.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed rules and regulations. All interested parties may submit written comments on the proposed rules and regulations prior to the hearing to Tom Hatten, Attorney/Tax Specialist, Office of Policy & Research, 2nd Floor, Docking State Office Building, 915 S.W. Harrison, Topeka, 66625.

All interested parties will be given a reasonable opportunity to present their views, either orally or in writing or both, concerning the adoption of the proposed regulations. In order to give all parties an opportunity to present their views, it may be necessary to request that each participant 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 Tom Hatten at (785) 296-3081 or TTY (785) 296-6461. Handicap parking is located in State Parking Lot No. 2, south of the Docking Building facing Harrison Street. The east entrance to the Docking Building is handicap accessible.

All regulations and revocations are proposed for adoption on a permanent basis. The following is a summary of the proposed rules and regulations and their economic impact:

Revocation of K.A.R. 14-14-12. Transportation of spirits by distributors. K.A.R. 14-14-12 prohibits liquor
(continued)

wholesalers from delivering liquor to retailers between 11 p.m. and 8 a.m. It also prohibits deliveries from being made on the same day an order is placed. This regulation does nothing to prevent liquor retailers from making unlawful purchases. It burdens honest retailers by requiring them to take time away from their normal retail activities to take delivery of their legitimate liquor purchases. Its revocation should have a nominal beneficial economic impact on liquor retailers and no impact on government agencies or units, or the general public.

Revocation of K.A.R. 92-19-49a. Refunds and credits. K.A.R. 92-19-49a is being revoked and replaced by K.A.R. 92-19-49b, K.A.R. 92-19-49c and K.A.R. 92-19-49d. The three new proposals address the same subject matters as the regulation being revoked. This change will help clarify the treatment of: (1) returned goods; (2) filing requirements for refund requests; and (3) administrative review of refund requests. This revocation will not cost anything to Kansas retailers, government agencies or units, or the general public. The economic impact of adopting the three proposed regulations will be discussed in the summaries for those proposals.

Adoption of K.A.R. 92-19-49b. Returned goods. K.A.R. 92-19-49b explains how retailers should reimburse sales tax to customers who return goods for cash or credit. Subsection (e) addresses how manufacturers or dealers should reimburse sales tax to customers who return vehicles under the Kansas lemon law. This is an interpretive rather than a quasi-legislative regulation. Its revision is intended to provide clearer instructions about how sales tax should be refunded on returned goods. The clearer instructions should reduce some of the confusion that was caused by discussing returned goods in a regulation for tax refunds and credits. A regulation for returned goods that is easier to comprehend will reduce expenses for Kansas retailers, government agencies or units, and the general public.

Adoption of K.A.R. 92-19-49c. Refund applications; refund claims; required forms. This regulation sets forth the requirements for documenting refund claims. It is intended to encourage refund claims to be complete and fully documented when first submitted. This will speed the processing of these claims and reduce the amount of interest paid out on refund payments. It will discourage refund practitioners from filing blanket refund claims without including adequate supporting documentation to allow the claim to be processed when received. The department's limited resources for sales tax administration are in danger of being overwhelmed by a variety of things, including voluminous and poorly documented refund claims. Requiring refund claims to be complete when they are first filed will require refund practitioners, retailers and consumers to document the basis of their refund claim before submitting it to the department. This additional work done up-front will help speed refund payments to retailers and consumers. Submission of poorly or undocumented refund claims and delay in providing adequate proof of the claim until the matter is heard on appeal causes a highly inefficient use of the department's limited resources. These unnecessary administrative appeals increase costs and delays for the depart-

ment, Board of Tax Appeals, taxpayers and refund practitioners.

Adoption of K.A.R. 92-19-49d. Review of refund applications; processing of refund claims. K.A.R. 92-19-49d sets forth the department's procedure for reviewing refund claims. When a refund claim is incomplete, the department will not review its substance but will return it along with a written statement that explains what additional information is needed to make the refund claim complete. An incomplete refund claim will not be considered to have been filed for purposes of stopping the statute of limitations from running or for purposes of interest payments. A refund claim will be considered to have been filed only when the department receives a claim that is complete and fully documented. When the department rejects an incomplete refund claim, the applicant will have the choice of either appealing the department's determination or submitting a new refund claim that is complete. If the taxpayer chooses to appeal, the sole issue on appeal will be whether or not the refund claim was complete when submitted. If it is determined on appeal that the claim was complete when submitted, the matter will be remanded to the department with instructions to review the merits of the claim and to treat the claim as having been complete when it was first submitted. If it is determined that the claim was incomplete when it was first submitted, the applicant will be instructed to file a new refund claim that is properly documented. It is appropriate to require the retailer or consumer to fully document their refund claims, since the erroneous tax payment and collection possibly could have been avoided at the time of the sale. Submission of poorly or undocumented refund claims and delay in providing adequate proof of the claim until the matter is heard on appeal causes highly inefficient use of the department's limited resources. These administrative appeals increase costs and delays for the department, Board of Tax Appeals, taxpayers and refund practitioners.

Adoption of K.A.R. 92-19-81. Abatement of final tax liabilities. K.A.R. 92-19-81 is being amended to correct an erroneous citation to K.A.R. 92-12-66 instead of K.A.R. 92-12-66a. This will assist tax services, such as CCH and RIA, which provide an electronic link from a citation in one regulation to the regulation being cited. This is the only economic impact.

Copies of the regulations and their economic impact statements may be downloaded from the department's Web site at www.ksrevenue.org or may be obtained by contacting the Kansas Department of Revenue, Office of Policy & Research, 2nd Floor, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612-1588.

Joan Wagon
Secretary of Revenue

Doc. No. 031575

(Published in the Kansas Register February 3, 2005.)

**Notice of Full Redemption
to the Holders of
City of Concordia, Kansas
Industrial Revenue Bonds
(Medical Arts Building)
Series A1979
Dated September 1, 1979**

Notice is hereby given by UMB Bank, N.A., as Fiscal Agent, on behalf of the City of Concordia, Kansas, that the City of Concordia, Kansas, Industrial Revenue Bonds (Medical Arts Building), Series A1979, dated September 1, 1979, specified hereinafter in the aggregate principal amount of \$85,000, have been irrevocably designated for redemption in full pursuant to the optional redemption provisions of Ordinance No. 2161. The bonds shall be redeemed on March 1, 2005, at a redemption price equal to 103 percent of the principal amount thereof, together with the interest accrued on such principal amount to, but not including, the date fixed for redemption.

Bearer Bond #	CUSIP #	Interest Rate	Maturity Date	Call Amount
36	2065339A1	8.50%	9-1-2005	\$5,000
38	2065339A1	8.50%	9-1-2005	\$5,000
39	2065339A1	8.50%	9-1-2005	\$5,000
49	2065339A1	8.50%	9-1-2005	\$5,000
50	2065339A1	8.50%	9-1-2005	\$5,000
55	2065339A1	8.50%	9-1-2005	\$5,000
59	2065339A1	8.50%	9-1-2005	\$5,000
60	2065339A1	8.50%	9-1-2005	\$5,000
61	2065339A1	8.50%	9-1-2005	\$5,000
65	2065339A1	8.50%	9-1-2005	\$5,000
73	2065339A1	8.50%	9-1-2005	\$5,000
74	2065339A1	8.50%	9-1-2005	\$5,000
75	2065339A1	8.50%	9-1-2005	\$5,000
78	2065339A1	8.50%	9-1-2005	\$5,000
79	2065339A1	8.50%	9-1-2005	\$5,000
80	2065339A1	8.50%	9-1-2005	\$5,000
83	2065339A1	8.50%	9-1-2005	\$5,000

Payment of the bonds is conditioned upon the Fiscal Agent's receipt of funds necessary to pay the bonds prior to the redemption date. The bonds shall be payable upon presentation and surrender at the principle office of UMB Bank, N.A., Attn: Corporate Trust Division, 2401 Grand Blvd., 2nd Floor, Kansas City, MO 64108. Inquiries or requests for additional information should be directed to the principle office of UMB Bank, N.A. or by telephone at (816) 860-3020.

The holder of any bond, only a portion of which is to be redeemed, shall surrender such bond for payment of the portion redeemed and will receive a replacement bond for the unredeemed principal amount of the bond so surrendered. Interest on the bonds designated for redemption in this notice shall cease to accrue on and after March 1, 2005.

Under the provisions of the Jobs and Growth Tax Relief Reconciliation Act of 2003, paying agents may be obligated to withhold that percentage of the redemption price designated in the Act for this current year from any bondholder who has failed to furnish that paying agent with

a valid taxpayer identification number or a certification that such bondholder is not subject to backup withholding under the Act. Bondholders who wish to avoid the application of these provisions should submit a completed IRS Form W-9 when presenting their bonds.

Any CUSIP numbers appearing herein are included solely for the convenience of the holders of the certificates. The Trustee is not responsible for the use or the selection of the CUSIP numbers, nor is any representation made as to the correctness of such CUSIP numbers on the certificates or as indicated in any notice of redemption.

Dated January 27, 2005.

UMB Bank, N.A.
as Fiscal Agent

Doc. No. 031587

(Published in the Kansas Register February 3, 2005.)

**Summary Notice of Bond Sale
City of Meade, Kansas
\$1,715,000
Electric Light and Waterworks Plant
and System Revenue Bonds
Series 2005**

Bids

Subject to the notice of bond sale dated January 24, 2005, written and electronic bids will be received on behalf of the clerk of the city of Meade, Kansas (the issuer), in the case of written bids at the address set forth below, and in the case of electronic bids, through i-Deal's BiDCOMP/PARITY electronic bid submission system, until 5 p.m. February 14, 2005, for the purchase of \$1,715,000 principal amount of Electric Light and Waterworks Plant and System Revenue Bonds, Series 2005. No bid of less than 98.25 percent of the principal amount of the Series 2005 Bonds and accrued interest thereon to the date of delivery will be considered.

Bond Details

The Series 2005 Bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The Series 2005 Bonds will be dated March 1, 2005, and will become due on September 1 in the years as follows:

Year	Principal Amount
2007	\$65,000
2008	100,000
2009	105,000
2010	110,000
2011	110,000
2012	115,000
2013	120,000
2014	125,000
2015	130,000
2016	135,000
2017	140,000
2018	145,000
2019	155,000
2020	160,000

(continued)

The Series 2005 Bonds will bear interest from the date thereof at rates to be determined when the Series 2005 Bonds are sold as hereinafter provided, which interest will be payable semiannually on March 1 and September 1 in each year, beginning March 1, 2006.

Optional Book-Entry-Only System

The successful bidder may elect to have the Series 2005 Bonds registered under a book-entry-only system administered through DTC.

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a good faith deposit in the form of a cashier's or certified check drawn on a bank located in the United States or a qualified financial surety bond in the amount of \$34,300 (2 percent of the principal amount of the Series 2005 Bonds).

Delivery

The issuer will pay for printing the Series 2005 Bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about March 1, 2005, to DTC for the account of the successful bidder or at such bank or trust company in the contiguous United States as may be specified by the successful bidder, or elsewhere at the expense of the successful bidder.

Approval of Series 2005 Bonds

The Series 2005 Bonds will be sold subject to the legal opinion of Gilmore & Bell, P.C., Wichita, Kansas, bond counsel, whose approving legal opinion as to the validity of the Series 2005 Bonds will be furnished and paid for by the issuer, printed on the Series 2005 Bonds and delivered to the successful bidder when the Series 2005 Bonds are delivered.

Additional Information

Additional information regarding the Series 2005 Bonds may be obtained from the undersigned at the address set forth below, (620) 873-2091, fax (620) 873-2635, e-mail: meadecity@rurallink.net; or from the financial advisor, Ranson Financial Consultants, LLC, 209 E. William, Suite 401, Wichita, KS 67202, Attention: John Haas, (316) 264-3400, fax (316) 265-5403, e-mail: jhaas@ransonfinancial.com.

Written Bid and Good Faith Deposit

Delivery Address:

Dennis Eckhoff, Clerk
132 S. Fowler St.
Meade, KS 67864

Facsimile Bid Delivery Address:

Dennis Eckhoff, Clerk
Fax (620) 873-2635

Dated January 24, 2005.

City of Meade, Kansas

Doc. No. 031589

(Published in the Kansas Register February 3, 2005.)

Summary Notice of Bond Sale

Stevens County, Kansas

\$200,000

General Obligation Bonds, Series 2005A

(General obligation bonds payable from unlimited ad valorem taxes)

Bids

Subject to the notice of bond sale dated January 18, 2005, written bids will be received on behalf of the clerk of Stevens County, Kansas (the issuer), on behalf of the governing body at the Stevens County Courthouse until 9 a.m. February 15, 2005, for the purchase of \$200,000 principal amount of General Obligation Bonds, Series 2005A. No bid of less than 100 percent of the principal amount of the bonds and accrued interest thereon to the date of delivery will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof, or any amount of principal stated to be paid pursuant to an amortization schedule attached to the bonds. The bonds will be dated February 15, 2005, and will become due on February 15 in the years as follows:

Year	Principal Amount
2006	\$20,000
2007	20,000
2008	20,000
2009	20,000
2010	20,000
2011	20,000
2012	20,000
2013	20,000
2014	20,000
2015	20,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable annually on February 15 in each year, beginning February 15, 2006.

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a good faith deposit in the form of a cashier's or certified check drawn on a bank located in the United States or a qualified financial surety bond in the amount of \$4,000 (2 percent of the principal amount of the bonds).

Delivery

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about February 23, 2005, to such bank or trust company in the contiguous United States as may be specified by the successful bidder, or elsewhere at the expense of the successful bidder.

Assessed Valuation and Indebtedness

The total assessed valuation of the taxable tangible property within the issuer for the year 2004 is

\$284,752,979. The total general obligation indebtedness of the issuer as of the date of delivery of the bonds, including the bonds being sold, is \$3,465,000.

Approval of Bonds

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

Additional Information

Additional information regarding the bonds may be obtained from the undersigned at the address set forth below:

Written and Facsimile Bid and Good Faith

Deposit Delivery Address:

Pam Bensel, Clerk
Stevens County Courthouse
200 E. 6th
Hugoton, KS 67951
(620) 544-2541
Fax (620) 544-4094
E-mail: sv_clerk@wan.kdor.state.ks.us

Dated January 18, 2005.

Stevens County, Kansas

Doc. No. 031578

State of Kansas

Board of Accountancy

Notice of Hearing on Proposed Administrative Regulations

A public hearing will be conducted at 9:30 a.m. Friday, April 22, in Room 106 of the Landon State Office Building, 900 S.W. Jackson, Topeka, to consider the adoption of proposed changes in existing rules and regulations of the Board of Accountancy.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed rules and regulations. All interested parties may submit written comments prior to the hearing to the executive director of the Board of Accountancy, Suite 556, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612. All interested parties will be given a reasonable opportunity to present their reviews orally on the adoption of the proposed regulations during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request that each participant 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 Joanne Peterson at (785) 296-2162. Handicapped parking is located at the south end of the Landon Building, and the north entrance to the building is accessible to individuals with disabilities.

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

K.A.R. 74-4-1a. Experience requirement for attest services. Amendments to this regulation incorporate new standards promulgated by the Public Company Accounting Oversight Board (PCAOB) relative to firms that perform audits for public companies.

K.A.R. 74-4-8. Continuing professional education programs; requirements. Amendments to this regulation add another source for self-study programs.

K.A.R. 74-5-2. Definitions. Amendments to this regulation update materials adopted by reference, incorporate standards relative to firms performing services for public companies, clarify the definition of staff accountant, and delete terminology that is defined elsewhere in the laws or regulations.

K.A.R. 74-5-101. Independence. Amendments to this regulation incorporate materials adopted by reference relative to firms performing services for public companies.

K.A.R. 74-5-102. Integrity and objectivity. Amendments to this regulation incorporate materials adopted by reference relative to firms performing services for public companies.

K.A.R. 74-5-103. Commissions and referral fees. Amendments to this regulation incorporate materials adopted by reference.

K.A.R. 74-5-104. Contingent fees. Amendments to this regulation incorporate materials adopted by reference.

K.A.R. 74-5-201. Due professional competence. Amendments to this regulation are for clarification and renaming of the regulation.

K.A.R. 74-5-202. Compliance with standards. Amendments to this regulation enumerate all the standards by which a certified public accountant must comply, update materials adopted by reference and rename the regulation.

K.A.R. 74-5-203. Accounting principles. Amendments to this regulation are for clarification.

K.A.R. 74-5-205. Professional standards. This regulation is being revoked.

K.A.R. 74-5-301. Confidential client information. Amendments to this regulation incorporate materials adopted by reference.

K.A.R. 74-5-401. Acts discreditable to the profession. Amendments to this regulation are for clarification.

K.A.R. 74-5-403. Advertising and other forms of solicitation. Amendments to this regulation are for clarification and to incorporate materials adopted by reference.

K.A.R. 74-11-6. Definitions. Amendments to this regulation update materials adopted by reference and incorporate inspections performed by the PCAOB.

K.A.R. 74-11-15. Peer review oversight. Amendments to this regulation are for clarification.

Copies of the regulations and the economic impact statement may be obtained by contacting the Board of Pharmacy at the address and phone number given above.

Susan L. Somers
Executive Director

Doc. No. 031581

State of Kansas

Legislature

The following numbers and titles of bills and resolutions were introduced January 20-26 by the 2005 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 2087, An act concerning crimes and punishment; relating to identity theft; amending K.S.A. 2004 Supp. 21-4018 and repealing the existing section, by Representative Mast.

HB 2088, An act concerning crimes and punishment; relating to giving birth without medical assistance, by Representative Mast.

HB 2089, An act relating to drivers' licenses; concerning the issuance of hardship licenses, by Representative Bethell (By request).

HB 2090, An act amending the Kansas automobile injury reparations act; concerning certain penalties; amending K.S.A. 40-3104 and repealing the existing section, by Representative Bethell (By request).

HB 2091, An act concerning the open records act; amending K.S.A. 2004 Supp. 45-221 and repealing the existing section; also repealing K.S.A. 2004 Supp. 45-221g and 45-221h, by Committee on Governmental Organization and Elections.

HB 2092, An act concerning county treasurers; relating to terms of office; amending K.S.A. 19-501 and repealing the existing section, by Committee on Governmental Organization and Elections.

HB 2093, An act concerning counties; relating to changes in boundaries; amending K.S.A. 18-202 and repealing the existing section, by Committee on Governmental Organization and Elections.

HB 2094, An act enacting the efficiency in local government act; amending K.S.A. 2004 Supp. 19-205 and repealing the existing section, by Committee on Governmental Organization and Elections.

HB 2095, An act concerning the attorney general; establishing an office of public integrity, by Committee on Governmental Organization and Elections.

HB 2096, An act relating to research universities; concerning the sale of certain patents and processes, by Committee on Higher Education.

HB 2097, An act relating to banks and trust companies; concerning the exchange of certain examinations and reports; amending K.S.A. 9-1303 and repealing the existing section, by Committee on Financial Institutions.

HB 2098, An act relating to banks; concerning trust authority; amending K.S.A. 9-1601 and repealing the existing section, by Committee on Financial Institutions.

HB 2099, An act relating to credit unions; concerning powers of the credit union administrator; amending K.S.A. 17-2206 and 17-2244 and repealing the existing sections, by Financial Institutions.

HB 2100, An act concerning sales taxation; relating to exemptions; municipal golf courses; amending K.S.A. 2004 Supp. 79-3606 and repealing the existing section, by Committee on Taxation.

HB 2101, An act concerning sales tax on isolated or occasional sales of motor vehicles; relating to base of computation; sales tax refunds; amending K.S.A. 2004 Supp. 79-3603 and repealing the existing section, by Committee on Taxation.

HB 2102, An act concerning sales taxation; relating to exemptions; amending K.S.A. 2004 Supp. 74-50,115 and repealing the existing section, by Committee on Taxation.

HB 2103, An act concerning weights and measures; relating to standards and requirements of commercial weighing and measuring devices; amending K.S.A. 2004 Supp. 83-202 and repealing the existing section, by Committee on Agriculture.

HB 2104, An act concerning the uniform commercial code; concerning securities interests in oil and gas production; amending K.S.A. 2004 Supp. 84-9-324 and repealing the existing section, by Committee on Judiciary.

HB 2105, An act concerning retirement and pensions; relating to the Kansas police and firemen's retirement system; affiliation; membership; employee and employer contributions; state fire marshal's office, by Committee on Appropriations.

HB 2106, An act relating to the Kansas department of transportation; concerning the official state transportation map of Kansas, by Committee on Appropriations.

HB 2107, An act concerning promulgation of rules and regulations by the secretary of social and rehabilitation services; relating to the prior authorization program; amending K.S.A. 2004 Supp. 39-7,120 and repealing the existing section, by Committee on Appropriations.

HB 2108, An act amending the state water plan storage act; amending K.S.A. 2004 Supp. 82a-1308a, 82a-1315b and 82a-1315c and repealing the existing sections, by Committee on Appropriations.

HB 2109, An act concerning motor vehicles; relating to the child passenger safety act and the safety belt use act; amending K.S.A. 8-1343a and 8-2502 and repealing the existing sections, by Committee on Transportation.

HB 2110, An act concerning adult care homes; providing for a medical review panel, by Committee on Health and Human Services.

HB 2111, An act enacting the efficiency in local government act; amending K.S.A. 2004 Supp. 19-205 and repealing the existing section, by Representative O'Neal.

HB 2112, An act concerning civil procedure; relating to legal custody of children; amending K.S.A. 2004 Supp. 60-1610 and repealing the existing section, by Committee on Judiciary.

HB 2113, An act concerning municipal courts; relating to collection of fines and court costs, by Committee on Judiciary.

HB 2114, An act concerning civil procedure; relating to civil liability for serving alcoholic beverages; amending K.S.A. 41-715 and repealing the existing section, by Committee on Judiciary.

HB 2115, An act concerning hunting; relating to archery management units for deer; amending K.S.A. 2004 Supp. 32-937 and repealing the existing section, by Committee on Wildlife, Parks and Tourism.

HB 2116, An act concerning wildlife and parks; concerning disposition of certain federal moneys, by Committee on Wildlife, Parks and Tourism.

HB 2117, An act concerning vessels; imposing certain requirements; prohibiting certain acts; providing penalties for certain violations; relating to certain healthcare records; amending K.S.A. 32-1110, 32-1111, 32-1119, 32-1125, 32-1128 and 32-1180 and K.S.A. 2004 Supp. 32-1102 and 32-1173 and repealing the existing sections, by Committee on Wildlife, Parks and Tourism.

HB 2118, An act concerning cemetery corporations; relating to the disclosure of certain records; amending K.S.A. 17-1312e and repealing the existing section, by Committee on Governmental Organization and Elections.

HB 2119, An act concerning the open records act; relating to definitions; amending K.S.A. 45-217 and repealing the existing section, by Committee on Governmental Organization and Elections.

HB 2120, An act concerning insurance companies; relating to the disclosure of information; amending K.S.A. 40-222 and repealing the existing section, by Committee on Governmental Organization and Elections.

HB 2121, An act concerning certain criminal records; relating to the disclosure thereof; amending K.S.A. 22-3711 and repealing the existing section, by Governmental Organization and Elections.

HB 2122, An act concerning crimes and punishment; relating to the loss of value of the crime; amending K.S.A. 16-305, 19-3519, 21-3720, 21-3729, 21-3734, 21-3902, 21-3904, 21-3905, 21-4111, 39-717, 40-247, 40-2,118 and 44-5,125 and K.S.A. 2004 Supp. 21-3437, 21-3707, 21-3763, 21-3846, 32-1005, 40-5013 and 47-1827 and repealing the existing sections, by Representative Huff.

HB 2123, An act relating to railroads; concerning the transfer of certain powers, duties and functions of the state corporation commission to the Kansas department of transportation; amending K.S.A. 66-105, 66-154, 66-154a, 66-154b, 66-155, 66-230, 66-525, 66-532 and 66-1217 and repealing the existing sections; also repealing K.S.A. 44-564, 66-103, 66-112, 66-145, 66-146, 66-148, 66-149, 66-153, 66-157 through 66-163, 66-166, 66-168, 66-173, 66-174, 66-180, 66-181, 66-182, 66-201 through 66-216, 66-224, 66-225, 66-226, 66-235 through 66-241, 66-244 through 66-249, 66-277, 66-278, 66-285 through 66-294, 66-2,108, 66-2,109, 66-2,111, 66-2,112, 66-2,113, 66-2,119, 66-304 through 66-307, 66-319 and 66-320, by Committee on Transportation.

HB 2124, An act concerning certificates of title on vehicles; relating to security interest on vehicles registered by a federally recognized Indian tribe; amending K.S.A. 2004 Supp. 8-135 and repealing the existing section, by Committee on Financial Institutions.

HB 2125, An act relating to mortgages on real property; concerning the entry of satisfaction; fees; amending K.S.A. 2004 Supp. 58-2309a and repealing the existing section, by Committee on Financial Institutions.

HB 2126, An act concerning children in need of care; relating to the confidentiality of proceedings; amending K.S.A. 38-1552 and repealing the existing section, by Representatives F. Miller, Brunk, Burroughs, Dahl, Faber, Goico, Grant, Huy, Jack, E. Johnson, Kelley, Kiegerl, Knox, Mast, McCreary, Merrick, Judy Morrison, Oharah, Pilcher-Cook, Powell and Williams.

HB 2127, An act regulating traffic; concerning the use of head lamps; amending K.S.A. 8-1703 and repealing the existing section, by Representative Gordon (By request).

HB 2128, An act concerning the department of social and rehabilitation services; creating access to criminal history records, by Committee on Corrections and Juvenile Justice.

HB 2129, An act concerning criminal procedure; relating to indigent defense services; amending K.S.A. 2004 Supp. 22-4507 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

HB 2130, An act concerning confidential communications and information; relating to treatment facility patients; amending K.S.A. 2004 Supp. 65-5603 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

HB 2131, An act concerning sales taxation; relating to destination sourcing rules; amending K.S.A. 2004 Supp. 12-191, 79-3603, 79-3667, 79-3668, 79-3669, 79-3670, 79-3671, 79-3672, 79-3673 and 79-3682 and repealing the existing sections, by Committee on Taxation.

HB 2132, An act concerning sales taxation; relating to countywide retailers' sales tax in Sedgwick county; amending K.S.A. 2004 Supp. 12-187, 12-189 and 12-192 and repealing the existing sections, by Committee on Taxation.

HB 2133, An act concerning certain restrictive covenants, by Committee on Insurance.

HB 2134, An act concerning schools and school districts; relating to the Kansas state high school activities association; amending K.S.A. 72-130 and repealing the existing section, by Committee on Education.

HB 2135, An act establishing the Kansas school board development program, by Committee on Education.

HB 2136, An act amending the child passenger safety act; amending K.S.A. 8-1343a, 8-1344 and 8-1345 and repealing the existing sections, by Representative Vickrey.

HB 2137, An act concerning schools; relating to healthy food choices in vending machines, by Committee on Health and Human Services.

HB 2138, An act concerning amusement rides; relating to insurance therefor; amending K.S.A. 40-4802 and repealing the existing section, by Committee on Insurance.

HB 2139, An act concerning fences; relating to fence viewers; amending K.S.A. 29-201 and repealing the existing section, by Representatives Dillmore and Ward.

HB 2140, An act concerning the procedure for redevelopment districts to finance investigation and remediation of flood-plain conditions; qualifications; amending K.S.A. 2004 Supp. 12-1770a and 12-1771e and repealing the existing sections, by Representative O'Malley.

HB 2141, An act concerning workers compensation; relating to burden of proof for admission of chemical test result into evidence; amending K.S.A. 44-501 and repealing the existing section, by Committee on Commerce and Labor.

HB 2142, An act concerning workers compensation; relating to date of accident; employer's maximum liability for disability compensation; attorney fees; amending K.S.A. 44-510f and 44-536 and K.S.A. 2004 Supp. 44-508 and repealing the existing sections, by Committee on Commerce and Labor.

HB 2143, An act amending the uniform consumer credit code; relating to finance charges; amending K.S.A. 2004 Supp. 16a-2-201, 16a-2-202 and 16a-2-401 and repealing the existing sections, by Committee on Financial Institutions.

HB 2144, An act regarding economic development; relating to tax increment financing and a motorsports complex; amending K.S.A. 2004 Supp. 12-1770a and 12-1774 and repealing the existing sections, by Committee on Economic Development.

HB 2145, An act amending the uniform consumer credit code; amending K.S.A. 16a-3-205, 16a-5-103, 16a-5-111 and 16a-6-201 and K.S.A. 2004 Supp. 16a-2-103, 16a-2-302, 16a-2-303, 16a-2-304, 16a-3-304, 16a-3-308a, 16a-5-301, 16a-6-104, 16a-6-108 and 16a-6-203 and repealing the existing sections, by Committee on Financial Institutions.

HB 2146, An act relating to oil and gas; concerning information to be included with payments to interest owners from sales of oil and gas; amending K.S.A. 2004 Supp. 55-1620 and 55-1622 and repealing the existing sections, by Committee on Utilities.

HB 2147, An act concerning psychiatric evaluation reports of defendants and inmates; relating to the disclosure thereof; amending K.S.A. 75-5266 and repealing the existing section, by Committee on Governmental Organization and Elections.

HB 2148, An act concerning veterinarians; relating to disciplinary actions and the disclosure of information relating thereto; amending K.S.A. 47-844 and repealing the existing section, by Committee on Governmental Organization and Elections.

HB 2149, An act concerning the disclosure of certain information; concerning nurses, dentists and pharmacists; amending K.S.A. 65-1135, 65-1467 and 65-1627 and repealing the existing sections, by Committee on Governmental Organization and Elections.

HB 2150, An act concerning civil procedure; relating to collateral source benefits; amending K.S.A. 60-3802 and repealing the existing section, by Committee on Judiciary.

HB 2151, An act relating to criminal procedure; concerning search warrants; establishing how search warrants may be issued in violation of health, safety, building or animal cruelty laws or ordinances, by Committee on Judiciary.

HB 2152, An act concerning the master settlement agreement for tobacco products; relating to the appeal bond; amending K.S.A. 2004 Supp. 50-6a05 and repealing the existing section, by Committee on Judiciary.

HB 2153, An act concerning the secretary of aging; relating to the long-term care ombudsman; amending K.S.A. 2004 Supp. 75-7306 and 75-7310 and repealing the existing sections, by Committee on Health and Human Services.

HB 2154, An act concerning pharmacists; relating to hearings; repealing K.S.A. 65-1627d, 65-1627e and 65-1627g, by Committee on Health and Human Services.

HB 2155, An act concerning pharmacists and pharmacy; relating to prescription refills; amending K.S.A. 65-1637 and repealing the existing section, by Committee on Health and Human Services.

HB 2156, An act concerning the state board of pharmacy; regarding registration of pharmacy technicians; amending K.S.A. 2004 Supp. 65-1663 and repealing the existing section, by Committee on Health and Human Services.

HB 2157, An act concerning employment security law; relating to disqualification from receipt of benefits; amending K.S.A. 2004 Supp. 44-706 and repealing the existing section, by Committee on Health and Human Services.

HB 2158, An act concerning emergency medical services; relating to attendants' certificates; amending K.S.A. 65-6129 and repealing the existing section, by Committee on Health and Human Services.

HB 2159, An act concerning consumer protection; relating to damage waivers; amending K.S.A. 50-656 and 50-657 and repealing the existing sections, by Committee on Insurance.

HB 2160, An act concerning structured settlements; enacting the structured settlement protection act, by Committee on Insurance.

HB 2161, An act concerning insurance; relating to use of minimal sales inducements; amending K.S.A. 40-966 and K.S.A. 2004 Supp. 40-2404 and repealing the existing sections, by Committee on Insurance.

HB 2162, An act concerning criminal procedure; relating to upward departures in sentencing; amending K.S.A. 2004 Supp. 21-4718 and repealing the existing section, by Representative Ward.

HB 2163, An act concerning session laws; amending K.S.A. 2004 Supp. 45-107 and repealing the existing section, by Representative Davis.

HB 2164, An act concerning the IMPACT act; relating to sales tax exemption requirements; time extension; amending K.S.A. 2004 Supp. 74-50,115 and repealing the existing section, by Committee on Economic Development.

HB 2165, An act concerning cemeteries; relating to the revestment of title to lots, by Representative Gordon.

HB 2166, An act concerning civil procedure; relating to appeal bonds; amending K.S.A. 60-3004 and K.S.A. 2004 Supp. 50-6a05 and 60-2103 and repealing the existing sections, by Committee on Judiciary.

HB 2167, An act concerning counties; relating to law enforcement; amending K.S.A. 19-4425 and 19-4426 and repealing the existing sections, by Representative O'Neal.

(continued)

HB 2168, An act concerning the uniform commercial code; relating to negotiable instruments and bank deposits; concerning a demand draft; amending K.S.A. 84-3-103, 84-3-104, 84-3-309, 84-3-416, 84-3-417, 84-4-207 and 84-4-208 and repealing the existing sections, by Committee on Judiciary.

HB 2169, An act concerning civil procedure; relating to docket fees for post-decree motions; amending K.S.A. 2004 Supp. 60-1621 and repealing the existing section, by Committee on Judiciary.

HB 2170, An act concerning insurance; relating to identification and notification of certain secured parties as loss payees; amending K.S.A. 2004 Supp. 40-2404 and repealing the existing section, by Committee on Insurance.

HB 2171, An act concerning insurance; relating to risk-based capital requirements; amending K.S.A. 2004 Supp. 40-2c01 and repealing the existing section, by Committee on Insurance.

HB 2172, An act concerning insurance agents; pertaining to the revocation of licenses; amending K.S.A. 40-246d and repealing the existing section, by Committee on Insurance.

HB 2173, An act concerning insurance on personal property; relating to certain inquiries concerning coverage, by Committee on Insurance.

HB 2174, An act concerning property insurance; relating to the cancellation of or refusal to renew coverage, by Committee on Insurance.

HB 2175, An act concerning school districts; enacting the school district equalization act; amending K.S.A. 12-1677, 12-1742, 31-144, 72-1046b, 72-1398, 72-1414, 72-5333b, 72-6622, 72-6757, 72-8187, 72-8230, 72-8233, 72-8236, 72-8309, 72-9504 and 74-32,141 and K.S.A. 2004 Supp. 72-978, 72-5390, 72-8302, 72-8316 and 79-2929a and repealing the existing sections; also repealing K.S.A. 72-6405, 72-6406, 72-6408, 72-6410, 72-6411, 72-6412, 72-6413, 72-6414, 72-6415, 72-6416, 72-6418, 72-6419, 72-6420, 72-6421, 72-6422, 72-6423, 72-6424, 72-6426, 72-6427, 72-6429, 72-6430, 72-6432, 72-6433, 72-6435, 72-6436, 72-6437, 72-6438, 72-6440, 72-6441, 72-6442, 72-6443, 72-6444, 72-6445, 72-6446, 72-6447 and 72-8189 and K.S.A. 2004 Supp. 72-6407, 72-6409, 72-6417, 72-6425, 72-6428, 72-6431 and 72-6434, by Committee on Education.

HB 2176, An act concerning certain investigations conducted by the Kansas bureau of investigation; relating to the disclosure thereof; amending K.S.A. 2004 Supp. 75-712 and repealing the existing section, by Committee on Governmental Organization and Elections.

HB 2177, An act concerning disposition of certain forfeited firearms; amending K.S.A. 21-4206 and K.S.A. 2004 Supp. 60-4117 and repealing the existing sections, by Committee on Federal and State Affairs.

HB 2178, An act concerning the Kansas senior care act; relating to preventative health services; amending K.S.A. 75-5927 and K.S.A. 2004 Supp. 75-5928 and repealing the existing sections, by Committee on Health and Human Services.

HB 2179, An act concerning vital records; relating to penalties for fraud; amending K.S.A. 65-2434 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

HB 2180, An act concerning crimes and punishment; relating to inherently dangerous felonies; amending K.S.A. 2004 Supp. 21-3404 and 21-3436 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

HB 2181, An act concerning utilities; relating to easements and franchise agreements, by Committee on Utilities.

HB 2182, An act concerning land surveys and land surveyors, by Representative Huebert (By request).

HB 2183, An act concerning Fort Hays state university; relating to the capital improvement project to renovate the memorial union; amending section 11 of chapter 184 of the 2004 Session Laws of Kansas and repealing the existing section, by Committee on Appropriations.

HB 2184, An act concerning insurance; enacting the property/casualty modernization act; amending K.S.A. 40-952 and 40-955 and repealing the existing sections, by Representative Carter.

HB 2185, An act concerning annexation; relating to the powers and duties of cities and counties; amending K.S.A. 12-519, 12-521, 12-527, 12-530, 12-531, 12-532, 12-534 and 12-535 and repealing the existing sections; also repealing K.S.A. 12-520, 12-520a, 12-520b, 12-526, 12-536 and 12-537, by Committee on Governmental Organization and Elections.

HB 2186, An act concerning counties; relating to the awarding of certain contracts; amending K.S.A. 19-214 and repealing the existing section, by Committee on Governmental Organization and Elections.

House Concurrent Resolutions

HCR 5005, A concurrent resolution urging the United States Depart-

ment of Agriculture to delay the lifting of the United States ban on cattle imports from Canada.

HCR 5006, A proposition to amend article 15 of the constitution of the state of Kansas by adding a new section thereto, concerning open government.

House Resolutions

HR 6007, A resolution honoring the courage, heroism and sacrifice of war dogs.

Senate Bills

SB 57, An act concerning the Kansas consumer protection act; relating to occasional sales of certain repossessed collateral; amending K.S.A. 2004 Supp. 50-624 and repealing the existing section, by Committee on Financial Institutions and Insurance.

SB 58, An act concerning sales taxation; relating to countywide retailers' sales tax in Sedgwick county; amending K.S.A. 2004 Supp. 12-187, 12-189 and 12-192 and repealing the existing sections, by Committee on Assessment and Taxation.

SB 59, An act concerning wildlife; creating the wildlife violator compact, by Committee on Natural Resources.

SB 60, An act relating to all-terrain vehicles; concerning the definition thereof; amending K.S.A. 8-1402a and K.S.A. 2004 Supp. 8-126 and repealing the existing sections, by Committee on Transportation.

SB 61, An act concerning civil procedure; relating to the residency of a child; amending K.S.A. 2004 Supp. 60-1610 and repealing the existing section, by Committee on Judiciary.

SB 62, An act enacting the grandparents as foster parents act; prescribing powers, duties and functions for the secretary of social and rehabilitation services, by Senator Vratil.

SB 63, An act concerning public utilities; relating to the definition thereof, by Committee on Utilities.

SB 64, An act concerning campaign finance; pertaining to electioneering communications, by Committee on Elections and Local Government.

SB 65, An act concerning campaign finance; pertaining to certain daily reports of contributions, by Committee on Elections and Local Government.

SB 66, An act concerning campaign finance; relating to certain reports; amending K.S.A. 25-4148 and repealing the existing section, by Committee on Elections and Local Government.

SB 67, An act concerning campaign finance; relating to corrupt political advertising; amending K.S.A. 25-4156 and repealing the existing section, by Committee on Elections and Local Government.

SB 68, An act concerning campaign finance; relating to independent expenditures, by Committee on Elections and Local Government.

SB 69, An act concerning the self-service storage act; relating to late fees; amending K.S.A. 58-814 and repealing the existing section, by Committee on Commerce.

SB 70, An act creating the Kansas petroleum education and marketing act, by Committee on Assessment and Taxation.

SB 71, An act concerning crimes and punishment; creating the crime of automated teller machine robbery; aggravated automated teller machine robbery, by Senator Journey.

SB 72, An act concerning crimes and punishment; relating to worthless checks; amending K.S.A. 2004 Supp. 21-3707 and repealing the existing section, by Senator Journey.

SB 73, An act concerning state educational institutions under the control and supervision of the state board of regents; relating to interest earnings on moneys in certain special revenue funds; amending K.S.A. 74-3213, 74-5619, 74-5620, 76-6b02, 76-719, 76-753 and 76-755 and K.S.A. 2004 Supp. 76-326b, 76-327c, 76-385 and 76-762 and repealing the existing sections, by Committee on Ways and Means.

SB 74, An act relating to state educational institutions; concerning the conversion of positions in the classified service to positions in the unclassified service; amending K.S.A. 2004 Supp. 74-4925 and 75-2935 and repealing the existing sections, by Committee on Ways and Means.

SB 75, An act concerning civil procedure; relating to immunity from liability for claims relating to weight gain or obesity, by Committee on Judiciary.

SB 76, An act relating to driver's licenses; concerning habitual violators; amending K.S.A. 8-235, 8-286, 8-287 and 8-288 and repealing the existing sections, by Senator Journey.

SB 77, An act concerning racial profiling, by Senators Betts and Haley.

SB 78, An act concerning the open records act; amending K.S.A. 2004 Supp. 45-221 and repealing the existing section; also repealing K.S.A. 2004 Supp. 45-221g and 45-221h, by Committee on Elections and Local Government.

SB 79, An act concerning the attorney general; establishing an office of public integrity, by Committee on Elections and Local Government.

SB 80, An act concerning the open records act; relating to definitions; amending K.S.A. 45-217 and repealing the existing section, by Committee on Elections and Local Government.

SB 81, An act regulating traffic; concerning the use of head lamps; amending K.S.A. 8-1703 and repealing the existing section, by Senator D. Schmidt (By request).

SB 82, An act concerning sex offense prosecutions; relating to the complaining witness; admissibility of prior sexual conduct; amending K.S.A. 21-3525 and repealing the existing section, by Committee on Judiciary.

SB 83, An act concerning the criminal code; relating to sexual battery; amending K.S.A. 21-3517 and repealing the existing section, by Committee on Judiciary.

SB 84, An act making and concerning appropriations for the fiscal year ending June 30, 2006, for the department of health and environment; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements and acts incidental to the foregoing, by Senator Barnett.

SB 85, An act making and concerning appropriations for the fiscal year ending June 30, 2006, for the department of social and rehabilitation services; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements and acts incidental to the foregoing, by Senator Barnett.

SB 86, An act concerning the cancer registry; follow-up projects on cancer cases; amending K.S.A. 65-1,172 and repealing the existing section, by Committee on Public Health and Welfare.

SB 87, An act relating to the Kansas department of wildlife and parks; providing for the funding thereof; amending K.S.A. 32-901 and K.S.A. 2004 Supp. 8-145 and repealing the existing sections, by Committee on Ways and Means.

SB 88, An act concerning the Kansas turnpike authority; relating to tolls; amending K.S.A. 68-2004 and repealing the existing section, by Senator Haley.

SB 89, An act concerning certain counties; relating to payment of certain expenses; amending K.S.A. 2004 Supp. 19-4444 and repealing the existing section, by Senator Reitz.

SB 90, An act concerning the civil commitment of sexually violent predators; relating to the costs thereof; amending K.S.A. 2004 Supp. 59-29a04 and repealing the existing section, by Senator Reitz.

SB 91, An act concerning fees; amending K.S.A. 65-1447 and repealing the existing section, by Committee on Public Health and Welfare.

SB 92, An act relating to the department of aging; concerning duties thereof; amending K.S.A. 2004 Supp. 39-1404 and repealing the existing section, by Committee on Public Health and Welfare.

SB 93, An act concerning eminent domain; relating to wind energy development projects; amending K.S.A. 17-618 and repealing the existing section, by Committee on Utilities.

SB 94, An act relating to roads and highways; concerning certain contracts; amending K.S.A. 68-521 and K.S.A. 2004 Supp. 68-1115 and repealing the existing sections, by Committee on Transportation.

SB 95, An act concerning retirement; relating to the Kansas public employees retirement system and systems thereunder; retirement benefit options; amending K.S.A. 2004 Supp. 20-2610a and 74-4918 and repealing the existing sections, by Senators Lee and Allen, Apple, Barnett, Barone, Betts, Brownlee, Bruce, Brungardt, Donovan, Emler, Francisco, Gilstrap Goodwin, Haley, Hensley, Huelskamp, Jordan, Journey, Kelly, McGinn, Morris, O'Connor, Ostmeyer, Palmer, Petersen, Pine, Pyle, Reitz, Schmidt, D., Schmidt, V., Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle, Wilson and Wysong.

SB 96, An act concerning punitive damages; relating to splitting damage awards; amending K.S.A. 60-3702 and repealing the existing section, by Committee on Judiciary.

SB 97, An act concerning construction contracts; relating to indemnification provisions; amending K.S.A. 2004 Supp. 16-121 and repealing the existing section, by Committee on Financial Institutions and Insurance.

SB 98, An act concerning hunting; relating to hunter's education requirements; amending K.S.A. 2004 Supp. 32-920 and repealing the existing section, by Committee on Natural Resources.

SB 99, An act concerning retirement; related to plan for certain employees of state board of regents and educational institutions thereunder; amending K.S.A. 74-4925b, 74-4925e and 76-746 and K.S.A. 2004 Supp. 74-4925 and repealing the existing sections, by Legislative Educational Planning Committee.

SB 100, An act concerning insurance; pertaining to HIPAA compliance; amending K.S.A. 2004 Supp. 40-2258 and repealing the existing section, by Committee on Financial Institutions and Insurance.

SB 101, An act concerning banks and trust companies; relating to employment of an officer or director who has been removed for cause; amending K.S.A. 9-1805 and repealing the existing section, by Committee on Financial Institutions and Insurance.

SB 102, An act concerning health insurance; relating to notice when a block of business is closed; amending K.S.A. 40-2255 and repealing the existing section, by Committee on Financial Institutions and Insurance.

SB 103, An act concerning insurance; relating to certain insurance policies issued to Kansas residents deployed in military service, by Committee on Financial Institutions and Insurance.

SB 104, An act concerning banks; relating to examination of certain affiliated business entities; amending K.S.A. 9-1702 and repealing the existing section, by Committee on Financial Institutions and Insurance.

SB 105, An act concerning sales taxation; relating to retailers' sales tax in Miami county; amending K.S.A. 2004 Supp. 12-187 and repealing the existing section, by Committee on Assessment and Taxation.

SB 106, An act concerning advance voting; pertaining to the transmission of ballots; amending K.S.A. 2004 Supp. 25-1123 and repealing the existing section, by Committee on Elections and Local Government.

SB 107, An act concerning the employment security law; relating to the charging of benefit payments; amending K.S.A. 2004 Supp. 44-710 and repealing the existing section, by Committee on Commerce.

SB 108, An act concerning employment security law; amending K.S.A. 44-719 and K.S.A. 2004 Supp. 44-703, 44-710a and 44-716a and repealing the existing sections, by Committee on Commerce.

SB 109, An act concerning gaming compacts; relating to the procedure for the approval thereof; amending K.S.A. 46-2302 and repealing the existing section, by Committee on Federal and State Affairs.

SB 110, An act concerning the Kansas commission on veterans affairs; relating to memorials for Kansas veterans who served in the armed forces of the United States of America; prescribing certain guidelines and procedures; establishing the Kansas veterans memorials fund, by Committee on Federal and State Affairs.

SB 111, An act increasing marriage license fees; creating the domestic violence and sexual assault centers fund; amending K.S.A. 2004 Supp. 23-108a and repealing the existing section, by Committee on Judiciary.

SB 112, An act concerning materialman's liens; relating to determining priority of claims against property under construction; amending K.S.A. 60-1101, 60-1106 and 60-1110 and K.S.A. 2004 Supp. 60-1103b and repealing the existing sections, by Committee on Judiciary.

SB 113, An act concerning agriculture; relating to soil amendment products; amending K.S.A. 2004 Supp. 2-2805 and repealing the existing section; also repealing K.S.A. 2004 Supp. 2-2806, by Committee on Agriculture.

SB 114, An act concerning the bank commissioner; relating to the issuance of civil penalties, by Committee on Financial Institutions and Insurance.

SB 115, An act concerning social and rehabilitation services; relating to investigation of reports of abuse, neglect or exploitation; amending K.S.A. 2004 Supp. 39-1433 and repealing the existing section, by Committee on Public Health and Welfare.

SB 116, An act concerning social and rehabilitation services; providing injunctive authority against unlicensed facilities; amending K.S.A. 75-3307b and repealing the existing section, by Committee on Public Health and Welfare.

SB 117, An act concerning criminal procedure; relating to offender registration; amending K.S.A. 2004 Supp. 22-4902, 22-4909 and 22-4912 and repealing the existing sections, by Senator Brownlee.

SB 118, An act concerning state procurement; relating to state purchase of products by certain qualified vendors; definitions; amending K.S.A. 75-3317 and repealing the existing section, by Committee on Commerce.

(continued)

SB 119, An act relating to the division of vehicles; concerning records thereof; amending K.S.A. 2004 Supp. 74-2012 and repealing the existing section, by Committee on Transportation.

Senate Concurrent Resolutions

SCR 1602, A concurrent resolution urging the appointment of a task force to study the licensing and appointment process for insurance agents.

SCR 1603, A concurrent resolution adopting joint rules for the Senate and House of Representatives for the 2005-2006 biennium.

SCR 1604, A concurrent resolution concerning healthy eating and physical activity in public elementary and secondary schools.

Senate Resolutions

SR 1805, A resolution in memory of Joseph C. Harder.

Doc. No. 031565

State of Kansas

Department of Agriculture

Notice of Hearing on Proposed Administrative Regulations

A public hearing will be conducted at 2 p.m. Wednesday, April 6, in the training room of the Kansas Department of Agriculture, 109 S.W. 9th, Topeka, to consider the adoption of proposed changes in existing noxious weed rules and regulations.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed rules and regulations. All interested parties may submit written comments prior to the hearing to the Secretary of Agriculture, 109 S.W. 9th, 4th Floor, Topeka, 66612. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulations during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request that each participant 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 and environmental impact statements in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Leslie Garner at (785) 296-4623 or fax (785) 368-6668. Handicapped parking is located at the southwest corner of 9th and Kansas Ave., and the north entrance to the building is accessible to individuals with disabilities.

Copies of the regulations and their economic impact statements may be obtained by contacting the Department of Agriculture or by accessing the department's Web site at <http://www.ksda.gov>. A summary of the proposed changes and the economic impact follows:

Proposed changes to **K.A.R. 4-15-7** clarify which live plant dealers are exempt from the licensing fee. The added language clarifies that the exemption is for retailers and not service-oriented live plant dealers.

There is no economic impact on the agency, private industry, other governmental agencies or individuals.

Proposed changes to **K.A.R. 4-15-8** define a rate for mileage as part of the inspection fees. The proposed amendment links the amount to the rate fixed for private vehicle mileage reimbursement by the secretary of ad-

ministration under K.S.A. 75-3203a, K.A.R. 1-18-1a and periodic informational circulars.

The anticipated fiscal impact is estimated to add approximately \$4.50 to each requested inspection. In FY 2004, staff performed 662 inspections for which fees were collected. Mileage fees for FY 2004 totaled \$10,236.56. These were determined by four distinct mileage rates established by the Department of Administration for different types of vehicles. With the elimination of the state motor pool, the only mileage rate defined by the Department of Administration is the private mileage rate, which is currently \$0.37 per mile. Using FY 2004 mileage figures, the estimated increase in receipts from the change is \$3,017.58.

Adrian J. Polansky
Secretary of Agriculture

Doc. No. 031569

State of Kansas

Kansas Development Finance Authority

Notice of Hearing

A public hearing will be conducted at 9 a.m. Thursday, February 17, in the offices of the Kansas Development Finance Authority, 555 S. Kansas Ave., Suite 202, Topeka, on the proposal for the KDFA to issue its Agricultural Development Revenue Bond for the project numbered below in the respective maximum principal amount. The bond will be issued to assist the respective borrower named below (who will be the owner and operator of the project) to finance the cost in the amount of the bond of acquiring the project or for the purpose of refunding a bond previously issued to finance the project. The project shall be located as shown:

Project No. 000623—Maximum Principal Amount: \$85,000.

Owner/Operator: Eugene M. and Jacqueline M. Taylor. Description: Acquisition of 81 acres of agricultural land and related improvements and equipment to be used by the owner/operator for farming purposes. The project is located at Section 7, Township 11, Shawnee County, Kansas, approximately 4.5 miles east of Silver Lake on Highway 24 and .75 mile north on Landon Road.

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

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

Any individual affected by the above-described project may, at or prior to the hearing, file a written request with the KDFA that a local hearing be held on the proposal to

issue a bond to finance said project. A local hearing, if requested, would be conducted in the county where the project in question is located.

Stephen R. Weatherford
President

Doc. No. 031583

State of Kansas

Social and Rehabilitation Services

Notice of Hearing on Proposed Administrative Regulations

A public hearing will be conducted at 3:30 p.m. Monday, March 7, 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. 2004 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 10:30 a.m. Wednesday, March 9, 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 or from the SRS Web site at www.srskansas.org. A summary of the proposed regulation 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 these drugs in the most cost effective manner, the following drugs will require prior authorization. These therapeutic classes of drugs have been evaluated by the Preferred Drug List Advisory Board and found to be clinically equivalent:

- angiotensin II receptor antagonists: Candesartan/HCTZ; eprosartan/HCTZ

- anticholinergic urinary drug: incontinence; flavoxate; oxybutynin XL; tolterodine; and oxybutynin patches
- beta blocker: propranolol XL
- oral antidiabetic drug: Prandin®
- monoclonal antibody for asthma: omalizumab

Federal Mandate: This regulation change is not federally mandated.

Economic Impact: It is expected that this change will reduce Medicaid expenditures by \$290,000 SGF and \$725,000 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.

Gary J. Daniels
Acting Secretary of Social and
Rehabilitation Services

Doc. No. 031572

State of Kansas

Department of Agriculture

Permanent Administrative Regulations

Article 28.—FOOD SAFETY

4-28-1. Definitions. (a) "Bakery" and "bakeshop" shall mean any place, premises, or establishment where any bakery product is prepared, processed, or manufactured for sale to the general public.

(b) "Bakery product" shall mean bread, rolls, cake, pies, cookies, and all similar goods used or intended to be used for human consumption.

(c) "Food" shall have either of the following meanings:

(1) The meaning specified in K.S.A. 36-501, and amendments thereto, when relating to the licensing, inspection, and regulation of the following:

(A) Mobile retail ice cream vendors;

(B) food service establishments located in retail food stores; and

(C) food vending machines, food vending machine companies, and food vending machine dealers; or

(2) the meaning specified in K.S.A. 65-688, and amendments thereto, when relating to the licensing, inspection, and regulation of retail food stores and food processing plants.

(d) "Food processing plant" shall have the meaning specified in K.S.A. 65-688, and amendments thereto.

(e) "Food service establishment located in a retail food store" shall mean a "food service establishment," as defined in K.S.A. 36-501 and amendments thereto, that is located in a "retail food store," as defined in subsection (j).

(f) "Food vending machine" shall have the meaning specified in K.S.A. 36-501, and amendments thereto.

(continued)

(g) "Food vending machine company" shall have the meaning specified in K.S.A. 36-501, and amendments thereto.

(h) "Food vending machine dealer" shall have the meaning specified in K.S.A. 36-501, and amendments thereto.

(i) "Mobile retail ice cream vendor" shall mean a vehicle-mounted prepackaged frozen dessert facility designed to be readily movable.

(j) "Retail food store" shall have the meaning specified in K.S.A. 65-688, and amendments thereto.

(k) "Secretary" shall mean the secretary of agriculture or the secretary's authorized representative. (Authorized by K.S.A. 65-673, as amended by L. 2004, Ch. 145, Sec. 21; implementing K.S.A. 65-673, as amended by L. 2004, Ch. 145, Sec. 21 and L. 2004, Ch. 192, Sec. 2; effective, T-4-11-5-04, Nov. 5, 2004; effective Feb. 18, 2005.)

4-28-2. Adoption by reference. The provisions of 21 C.F.R. Parts 100 through 169, excluding 21 C.F.R. 100.1 and 100.2, as in effect on April 1, 2003, are hereby adopted by reference. (Authorized by K.S.A. 65-673; implementing K.S.A. 65-673 and L. 2004, Ch. 192, Sec. 2; effective, T-4-11-5-04, Nov. 5, 2004; effective Feb. 18, 2005.)

4-28-3. Fees; mobile retail ice cream vendor. The license fee for each mobile retail ice cream vendor engaged solely in the sales of prepackaged frozen desserts shall be five dollars. Each license shall expire on December 31 in the year for which the license is issued. (Authorized by K.S.A. 2003 Supp. 36-503; implementing K.S.A. 2003 Supp. 36-503 and L. 2004, Ch. 192, Sec. 2; effective Feb. 18, 2005.)

4-28-4. Fees; application for food vending machine company. The onetime application fee for each food vending machine company doing business in Kansas shall be \$30. (Authorized by K.S.A. 36-504; implementing K.S.A. 36-504 and L. 2004, Ch. 192, Sec. 2; effective Feb. 18, 2005.)

4-28-5. Fees; food processing plant. Each food processing plant shall be licensed by the secretary. (a) Each person operating or wanting to operate a food processing plant shall submit an application on a form supplied by the department with the following fees:

(1) Application fee. Each person shall submit a onetime application fee based on the size of the plant as follows:

(A) Less than 1,000 square feet: \$50; and

(B) 1,000 square feet or more: \$150.

(2) License fee. Each person shall submit a license fee based on the size of the plant as follows:

(A) Less than 1,000 square feet: \$50; and

(B) 1,000 square feet or more: \$150.

(b) Each license issued shall expire on December 31 in the year for which the license is issued.

(c) Each license shall require annual renewal by the licensee's submission of an application for renewal, on a form supplied by the department, and the license fee specified in paragraph (a)(2). (Authorized by K.S.A. 65-689; implementing K.S.A. 65-689 and L. 2004, Ch. 192, Sec. 2; effective Feb. 18, 2005.)

4-28-6. Fees; retail food store. Each retail food store shall be licensed by the secretary. (a) Each person oper-

ating or wanting to operate a retail food store shall submit an application on a form supplied by the department with the following fees:

(1) Application fee. Each person shall submit a onetime application fee based on the size of the store as follows:

(A) Less than 5,000 square feet: \$50;

(B) 5,000 to 15,000 square feet: \$100; and

(C) more than 15,000 square feet: \$150.

(2) License fee. Each person shall submit a license fee based on the size of the store as follows:

(A) Less than 5,000 square feet: \$50;

(B) 5,000 to 15,000 square feet: \$100; and

(C) more than 15,000 square feet: \$150.

(b) Each license shall expire on December 31 in the year in which the license is issued.

(c) Each license shall require annual renewal by the licensee's submission of an application for renewal, on a form supplied by the department, and license fee specified in paragraph (a)(2). (Authorized by K.S.A. 65-689; implementing K.S.A. 65-689 and L. 2004, Ch. 192, Sec. 2; effective Feb. 18, 2005.)

4-28-7. Fees; food service establishment located in a retail food store. (a) Each person operating or wanting to operate a food service establishment located in a retail food store shall submit an application on a form supplied by the department with the following fees:

(1) The application fee shall be \$200.

(2) The license fee shall be \$200.

(b) Each license shall expire on December 31 in the year for which the license is issued.

(c) Each license shall require annual renewal by the licensee's submission of an application for renewal, on a form supplied by the department, and the license fee specified in paragraph (a)(2). (Authorized by K.S.A. 2003 Supp. 36-503; implementing K.S.A. 2003 Supp. 36-503 and L. 2004, Ch. 192, Sec. 2; effective Feb. 18, 2005.)

Article 36.—FOOD SERVICE ESTABLISHMENTS, FOOD VENDING MACHINE COMPANIES AND LODGING ESTABLISHMENTS

28-36-1. (Authorized by K.S.A. 1978 Supp. 36-503; effective, E-77-45, Sept. 30, 1976; effective Feb. 15, 1977; amended, E-79-16, July 1, 1978; amended May 1, 1979; revoked Feb. 18, 2005.)

28-36-32. (Authorized by K.S.A. 1978 Supp. 36-504; effective, E-79-16, July 1, 1978; effective May 1, 1979; revoked Feb. 18, 2005.)

28-36-60. (Authorized by and implementing 2001 SB 100, Secs. 2 and 3; effective, T-28-7-2-01, July 2, 2001; effective Nov. 9, 2001; revoked Feb. 18, 2005.)

28-36-120. (Authorized by and implementing 2001 SB 100, Secs. 2 and 3; effective, T-28-7-2-01, July 2, 2001; effective Nov. 9, 2001; revoked Feb. 18, 2005.)

Adrian J. Polansky
Secretary of Agriculture

Doc. No. 031577

State of Kansas

Department of Wildlife and Parks

Permanent Administrative Regulations

Article 2.—FEES, REGISTRATIONS AND OTHER CHARGES

115-2-1. Amount of fees. The following fees shall be in effect for the following licenses, permits, and other issues of the department: (a) Hunting licenses and permits.

Resident hunting license	18.00
Nonresident hunting license	70.00
Nonresident junior hunting license (under 16 years of age) ...	35.00
Resident big game hunting permit:	
General resident: either-sex elk permit	250.00
General resident: antlerless-only elk permit	100.00
Landowner/tenant: either-sex elk permit	125.00
Landowner/tenant: antlerless-only elk permit	50.00
Hunt-on-your-own-land: elk permit	30.00
Application fee: elk permit	5.00
General resident: deer permit	30.00
Landowner/tenant: deer permit	15.00
Hunt-on-your-own-land: deer permit	10.00
Special hunt-on-your-own-land: deer permit	10.00
General resident: antelope permit	40.00
Landowner/tenant: antelope permit	20.00
Hunt-on-your-own-land: antelope permit	10.00
Antelope preference point service charge	5.00
Any-deer preference point service charge	5.00
Resident game tag:	
Deer game tag	10.00
Turkey game tag	10.00
Wild turkey permit:	
General resident: turkey permit (1-bird limit)	20.00
Landowner/tenant: turkey permit (1-bird limit)	10.00
Resident: turkey preference point service charge	5.00
Nonresident: turkey permit (1-bird limit)	30.00
Nonresident big game hunting permit:	
Nonresident hunt-on-your-own-land: deer permit	50.00
Nonresident: deer permit (antlered deer)	300.00
Nonresident: deer permit (antlerless only)	50.00
Nonresident: deer permit (application fee)	20.00
Nonresident game tag:	
Deer game tag	20.00
Turkey game tag	20.00
48-hour waterfowl hunting permit	25.00
Field trial permit: game birds	20.00
Lifetime hunting license	440.00
or eight quarterly installment payments of	60.00
Migratory waterfowl habitat stamp	5.00
Special dark goose hunting permit	5.00
Sandhill crane hunting permit: validation fee	5.00
Disabled person hunt-from-a-vehicle permit	0

(b) Fishing licenses and permits.

Resident fishing license	18.00
Nonresident fishing license	40.00
24-hour fishing license	5.00
Three-pole permit	4.00
Lifetime fishing license	440.00
or eight quarterly installment payments of	60.00
Five-day nonresident fishing license	20.00
Institutional group fishing license	100.00
Special nonprofit group fishing license	50.00
Trout permit	10.00

(c) Combination hunting and fishing licenses and permits.

Resident combination hunting and fishing license	36.00
Resident lifetime combination hunting and fishing license	880.00

or eight quarterly installment payments of	120.00
Nonresident combination hunting and fishing license	110.00

(d) Furharvester licenses.

Resident furharvester license	18.00
Resident junior furharvester license	10.00
Lifetime furharvester license	440.00
or eight quarterly installment payments of	60.00
Nonresident furharvester license	250.00
Nonresident bobcat permit (1-bobcat limit per permit)	100.00
Resident fur dealer license	100.00
Nonresident fur dealer license	400.00
Field trial permit: furbearing animals	20.00

(e) Commercial licenses and permits.

Controlled shooting area hunting license	15.00
Resident mussel fishing license	75.00
Nonresident mussel fishing license	1,000.00
Mussel dealer permit	200.00
Missouri river fishing permit	25.00
Game breeder permit	10.00
Controlled shooting area operator license	200.00
Commercial dog training permit	20.00
Resident commercial guide permit	250.00
Nonresident commercial guide permit	1,000.00
Associate guide permit	100.00
Commercial fish bait permit	20.00
Commercial prairie rattlesnake harvest permit (without a valid Kansas hunting license)	20.00
Commercial prairie rattlesnake harvest permit (with a valid Kansas hunting license or exempt from this license requirement)	5.00
Commercial prairie rattlesnake dealer permit	50.00
Prairie rattlesnake round-up event permit	25.00

(f) Collection, scientific, importation, rehabilitation, and damage-control permits.

Scientific, educational, or exhibition permit	10.00
Raptor propagation permit	0
Rehabilitation permit	0
Wildlife damage-control permit	0
Wildlife importation permit	10.00
Threatened or endangered species: special permits	0

(g) Falconry.

Apprentice permit	75.00
General permit	75.00
Master permit	75.00
Testing fee	50.00

(h) Miscellaneous fees.

Duplicate license, permit, stamp, and other issues of the department	10.00
Special departmental services, materials, or supplies	At cost
Vendor bond	
For bond amounts of \$5,000 and less	50.00
For bond amounts of more than \$5,000	50.00
plus \$6.00 per additional \$1,000.00 coverage or any fraction thereof.	

(Authorized by and implementing K.S.A. 32-807 and K.S.A. 2003 Supp. 32-988, as amended by L. 2004, Ch. 99, Sec. 8; effective Dec. 4, 1989; amended Sept. 10, 1990; amended Jan. 1, 1991; amended June 8, 1992; amended Oct. 12, 1992; amended April 11, 1994; amended Aug. 29, 1994; amended June 5, 1995; amended Aug. 21, 1995; amended Feb. 28, 1997; amended July 30, 1999; amended Jan. 2, 2002; amended Jan. 1, 2003; amended Jan. 1, 2004; amended Feb. 18, 2005.)

(continued)

Article 3.—SMALL GAME

115-3-2. Rabbits, hares, and squirrels; legal equipment, taking methods, and possession. (a) Legal hunting equipment for rabbits, hares, and squirrels shall consist of the following:

(1) Firearms, except fully automatic rifles and handguns and except shotguns and muzzleloading shotguns larger than 10 gauge or using other than shot ammunition;

(2) pellet and BB guns;

(3) archery equipment;

(4) crossbows;

(5) falconry equipment;

(6) projectiles hand-thrown or propelled by a sling-shot;

(7) box traps for rabbits only;

(8) optical scopes or sights that project no visible light toward the target and do not electronically amplify visible or infrared light; and

(9) other equipment or methods as allowed by permit.

(b) The use of dogs, horses, and mules shall be permitted while hunting, but no person shall shoot while mounted on a horse or mule.

(c) Legal hours for the hunting and taking of rabbits, hares, and squirrels shall be from ½ hour before sunrise to sunset during established hunting seasons, except that legal hours for the running and box-trapping of rabbits shall be 24 hours per day during established running seasons.

(d) Any type of apparel may be worn while hunting or running rabbits.

(e) Legally taken rabbits, hares, and squirrels may be possessed without limit in time and may be given to another if accompanied by a dated written notice that includes the donor's printed name, signature, address, and permit or license number. The person receiving the meat shall retain the notice until the meat is consumed, given to another, or otherwise disposed of. (Authorized by and implementing K.S.A. 32-807 and K.S.A. 32-1002; effective, T-115-7-27-89, July 27, 1989; effective Sept. 18, 1989; amended, T-115-12-28-89, Dec. 28, 1989; amended Jan. 22, 1990; amended Sept. 19, 1997; amended June 1, 2001; amended July 23, 2004; amended Feb. 18, 2005.)

Article 4.—BIG GAME

115-4-6. Deer; firearm management units. Each of the following subsections shall designate a deer firearm management unit: (a) High Plains; unit 1: that part of Kansas bounded by a line from the Nebraska-Kansas state line south on federal highway US-283 to its junction with interstate highway I-70, then west on interstate highway I-70 to the Colorado-Kansas state line, then north along the Colorado-Kansas state line to its junction with the Nebraska-Kansas state line, then east along the Nebraska-Kansas state line to its junction with federal highway US-283, except federal and state sanctuaries and the areas enrolled in the landowner deer management program.

(b) Smoky Hill; unit 2: that part of Kansas bounded by a line from the Colorado-Kansas state line east on inter-

state highway I-70 to its junction with state highway K-147, then south on state highway K-147 to its junction with state highway K-4, then west on state highway K-4 to its junction with federal highway US-83, then south on federal highway US-83 to its junction with state highway K-96, then west on state highway K-96 to its junction with the Colorado-Kansas state line, then north along the Colorado-Kansas state line to its junction with interstate highway I-70, except federal and state sanctuaries and the areas enrolled in the landowner deer management program.

(c) Kirwin-Webster; unit 3: that part of Kansas bounded by a line from the Nebraska-Kansas state line south on state highway K-8 to its junction with federal highway US-36, then east on federal highway US-36 to its junction with federal highway US-281, then south on federal highway US-281 to its junction with interstate highway I-70, then west on interstate highway I-70 to its junction with federal highway US-283, then north on federal highway US-283 to its junction with the Nebraska-Kansas state line, then east along the Nebraska-Kansas state line to its junction with state highway K-8, except federal and state sanctuaries and the areas enrolled in the landowner deer management program.

(d) Kanopolis; unit 4: that part of Kansas bounded by a line from the interstate highway I-70 and state highway K-147 junction, then east on interstate highway I-70 to its junction with federal highway US-81, then south on federal highway US-81 to its junction with state highway K-4, then west on state highway K-4 to its junction with state highway K-147, then north on state highway K-147 to its junction with interstate highway I-70, except federal and state sanctuaries and the areas enrolled in the landowner deer management program.

Smoky Hill Air National Guard Range; subunit 4. The following described area shall be designated a subunit of unit 4, and, with approval of air national guard command, the area shall be open for the taking of deer during the firearm season: United States government land lying entirely within the boundaries of the Smoky Hill Air National Guard Range. Each person hunting in this subunit during the firearm deer season shall be in possession of any permits and licenses required by the air national guard.

(e) Pawnee; unit 5: that part of Kansas bounded by a line from the state highway K-4 and state highway K-14 junction, then south on state highway K-14 to its junction with federal highway US-50, then west on federal highway US-50 to its junction with federal highway US-183, then northeast and north on federal highway US-183 to its junction with federal highway US-156, then west on federal highway US-156 to its junction with federal highway US-283, then north on federal highway US-283 to its junction with state highway K-4, then east on state highway K-4 to its junction with state highway K-14, except federal and state sanctuaries and the areas enrolled in the landowner deer management program.

(f) Middle Arkansas; unit 6: that part of Kansas bounded by a line from the state highway K-4 and federal highway US-77 junction, then south on federal highway US-77 to its junction with federal highway US-50, then west on federal highway US-50 to its junction with state

highway K-14, then north on state highway K-14 to its junction with state highway K-4, then east on state highway K-4 to its junction with federal highway US-77, except federal and state sanctuaries and the areas enrolled in the landowner deer management program.

(g) Solomon; unit 7: that part of Kansas bounded by a line from the Nebraska-Kansas state line south on federal highway US-81 to its junction with interstate highway I-70, then west on interstate highway I-70 to its junction with federal highway US-281, then north on federal highway US-281 to its junction with federal highway US-36, then west on federal highway US-36 to its junction with state highway K-8, then north on state highway K-8 to its junction with the Nebraska-Kansas state line, then east along the Nebraska-Kansas state line to its junction with federal highway US-81, except federal and state sanctuaries and the areas enrolled in the landowner deer management program.

(h) Republican; unit 8: that part of Kansas bounded by a line from the Nebraska-Kansas state line south on federal highway US-77 to its junction with federal highway US-24, then south on federal highway US-24 to its junction with state highway K-177, then south on state highway K-177 to its junction with interstate highway I-70, then west on interstate highway I-70 to its junction with federal highway US-77, then south on federal highway US-77 to its junction with state highway K-4, then west on state highway K-4 to its junction with federal highway US-81, then north on federal highway US-81 to its junction with the Nebraska-Kansas state line, then east along the Nebraska-Kansas state line to its junction with federal highway US-77, except federal and state sanctuaries and the areas enrolled in the landowner deer management program.

Fort Riley; subunit 8. The following described area shall be designated a subunit of unit 8, and, with approval of Fort Riley command, the area shall be open for the taking of deer during the firearm deer season: United States government land lying entirely within the boundaries of the Fort Riley military reservation. Each person hunting in this subunit during the firearm deer season shall be in possession of any permits and licenses required by Fort Riley.

(i) Tuttle Creek; unit 9: that part of Kansas bounded by a line from the Nebraska-Kansas state line, south on federal highway US-75 to its junction with Shawnee County NW 62 Street, then west on Shawnee County NW 62 Street to its junction with Shawnee County Landon Road, then south on Shawnee County Landon Road to its junction with Shawnee County NW 46 Street, then west on Shawnee County NW 46 Street to its junction with Shawnee County NW Humphrey Road, then south on Shawnee County NW Humphrey Road to its junction with federal highway US-24, then west on federal highway US-24 to its junction with Carlson-Rossville Road, then south on Carlson-Rossville Road to its junction with interstate highway I-70, then west on interstate highway I-70 to its junction with state highway K-177, then north on state highway K-177 to its junction with federal highway US-24, then north on federal highway US-24 to its junction with federal highway US-77, then north on federal highway US-77 to its junction with the Nebraska-Kansas state

line, then east along the Nebraska-Kansas state line to its junction with federal highway US-75, except federal and state sanctuaries and the areas enrolled in the landowner deer management program.

(j) Kaw; unit 10: that part of Kansas bounded by a line from the Nebraska-Kansas state line south on federal highway US-75 to its junction with Shawnee County NW 62 Street, then east on Shawnee County NW 62 Street to its junction with Jefferson County Clark Road, then south on Jefferson County Clark Road to its junction with Jefferson County 50 Road, then east on Jefferson County 50 Road to state highway K-237, then south on state highway K-237 to its junction with federal highway US-24, then east on federal highway US-24 to its junction with Tonganoxie Drive, then northeast on Tonganoxie Drive to its junction with Leavenworth County 187 Street, then north on Leavenworth County 187 Street to its junction with state highway K-92, then west on state highway K-92 to its junction with Leavenworth County 207 Street, then north on Leavenworth County 207 Street to its junction, with state highway K-192, then northeast on state highway K-192 to its junction with federal highway US-73, then east on federal highway US-73 to the Missouri-Kansas state line, then north along the Missouri-Kansas state line to its junction with the Nebraska-Kansas state line, then west along the Nebraska-Kansas state line to its junction with federal highway US-75, except federal and state sanctuaries and the areas enrolled in the landowner deer management program.

Fort Leavenworth; subunit 10a. The following described area shall be designated a subunit of unit 10, and, with approval of Fort Leavenworth command, the area shall be open for the taking of deer during the firearm deer season: United States government land lying entirely within the boundaries of the Fort Leavenworth military reservation. Each person hunting in this subunit during the firearm deer season shall be in possession of any permits and licenses required by Fort Leavenworth.

(k) Osage Prairie; unit 11: that part of Kansas bounded by a line from the Oklahoma-Kansas state line north on federal highway US-169 to its junction with state highway K-47, then west on state highway K-47 to its junction with federal highway US-75, then north on federal highway US-75 to its junction with federal highway US-56, then east on federal highway US-56 to its junction with Johnson County 199 Street, then east on Johnson County 199 Street to its junction with the Missouri-Kansas state line, then south along the Missouri-Kansas state line to its junction with the Oklahoma-Kansas state line, then west along the Oklahoma-Kansas state line to its junction with federal highway US-169, except federal and state sanctuaries and the areas enrolled in the landowner deer management program.

(l) Chautauqua Hills; unit 12: that part of Kansas bounded by a line from the Oklahoma-Kansas state line north on federal highway US-169 to its junction with state highway K-47, then west on state highway K-47 to its junction with federal highway US-75, then north on federal highway US-75 to its junction with federal highway US-54, then west on federal highway US-54 to its junction with state highway K-99, then south on state highway K-

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99 to its junction with federal highway US-160, then west on federal highway US-160 to its junction with state highway K-15, then east and south on state highway K-15 to its junction with the Oklahoma-Kansas state line, then east along the Oklahoma-Kansas state line to its junction with federal highway US-169, except federal and state sanctuaries and the areas enrolled in the landowner deer management program.

(m) Lower Arkansas; unit 13: that part of Kansas bounded by a line from the Oklahoma-Kansas state line north on federal highway US-81 to its junction with state highway K-53, then east on state highway K-53 to its junction with state highway K-15, then southeasterly on state highway K-15 to its junction with the Oklahoma-Kansas state line, then west along the Oklahoma-Kansas state line to its junction with federal highway US-81, except federal and state sanctuaries and the areas enrolled in the landowner deer management program.

(n) Flint Hills; unit 14: that part of Kansas bounded by a line from the junction of interstate highway I-70 and Shawnee County SW Auburn Road, then south on Shawnee County Auburn Road to its junction with Shawnee County SW 93 Road, then east on Shawnee County SW 93 Road to its junction with South Topeka Boulevard, then south on South Topeka Boulevard to its junction with federal highway US-56, then east on federal highway US-56 to its junction with federal highway US-75, then south on federal highway US-75 to its junction with federal highway US-54, then west on federal highway US-54 to its junction with state highway K-99, then south on state highway K-99 to its junction with federal highway US-160, then west on federal highway US-160 to its junction with federal highway US-77, then north on federal highway US-77 to its junction with interstate highway I-70, then east on interstate highway I-70 to its junction with Shawnee County SW Auburn Road, except federal and state sanctuaries and the areas enrolled in the landowner deer management program.

(o) Ninnescah; unit 15: that part of Kansas bounded by a line from the Oklahoma-Kansas state line north on state highway K-179 to its junction with state highway K-14, then continuing north on state highway K-14 to its junction with state highway K-42, then west on state highway K-42 to its junction with federal highway US-281, then north on federal highway US-281 to its junction with federal highway US-50, then east on federal highway US-50 to its junction with federal highway US-77, then south on federal highway US-77 to its junction with state highway K-15, then west and northwest on state highway K-15 to its junction with state highway K-53, then west on state highway K-53 to its junction with federal highway US-81, then south on federal highway US-81 to the Oklahoma-Kansas state line, then west along the Oklahoma-Kansas state line to its junction with state highway K-179, except federal and state sanctuaries and the areas enrolled in the landowner deer management program.

(p) Red Hills; unit 16: that part of Kansas bounded by a line from the Oklahoma-Kansas state line north on federal highway US-283 to its junction with federal highway US-54, then east on federal highway US-54 to its junction with federal highway US-183, then north on federal highway US-183 to its junction with federal highway US-50,

then east on federal highway US-50 to its junction with federal highway US-281, then south on federal highway US-281 to its junction with state highway K-42, then east on state highway K-42 to its junction with state highway K-14, then south on state highway K-14 to its junction with state highway K-179, then south on state highway K-179 to the Oklahoma-Kansas state line, then west along the Oklahoma-Kansas state line to its junction with federal highway US-283, except federal and state sanctuaries and the areas enrolled in the landowner deer management program.

(q) West Arkansas; unit 17: that part of Kansas bounded by a line from the Colorado-Kansas state line east on state highway K-96 to its junction with federal highway US-83, then north on federal highway US-83 to its junction with state highway K-4, then east on state highway K-4 to its junction with federal highway US-283, then south on federal highway US-283 to its junction with federal highway US-156, then east on federal highway US-156 to its junction with federal highway US-183, then south on federal highway US-183 to its junction with federal highway US-54, then southwest on federal highway US-54 to its junction with federal highway US-283, then north on federal highway US-283 to its junction with federal highway US-56, then southwest on federal highway US-56 to its junction with state highway K-144, then west on state highway K-144 to its junction with federal highway US-160, then continuing west on federal highway US-160 to the Colorado-Kansas state line, then north along the Colorado-Kansas state line to its junction with state highway K-96, except federal and state sanctuaries and the areas enrolled in the landowner deer management program.

(r) Cimarron; unit 18: that part of Kansas bounded by a line from the Colorado-Kansas state line east on federal highway US-160 to its junction with state highway K-144, then east on state highway K-144 to its junction with federal highway US-56, then east on federal highway US-56 to its junction with federal highway US-283, then south on federal highway US-283 to its junction with the Oklahoma-Kansas state line, then west along the Oklahoma-Kansas state line to its junction with the Colorado-Kansas state line, then north along the Colorado-Kansas state line to its junction with federal highway US-160, except federal and state sanctuaries and the areas enrolled in the landowner deer management program.

(s) Kansas City urban; unit 19: that part of Kansas bounded by a line from the Missouri-Kansas state line west on Johnson County 199 Street to its junction with federal highway US-56, then west on federal highway US-56 to its junction with South Topeka Boulevard, then north on South Topeka Boulevard to its junction with Shawnee County SW 93 Road, then west on Shawnee County SW 93 Road to its junction with Shawnee County SW Auburn Road, then north on Shawnee County SW Auburn Road to its junction with interstate highway I-70, then west on interstate highway I-70 to its junction with Carlson-Rossville Road, then north on Carlson-Rossville Road to its junction with federal highway US-24, then southeast on federal highway US-24 to its junction with Shawnee County NW Humphrey Road, then north on Shawnee County NW Humphrey Road to its junction

with Shawnee County NW 46 Street, then east on Shawnee County NW 46 Street to its junction with Shawnee County NW Landon Road, then north on Shawnee County NW Landon Road to its junction with Shawnee County NW 62 Street, then east on Shawnee County NW 62 Street to its junction with Jefferson County Clark Road, then south on Jefferson County Clark Road to its junction with Jefferson County 50 Road, then east on Jefferson County 50 Road to state highway K-237, then south on state highway K-237 to its junction with federal highway US-24, then east on federal highway US-24 to its junction with Tonganoxie Drive, then northeast on Tonganoxie Drive to its junction with Leavenworth County 187 Street, then north on Leavenworth County 187 Street to its junction with state highway K-92, then west on state highway K-92 to its junction with Leavenworth County 207 Street, then north on Leavenworth County 207 Street to its junction with state highway K-192, then northeast on state highway K-192 to its junction with federal highway US-73, then east on federal highway US-73 to the Missouri-Kansas state line, then south on the Missouri-Kansas state line to Johnson County 199 Street, except federal and state sanctuaries and the areas enrolled in the landowner deer management program. (Authorized by K.S.A. 32-807; implementing K.S.A. 32-807 and K.S.A. 2003 Supp. 32-937, as amended by L. 2004, Ch. 99, Sec. 5; effective April 30, 1990; amended June 8, 1992; amended June 1, 1993; amended June 13, 1994; amended May 30, 1995; amended June 6, 1997; amended July 21, 2000; amended April 18, 2003; amended July 25, 2003; amended Feb. 18, 2005.)

115-4-6a. Deer; archery management units.

(a) Archery unit 1 shall be that part of Kansas described in subsections (a), (b), and (c) of K.A.R. 115-4-6.

(b) Archery unit 2 shall be that part of Kansas described in subsections (q) and (r) of K.A.R. 115-4-6.

(c) Archery unit 3 shall be that part of Kansas described in subsections (g) and (h) of K.A.R. 115-4-6.

(d) Archery unit 4 shall be that part of Kansas described in subsections (d), (e), and (f) of K.A.R. 115-4-6.

(e) Archery unit 5 shall be that part of Kansas described in subsection (p) of K.A.R. 115-4-6.

(f) Archery unit 6 shall be that part of Kansas described in subsections (l), (m), and (o) of K.A.R. 115-4-6.

(g) Archery unit 7 shall be that part of Kansas described in subsections (i) and (j) of K.A.R. 115-4-6.

(h) Archery unit 8 shall be that part of Kansas described in subsection (n) of K.A.R. 115-4-6.

(i) Archery unit 9 shall be that part of Kansas described in subsection (k) of K.A.R. 115-4-6.

(j) Archery unit 19 shall be that part of Kansas described in subsection (s) of K.A.R. 115-4-6. (Authorized by K.S.A. 32-807; implementing K.S.A. 32-807 and K.S.A. 2003 Supp. 32-937, as amended by L. 2004, Ch. 99, Sec. 5; effective Feb. 18, 2005.)

115-4-11. Big game and wild turkey permit applications. (a) General application provisions.

(1) Unless otherwise authorized by law or regulation, an individual shall not apply for or obtain more than one big game or wild turkey permit for each big game species or wild turkey.

(2) Unless otherwise authorized by law or regulation, each big game or wild turkey permit application shall be signed by the individual applying for the permit.

(3) Subject to any priority draw system established by this regulation, if the number of permit applications of a specific species and type received by the designated application deadline exceeds the number of available permits of that species and type, a random drawing to issue permits of that species and type shall be conducted by the secretary.

(4) A hunt-on-your-own-land permit shall not be tabulated in a priority draw system if the permit would otherwise reduce the applicant's odds of receiving a big game permit through that draw system.

(b) Deer permit applications.

(1) Subject to any priority draw system established by this subsection, in awarding deer permits in units having a limited number of permits, the first priority shall be given to those applicants who did not receive, in the previous year, a deer permit that allowed the taking of an antlered deer. All other deer permit applicants shall be given equal priority.

(2) In awarding a limited number of deer permits by a priority draw system, the first priority shall be given to those individuals who have earned the highest number of preference points. Preference points shall be awarded as follows:

(A) One point shall be awarded to an individual for each year the individual is unsuccessful in obtaining, by a priority draw system, a deer permit that allows the taking of an antlered deer.

(B) If the individual fails to make at least one application or purchase one preference point within a period of five consecutive years, all earned points shall be lost.

(C) If an applicant obtains, by a priority draw system, a deer permit that allows the taking of an antlered deer, all earned points shall be lost.

(D) If the number of applicants with the most preference points exceeds the number of permits for specified units or permit types, then a drawing shall be held to determine the successful applicants.

(E) If an individual desires to apply for a preference point for a deer permit that allows the taking of antlered deer and not receive a permit, the person may apply for and receive a preference point by paying the proper application or preference point fee and making application during the application period specified in K.A.R. 115-25-9. No individual may apply for more than one preference point in the same calendar year, and no individual shall apply for a preference point in the same calendar year as the calendar year in which the individual is applying for a permit.

(c) Firearm antelope permit applications. In awarding firearm antelope permits, the first priority shall be given to those individuals who have earned the highest number of preference points. Preference points shall be awarded as follows:

(1) One point shall be awarded to an individual for each year the individual is unsuccessful in obtaining a firearm antelope permit.

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(2) If the individual fails to make at least one application or purchase one preference point within a period of five consecutive years, all earned points shall be lost.

(3) If an applicant obtains a firearm permit, all earned points shall be lost.

(4) If the number of applicants with the most preference points exceeds the number of permits for specified units or permit types, then a drawing shall be held to determine the successful applicants.

(5) If an individual desires to apply for a preference point for an antelope firearms permit that allows the taking of an antelope and not receive a permit, the person may apply for and receive a preference point by paying the preference point fee and making application during the application period specified in K.A.R. 115-25-7. No individual may apply for more than one preference point in the same calendar year, and no individual shall apply for a preference point in the same calendar year as the calendar year in which the individual is applying for a permit.

(d) Elk permit applications. An individual receiving a limited-quota elk permit shall not be eligible to apply for or receive an elk permit in subsequent seasons, with the following exceptions:

(1) An individual receiving an any-elk or a bull-only elk permit may apply for and receive an antlerless-only elk permit in subsequent seasons.

(2) An individual receiving a limited-quota, antlerless-only elk hunting permit shall not be eligible to apply for or receive a limited-quota, antlerless-only elk permit for a five-year period thereafter. Subject to subsection (d), however, this individual may apply for and receive an any-elk or bull-only elk permit without a waiting period.

(e) Wild turkey permit applications.

(1) When awarding wild turkey permits in units having a limited number of permits, the first priority shall be given to those individuals who did not receive a permit in a limited wild turkey unit during the previous year. All other applicants shall be given equal priority.

(2) In awarding a limited number of wild turkey permits by a priority draw system, the first priority shall be given to those individuals who have earned the highest number of preference points. Preference points shall be awarded as follows:

(A) One point shall be awarded to an individual for each year the individual is unsuccessful in obtaining, by a priority draw system, a wild turkey permit.

(B) If the individual fails to make at least one application or purchase one preference point within a period of five consecutive years, all earned points shall be lost.

(C) If an applicant obtains, by a priority draw system, a wild turkey permit, all earned points shall be lost.

(D) If the number of applicants with the most preference points exceeds the number of permits for specified units or permit types, then a drawing shall be held to determine the successful applicants.

(E) If an individual desires to apply for a preference point for a wild turkey permit and not receive a permit, the person may apply for and receive a preference point by paying the preference point fee and making application during the application period specified in K.A.R. 115-25-6. No individual may apply for more than one pref-

erence point in the same calendar year, and no individual shall apply for a preference point in the same calendar year as the calendar year in which the individual is applying for a permit. (Authorized by K.S.A. 32-807 and K.S.A. 2003 Supp. 32-937, as amended by L. 2004, ch. 99, sec. 5, and L. 2004, ch. 99, sec. 12; implementing K.S.A. 2003 Supp. 32-937, as amended by L. 2004, ch. 99, sec. 5, and L. 2004, ch. 99, sec. 12; effective Sept. 10, 1990; amended May 27, 1991; amended June 1, 2001; amended April 18, 2003; amended Feb. 18, 2005.)

Article 5.—FURBEARERS

115-5-1. Furbearers and coyotes; legal equipment, taking methods, and general provisions. (a) Hunting equipment permitted during furbearer hunting seasons and during coyote hunting seasons shall consist of the following:

(1) Firearms, except fully automatic firearms;

(2) archery equipment;

(3) crossbows; and

(4) optical scopes or sights that project no visible light toward the target and do not electronically amplify visible or infrared light.

(b) Trapping equipment permitted during furbearer and coyote trapping seasons shall consist of the following:

(1) Foothold traps;

(2) body-gripping traps;

(3) box traps;

(4) live traps;

(5) snares; and

(6) deadfalls.

(c) The following general provisions shall apply to the taking of furbearers and coyotes:

(1) Calls may be used in the taking of furbearers and coyotes.

(2) Handheld, battery-powered flashlights, hat lamps, and handheld lanterns may be used while trapping furbearers or coyotes or while running furbearers.

(3) .22 caliber rimfire rifles and handguns may be used to take trapped furbearers or trapped coyotes when using a light to check traps.

(4) .22 caliber rimfire rifles and handguns may be used while using a handheld, battery-powered flashlight, hat lamp, or handheld lantern to take furbearers treed with the aid of dogs.

(5) Lures, baits, and decoys may be used in the taking of furbearers and coyotes.

(6) The use of horses and mules shall be permitted while hunting, trapping, or running furbearers and coyotes.

(7) The use of motor vehicles for taking coyotes shall be permitted while hunting coyotes.

(8) The use of radios in land or water vehicles shall be permitted for the taking of coyotes.

(9) The use of dogs for hunting and during running seasons shall be permitted.

(10) Any conibear-type, body-gripping trap with a jawsread of eight inches or greater shall be used only in a water set.

(11) Only landowners or tenants of land immediately adjacent to the right-of-way of a public road, or their immediate family members or authorized agents, may set slide-locking wire or snare-type cable traps as dryland sets within five feet of a fence bordering a public road or within 50 feet of the outside edge of the surface of a public road. Only these landowners or tenants, or their immediate family members or authorized agents, may possess the fur, pelt, skin, or carcass of any furbearer or coyote removed from these devices located within these specified limits.

(12) A person shall not have in possession any equipment specified in subsection (a) while pursuing or chasing furbearers with hounds during the running season.

(13) All trapping devices included in subsection (b) shall be tagged with the user's name and address and shall be tended and inspected at least once every calendar day. (Authorized by K.S.A. 32-807; implementing K.S.A. 32-807, K.S.A. 32-1002, and K.S.A. 32-1003; effective March 19, 1990; amended Nov. 15, 1993; amended July 19, 2002; amended Feb. 18, 2005.)

Article 7.—FISH AND FROGS

115-7-2. Fishing; general provisions. (a) Except as authorized in this regulation, any person may operate or set two fishing lines and, in addition, one trotline or eight setlines.

(b) Each fishing line, trotline, and setline shall be checked at least once every 24 hours.

(c) Each trotline, setline, tip-up, and unattended fishing line shall have a tag or label securely attached, designating the name and address of the operator. No trotline or setline shall be set within 150 yards of any dam.

(d) Sport fish shall be deemed legally taken by hook and fishing line only when hooked within the mouth, except paddlefish, which may be snagged as authorized by K.A.R. 115-7-1. Other sport fish hooked elsewhere shall be returned unrestrained to the water immediately.

(e) Fish may be taken by legal methods through the ice, unless the area is closed to ice fishing by posted notice or otherwise prohibited by regulation. Ice holes used for ice fishing shall not exceed 12 inches in diameter or 144 square inches.

(f) For ice fishing, a tip-up may be used on each of the allowed eight setlines, unless otherwise posted.

(g) Bow and arrow fishing and crossbow and arrow fishing shall be permitted in all waters of the state except those waters posted as closed to such fishing and except all waters within 50 yards of an occupied boat dock or ramp, occupied swimming area, occupied picnic or camping area, or other occupied public use area.

(h) Speargun fishing shall be permitted on waters open to skin and scuba diving, unless prohibited by posted notice or regulation. By posted notice, certain water areas may be opened by the department for the taking of one or more species of sport fish by spearguns during a specified time period.

(i) In the flowing portions and backwaters of the Missouri river and in any oxbow lake through which the Kansas-Missouri boundary passes, any person may operate

or set three fishing lines and, in addition, one trotline or eight setlines.

(j) In the waters of the state other than those waters specified in subsection (i), any person in possession of a three-pole permit may operate or set three fishing lines, and in addition, one trotline or eight setlines. (Authorized by K.S.A. 32-807; implementing K.S.A. 32-1002 and K.S.A. 32-1003; effective Dec. 26, 1989; amended Sept. 27, 2002; amended Feb. 18, 2005.)

Article 9.—LICENSES, PERMITS, STAMPS, AND OTHER DEPARTMENT ISSUES

115-9-4. Hunting or furharvester license or permit purchase. (a) Any individual required to have a certificate of completion of an approved hunter or bowhunter education course before purchasing a hunting license or permit, or an approved furharvester education course before purchasing a furharvester license or permit, may purchase a hunting or furharvester license or permit by attesting to the individual's successful completion of an approved hunter, bowhunter, or furharvester education course, respectively, at the time of purchase.

(b) The signature of the individual on the hunting, bowhunting, or furharvester license or permit, respectively, shall satisfy the attesting requirement of subsection (a). (Authorized by K.S.A. 32-807; implementing K.S.A. 32-807, K.S.A. 2003 Supp. 32-912, and K.S.A. 2003 Supp. 32-920, as amended by L. 2004, Ch. 99, Sec. 2; effective Dec. 26, 1989; amended Feb. 22, 2002; amended Feb. 18, 2005.)

Article 11.—CONTROLLED SHOOTING AREAS

115-11-2. Controlled shooting areas; operational requirements. (a) Each controlled shooting area shall be posted as follows:

(1) Signs shall be made of metal, plastic, or wood and shall be not less than 15 inches by 15 inches.

(2) Signs shall legibly display the words "controlled shooting area" in block lettering that is not less than two inches in height.

(3) Signs shall be placed along the boundary of the controlled shooting area, at intervals of not more than 500 feet.

(b) The licensee shall keep the license and a copy of the laws and regulations pertaining to the controlled shooting areas posted in a conspicuous and readily available place at the headquarters of the area.

(c) If the license of the controlled shooting area is cancelled or revoked, the licensee shall remove all controlled shooting area signs from the boundary of the area within 30 days of the cancellation or revocation date.

(d) If a licensee fails to renew a controlled shooting area license, all controlled shooting area signs shall be removed from the boundary of the area before September 1.

(e) Only those game birds released on the controlled shooting area from August 15 through March 31 of the license period shall be credited toward the allowable take for the area.

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(f) The licensee shall not take or permit the taking of more than 100 percent of the number of each species of game bird released on the controlled shooting area. These game bird species shall not be hunted on the area until a release of the game bird species has been made.

(g) The shooting hours for the taking of game birds released on controlled shooting areas shall be from ½ hour before sunrise to sunset.

(h) Game birds taken on a controlled shooting area shall be accompanied during transportation from the area by a form provided by the department and completed by the licensee, which shall include the number and species of game birds being transported, the name and license number of the licensee, the date of harvest, and any other relevant information required by the secretary.

(i) Except as authorized under Kansas dog training and field trial regulations, only hand-reared mallard ducks may be recaptured by trapping after release.

(j) Hunting during the established seasons and in compliance with all laws and regulations governing the hunting activity may occur on a controlled shooting area for wildlife species not included in K.S.A. 32-943, and amendments thereto, and for any wildlife species not included in the license issued for that controlled shooting area, including big game animals and wild turkeys for which the hunter has a valid permit issued by the department. The hunting, shooting, or taking of wild migratory waterfowl, however, shall be prohibited on each controlled shooting area used for the shooting of hand-reared mallard ducks.

(k) This regulation shall be effective on and after April 1, 2005. (Authorized by K.S.A. 32-948; implementing K.S.A. 32-945, K.S.A. 32-946, K.S.A. 32-947, and K.S.A. 32-948; effective Dec. 4, 1989; amended Aug. 31, 1992; amended July 1, 1999; amended July 1, 2002; amended April 1, 2005.)

Article 15.—NONGAME, THREATENED AND ENDANGERED SPECIES

115-15-1. Threatened and endangered species; general provisions. (a) The following species shall be designated endangered within the boundaries of the state of Kansas.

(1) Invertebrates

Flat floater mussel, *Anodonta suborbiculata* (Say, 1831)

Rabbitsfoot mussel, *Quadrula cylindrica* (Say, 1817)

Western fanshell mussel, *Cyprogenia aberti* (Conrad, 1850)

Neosho mucket mussel, *Lampsilis rafinesqueana* (Frierson, 1927)

Elktoe mussel, *Alasmidonta marginata* (Say, 1818)

Ellipse mussel, *Venustaconcha ellipsiformis* (Conrad, 1836)

Slender walker snail, *Pomatiopsis lapidaria* (Say, 1817)

Scott optioservus riffle beetle, *Optioservus phaeus* (White, 1978)

American burying beetle, *Nicrophorus americanus* (Olivier, 1890)

Mucket, *Actinonaias ligamentina* (Lamarck, 1819)

(2) Fish

Arkansas River shiner, *Notropis girardi* (Hubbs and Ortenburger, 1929)

Pallid sturgeon, *Scaphirhynchus albus* (Forbes and Richardson, 1905)

Sicklefin chub, *Macrhybopsis meeki* (Jordan and Evermann, 1896)

Arkansas River speckled chub, *Macrhybopsis tetra-nema* (Gilbert, 1886)

Silver chub, *Macrhybopsis storeriana* (Kirtland, 1845)

(3) Amphibians

Cave salamander, *Eurycea lucifuga* (Rafinesque, 1822)

Many-ribbed salamander, *Eurycea multiplicata* (Cope, 1869)

Grotto salamander, *Typhlotriton spelaeus* (Stejneger, 1893)

(4) Birds

Black-capped vireo, *Vireo atricapilla* (Woodhouse, 1852)

Eskimo curlew, *Numenius borealis* (Forster, 1772)

Least tern, *Sterna antillarum* (Lesson, 1847)

Peregrine falcon, *Falco peregrinus* (Tunstall, 1771)

Whooping crane, *Grus americana* (Linnaeus, 1758)

(5) Mammals

Black-footed ferret, *Mustela nigripes* (Audubon and Bachman, 1851)

Gray myotis, *Myotis grisescens* (A.H. Howell, 1909)

(b) The following species shall be designated threatened within the boundaries of the state of Kansas.

(1) Invertebrates

Rock pocketbook mussel, *Arcidens confragosus* (Say, 1829)

Flutedshell mussel, *Lasmigona costata* (Rafinesque, 1820)

Butterfly mussel, *Ellipsaria lineolata* (Rafinesque, 1820)

Ouachita kidneyshell mussel, *Ptychobranthus occidentalis* (Conrad, 1836)

Sharp hornsnail, *Pleurocera acuta* (Rafinesque, 1831)

(2) Fish

Arkansas darter, *Etheostoma cragini* (Gilbert, 1885)

Chestnut lamprey, *Ichthyomyzon castaneus* (Girard, 1858)

Flathead chub, *Platygobio gracilis* (Richardson, 1836)

Hornyhead chub, *Nocomis biguttatus* (Kirtland, 1840)

Neosho madtom, *Noturus placidus* (Taylor, 1969)

Redspot chub, *Nocomis asper* (Lachner and Jenkins, 1971)

Silverband shiner, *Notropis shumardi* (Girard, 1856)

Blackside darter, *Percina maculata* (Girard, 1859)

Sturgeon chub, *Macrhybopsis gelida* (Girard, 1856)

Western silvery minnow, *Hybognathus argyritis* (Girard, 1856)

Topeka shiner, *Notropis topeka* (Gilbert, 1884)

(3) Amphibians

Eastern newt, *Notophthalmus viridescens* (Rafinesque, 1820)

Longtail salamander, *Eurycea longicauda* (Green, 1818)

Eastern narrowmouth toad, *Gastrophryne carolinensis* (Holbrook, 1836)

Green frog, *Rana clamitans* (Latreille, 1801)

Spring peeper, *Pseudacris crucifer* (Wied-Neuwied, 1838)

Strecker's chorus frog, *Pseudacris streckeri* (Wright and Wright, 1933)

Green toad, *Bufo debilis* (Girard, 1854)

(4) Reptiles

Broadhead skink, *Eumeces laticeps* (Schneider, 1801)

Checkered garter snake, *Thamnophis marcianus* (Baird and Girard, 1853)

Common map turtle, *Graptemys geographica* (Le Sueur, 1817)

Texas blind snake, *Leptotyphlops dulcis* (Baird and Girard, 1853)

Redbelly snake, *Storeria occipitomaculata* (Storer, 1839)

Longnose snake, *Rhinocheilus lecontei* (Baird and Girard, 1853)

Smooth earth snake, *Virginia valeriae* (Baird and Girard, 1853)

(5) Birds

Piping plover, *Charadrius melodus* (Ord, 1824)

Snowy plover, *Charadrius alexandrinus* (Linnaeus, 1758)

Bald eagle, *Haliaeetus leucocephalus* (Linnaeus, 1766)

(6) Mammals

Spotted skunk, *Spilogale putorius* (Linnaeus, 1758)

(c) A threatened or endangered species taken during established trapping seasons, authorized commercial wildlife operations, fishing by hook and line, bait fish seining, or other lawful activity shall not be unlawfully taken if immediately released.

(d) Any threatened or endangered species in possession before the effective date of this regulation and not prohibited by any previous regulation of the department or national listings may be retained in possession if either of the following conditions is met:

(1) An application of affidavit to that effect has been filed with and approved by the secretary before January 1, 1990 that states the circumstances of how the species came into possession.

(2) Possession of the animal has been previously approved by the department. (Authorized by K.S.A. 32-960 and K.S.A. 32-963; implementing K.S.A. 32-960, K.S.A. 32-961, K.S.A. 32-963, K.S.A. 32-1010 and K.S.A. 32-1011; effective Oct. 30, 1989; amended Aug. 31, 1992; amended Nov. 29, 1999; amended Feb. 18, 2005.)

115-15-2. Nongame species; general provisions.

(a) The following species shall be designated nongame species in need of conservation within the boundaries of the state of Kansas.

(1) Invertebrates

Cylindrical papershell mussel, *Anodontoides ferussacianus* (I. Lea, 1834)

Snuffbox mussel, *Epioblasma triquetra* (Rafinesque, 1820)

Wartyback mussel, *Quadrula nodulata* (Rafinesque, 1820)

Spike mussel, *Elliptio dilatata* (Rafinesque, 1820)

Wabash pigtoe mussel, *Fusconaia flava* (Rafinesque, 1820)

Fatmucket mussel, *Lampsilis siliquoidea* (Barnes, 1823)

Yellow sandshell mussel, *Lampsilis teres* (Rafinesque, 1820)

Washboard mussel, *Megaloniais nervosa* (Rafinesque, 1820)

Round pigtoe mussel, *Pleurobema sintoxia* (Conrad, 1834)

Creeper mussel, *Strophitus undulatus* (Say, 1817)

Fawnsfoot mussel, *Truncilla donaciformis* (I. Lea, 1828)

Deertoe mussel, *Truncilla truncata* (Rafinesque, 1820)

Ozark emerald dragonfly, *Somatochlora ozarkensis* (Bird, 1833)

Gray petaltail dragonfly, *Tachopteryx thoreyi* (Hagen in Selys, 1857)

Prairie mole cricket, *Gryllotalpa major* (Saussure, 1874)

Neosho midget crayfish, *Orconectes macrus* (Williams, 1952)

Delta hydrobe, *Probythinella emarginata* (Kuster, 1852)

(2) Fish

Banded darter, *Etheostoma zonale* (Cope, 1868)

Banded sculpin, *Cottus carolinae* (Gill, 1861)

Black redhorse, *Moxostoma duquesnei* (Lesueur, 1817)

Blue sucker, *Cycleptus elongatus* (Lesueur, 1817)

Blacknose dace, *Rhinichthys atratulus* (Hermann, 1804)

Bluntnose darter, *Etheostoma chlorosoma* (Hay, 1881)

Brassy minnow, *Hybognathus hankinsoni* (Hubbs, 1929)

Gravel chub, *Erimystax x-punctatus* (Hubbs and Crowe, 1956)

Greenside darter, *Etheostoma blennioides* (Rafinesque, 1819)

Highfin carpsucker, *Carpionodes velifer* (Rafinesque, 1820)

Northern hog sucker, *Hypentelium nigricans* (Lesueur, 1817)

Ozark minnow, *Notropis nubilus* (Forbes, 1878)

Plains minnow, *Hybognathus placitus* (Girard, 1856)

River darter, *Percina shumardi* (Girard, 1859)

River redhorse, *Moxostoma carinatum* (Cope, 1870)

River shiner, *Notropis blennioides* (Girard, 1856)

Slough darter, *Etheostoma gracile* (Girard, 1859)

Speckled darter, *Etheostoma stigmaeum* (Jordan, 1877)

Spotfin shiner, *Cyprinella spiloptera* (Cope, 1868)

Spotted sucker, *Minytrema melanops* (Rafinesque, 1820)

Stippled darter, *Etheostoma punctulatum* (Agassiz, 1854)

Tadpole madtom, *Noturus gyrinus* (Mitchill, 1817)

Brindled madtom, *Noturus miurus* (Jordan, 1877)

(3) Amphibians

Red-spotted toad, *Bufo punctatus* (Baird and Girard, 1852)

(continued)

- Crawfish frog, *Rana areolata* (Baird and Girard, 1852)
- (4) Reptiles
Alligator snapping turtle, *Macrochelys temminckii* (Troost, in Harlan, 1835)
Rough earth snake, *Virginia striatula* (Linnaeus, 1766)
Western hognose snake, *Heterodon nasicus* (Baird and Girard, 1852)
Timber rattlesnake, *Crotalus horridus* (Linnaeus, 1758)
Eastern hognose snake, *Heterodon platirhinos* (Latreille, 1801)
Glossy snake, *Arizona elegans* (Kennicott, 1859)
Night snake, *Hypsiglena torquata* (Gunther, 1860)
- (5) Birds
Bobolink, *Dolichonyx oryzivorus* (Linnaeus, 1758)
Cerulean warbler, *Dendroica cerulea* (Wilson, 1810)
Curve-billed thrasher, *Toxostoma curvirostre* (Swainson, 1827)
Ferruginous hawk, *Buteo regalis* (Gray, 1844)
Golden eagle, *Aquila chrysaetos* (Linnaeus, 1758)
Short-eared owl, *Asio flammeus* (Pontoppidan, 1763)
Henslow's sparrow, *Ammodramus henslowii* (Audubon, 1829)
Ladder-backed woodpecker, *Picoides scalaris* (Wagler, 1829)
Long-billed curlew, *Numenius americanus* (Bechstein, 1812)
Mountain plover, *Charadrius montanus* (Townsend, 1837)
Chihuahuan raven, *Corvus cryptoleucus* (Couch, 1854)
Black tern, *Chlidonias niger* (Linnaeus, 1758)
Black rail, *Laterallus jamaicensis* (Gmelin, 1789)
Whip-poor-will, *Caprimulgus vociferus* (Wilson, 1812)
Yellow-throated warbler, *Dendroica dominica* (Linnaeus, 1776)
- (6) Mammals
Franklin's ground squirrel, *Spermophilus franklinii* (Sabine, 1822)
Pallid bat, *Antrozous pallidus* (LeConte, 1856)
Southern bog lemming, *Synaptomys cooperi* (Baird, 1858)
Southern flying squirrel, *Glaucomys volans* (Linnaeus, 1758)
Texas mouse, *Peromyscus attwateri* (J.A. Allen, 1895)
Townsend's big-eared bat, *Corynorhinus townsendii* (Cooper, 1837)

(b) Any nongame species in need of conservation taken during established trapping seasons, authorized commercial wildlife operations, fishing by hook and line, bait fish seining, or other lawful activity shall not be unlawfully taken if immediately released.

(c) Any nongame species in need of conservation in possession before the effective date of this regulation and not prohibited by any previous regulation of the department or national listings may be retained in possession if either of the following conditions is met:

(1) An application of affidavit to that effect has been filed with and approved by the secretary before January 1, 1990, that states the circumstances of how the species came into possession.

(2) Possession of the animal has been previously approved by the department. (Authorized by K.S.A. 32-959 and K.S.A. 32-963; implementing K.S.A. 32-959 and K.S.A. 2003 Supp. 32-1009; effective Oct. 30, 1989; amended Aug. 31, 1992; amended Nov. 29, 1999; amended Feb. 18, 2005.)

Article 18.—SPECIAL PERMITS

115-18-1. Wildlife rehabilitation permit; application, reporting and general provisions. (a) Each application for a wildlife rehabilitation permit shall be submitted on a form provided by the department. Each applicant shall provide the following information:

- (1) The name of applicant;
- (2) the applicant's address;
- (3) the location or address of the applicant's facilities if different from applicant's address;
- (4) the name of each assisting subpermittee;
- (5) the type of wildlife rehabilitation service to be provided;
- (6) a description of the applicant's available facilities;
- (7) the applicant's qualifications to provide the services specified;
- (8) the name of each assisting veterinarian; and
- (9) other relevant information as required by the secretary.

(b) (1) A wildlife rehabilitation permit shall be issued only to each individual who meets the following qualifications:

- (A) Is 18 years of age or older;
- (B) has 100 hours of experience in the handling and care of wildlife acquired over the course of one calendar year. Up to 20 hours of this 100-hour requirement may be fulfilled by successful completion of a training course provided by either the international wildlife rehabilitation council (IWRC) or the national wildlife rehabilitators' association (NWRA);

(C) submits letters of recommendation regarding the applicant's knowledge of wildlife rehabilitation from three persons who have known the applicant for at least two years. The letters of recommendation shall be from any of the following:

- (i) A wildlife professional, which may include a biologist employed by a state or federal wildlife agency, the curator or manager of a zoo or wildlife sanctuary, or other person professionally engaged in wildlife management or care;

- (ii) a department conservation officer;
 - (iii) a Kansas-licensed veterinarian; or
 - (iv) a permitted wildlife rehabilitator; and
- (D) has obtained one of the following:

(i) A certificate of completion of a training course offered by the international wildlife rehabilitation council (IWRC) within the preceding three years;

(ii) a certificate of completion of a training course offered by the national wildlife rehabilitators' association (NWRA) within the preceding three years; or

(iii) a test score of at least 80 percent on a department-administered wildlife rehabilitation examination at a department office location. Each applicant who fails the examination shall wait a minimum of 30 days before

retaking the examination. The test may be taken only twice during each calendar year. The test shall not be returned to applicants at any time.

(2) A total of eight hours of continuing education or training every three years from a department-approved program shall be required for the renewal of a permit.

(c) Each applicant or permittee shall allow an inspection of the rehabilitation facilities to be made by a department official. A permit shall not be issued until the rehabilitation facilities have been approved by the inspecting official. All facilities shall be subject, during reasonable hours of operation, to inspection by the department to determine compliance with the provisions of the permit and the provisions contained in this regulation. Each facility shall be inspected by a department official once during the permit period and upon each change in facility location. Each subpermittee authorized to care for wildlife at a site other than the primary permittee's facility shall have those facilities annually inspected and approved by a department official.

(d) Permits issued shall be valid through December 31.

(e) A permittee may provide for subpermittees to operate under the authority of the permit during the effective period of the permit upon approval of the secretary or designee, based on the following requirements:

(1) Each permittee shall submit the name of each individual for whom the designation of subpermittee is requested. The permittee shall be notified by the department in writing of the approval or denial of each request. The permittee shall notify the department in writing of any approved subpermittee whose services with the permit holder are terminated.

(2) Each subpermittee shall be 18 years of age or older and have experience in handling and caring for animals during the previous two years.

(3) Each wildlife rehabilitation permittee shall be responsible for insuring that each subpermittee meets all requirements of the rehabilitation permit.

(4) Each subpermittee needing to care for wildlife in need of rehabilitation at a site other than the primary permittee's facility shall have that site inspected and approved according to the standards set forth in subsection (g) before holding any wildlife at that site.

(5) Each subpermittee holding wildlife at a site different from the primary permittee's facility shall comply with the conditions set forth in the primary permittee's permit.

(f) The rehabilitation activities authorized by each permit issued under this regulation shall be performed only by the permittee or subpermittee specified on the permit. Volunteers may assist in rehabilitation activities only in the presence and under the direction of a permittee or subpermittee. Each permittee utilizing volunteers shall keep on file at the permitted facility a current record of all volunteers working at the facility. At no time shall volunteers be allowed to remove wildlife from the permitted facility, except as provided in subsection (l).

(g) Wildlife rehabilitation care and treatment shall be provided in accordance with the following provisions:

(1) All rehabilitation of wildlife shall be performed in consultation, as necessary, with a licensed veterinarian

named on the rehabilitator's permit or with veterinarians on staff at the Kansas State University veterinary hospital.

(2) Individual caging requirements may be specified by the secretary or designee based on the size, species, condition, age, or health of the wildlife under care.

(3) Clean water shall be available at all times except when medical treatment requires the temporary denial of water.

(4) Cages shall be cleaned on a daily basis and disinfected using nonirritating methods.

(5) A person authorized by permit shall observe and provide care for wildlife at least once daily unless otherwise specified by the permit.

(6) Wildlife shall be kept in an environment that minimizes human contact and prevents imprinting and bonding to humans.

(7) Wildlife possessed under a rehabilitation permit shall not be allowed to come into contact with any person other than a permit holder, subpermittee, volunteer, licensed veterinarian, animal control specialist, law enforcement officer, or wildlife professional from the department.

(8) Wildlife shall be housed separately from domestic animals, unless domestic animals are being used for bonding or surrogate parenting.

(9) Public viewing, exhibition, or display of any kind to the public, including electronic viewing, shall be prohibited, unless specifically authorized in writing by the secretary or designee.

(h) Wildlife held under the authority of a rehabilitation permit shall not be sold, bartered, or exchanged for any consideration. A permit issued under this regulation shall not authorize a person, firm, or corporation to engage in the propagation or commercial sale of wildlife.

(i) Wildlife held under the authority of a rehabilitation permit may be transferred from one permittee to another permittee if all of the following conditions are met:

(1) The permittee receiving the wildlife holds all the proper permits and authorizations necessary for that species of wildlife.

(2) The transfer is necessary for the proper treatment or care of the wildlife.

(3) The transfer is properly recorded in both permittees' operational records.

(4) The transfer is approved in writing by the secretary or designee.

(j) The secretary or designee shall be notified within 48 hours if the permittee receives for transport or care an endangered species, threatened species, or species in need of conservation, as identified in K.A.R. 115-15-1 and K.A.R. 115-15-2. Permission for treatment and care by the requesting permittee may be granted by the secretary or designee, or an alternate course of action may be specified by the secretary or designee.

(k) No permittee shall perform any of the following acts, unless the permittee possesses, in advance, an amended permit authorizing this activity from the secretary or designee:

(1) Change the facility location, consulting veterinarian, or subpermittees;

(2) receive previously unauthorized species; or

(continued)

(3) conduct previously unauthorized activities.

(l) Sick, orphaned, displaced, or injured wildlife may be possessed, transported, or treated in accordance with the following provisions:

(1) Any person may temporarily possess and transport sick, orphaned, displaced, or injured wildlife within the state to a person authorized to perform wildlife rehabilitation services or initial treatment. Possession of an individual animal for transportation to initial treatment shall not exceed one day.

(2) Wildlife in need of rehabilitation treatment or care may be provided emergency medical care and stabilization by any of the following individuals or institutions not holding a rehabilitation permit for 48 hours, after which time the wildlife shall be transferred to a permitted rehabilitator:

- (A) Accredited zoological parks;
- (B) nature centers;
- (C) department wildlife professionals; or
- (D) licensed veterinarians.

Any wildlife requiring extensive medical care and recovery may remain under the care of a licensed veterinarian beyond the 48-hour restriction, subject to subsection (g).

(3) Any person authorized by permit to perform wildlife rehabilitation services or exempt by law from the requirement to possess a wildlife rehabilitation permit may possess individual animals for treatment purposes on a temporary basis. Possession of an individual animal for treatment purposes shall not exceed 120 days, unless an extension has been approved by the secretary or designee.

(4) Rehabilitation treatment or care shall not be provided to the following species of wildlife:

- (A) European starlings;
- (B) English or house sparrows;
- (C) feral pigeons; and
- (D) any wildlife species listed in K.A.R. 115-18-10, except as authorized in writing by the secretary.

(m) Each permittee shall maintain current records of wildlife rehabilitation services provided under the permit on report forms provided by the department. The records shall be maintained at the designated facility, be made available to department officials for inspection purposes, and include the following information:

- (1) The name of the permittee;
- (2) the permittee contact information;
- (3) the name and address of the facility;
- (4) the wildlife rehabilitation permit number;
- (5) the date on which any wildlife is received for treatment;
- (6) the species of wildlife received for treatment;
- (7) the suspected or known cause for treatment;
- (8) the date and disposition of the wildlife at the conclusion of treatment; and
- (9) other relevant information as required by the secretary.

(n) Each permittee shall submit the true and accurate, original report required in subsection (m) to the department on or before January 31 of the year following the permitted activity. The permittee may retain a copy of the report for the permittee's records.

(o) Any person authorized by permit to perform wildlife rehabilitation services or exempt by law from the requirement to possess a wildlife rehabilitation permit may temporarily possess and transport wildlife to another location within the state for the purposes of providing treatment, releasing wildlife in its natural habitat, or transporting wildlife to an approved temporary or permanent holding facility. Possession of wildlife for transportation to another location shall not exceed 48 hours.

(p) Wildlife no longer in need of rehabilitation treatment or care shall be handled in accordance with the following requirements:

(1) All wildlife determined to be capable of survival in the wild shall be released to the wild. Each individual releasing wildlife in accordance with this subsection shall ensure that the following conditions are met:

(A) The animal is released in an area consistent with the animal's normal habitat.

(B) The animal is released only on land, including both public and private properties, if written permission has been granted by the person in legal possession of the land where the release is to be made.

(C) The animal is not released in a location so close to human dwellings that the release is likely to result in nuisance, health, or safety problems.

(D) The animal is not released within the limits of any municipality without prior written approval from the appropriate municipal authority.

(2) Wildlife that cannot be rehabilitated and released to the wild shall be euthanized unless a written request, specifying an alternate course of action, is approved by the secretary or designee. Each course of action requiring the wildlife to remain in captivity shall be approved only if the wildlife is transferred from the permittee providing the rehabilitation services to an accredited zoological facility, or a scientific or educational permit holder in accordance with subsection (i). Each transfer shall be allowed only for educational programs or fostering or socialization purposes, and no transfer shall take place unless the secretary or designee has approved the request in writing.

(3) All euthanized wildlife and wildlife that have died shall be buried, incinerated, or transferred to a person or facility possessing a valid department scientific, educational, or exhibition permit. All federally permitted wildlife shall be disposed of in accordance with the terms of any federal permit. Any deceased wildlife may be disposed of on private property with the prior written permission of the person in legal possession of the private property. Deceased wildlife shall not be disposed of within the limits of any municipality without the prior written permission of the municipality.

(q) Any permittee may continue to possess a permit if all of the following conditions are met:

- (1) The permit application is complete.
- (2) The permit application contains no false information.
- (3) The permittee meets the permit requirements and does not violate the permit conditions.
- (4) The permittee has not been convicted of violating local, state, or federal laws relating to the care, treatment,

possession, take, or disposal of wildlife or domestic animals within the previous five years.

(5) The permit has not expired.

The permittee shall be notified, in writing, of the cancellation of the permit by the secretary or designee. The permittee shall be provided by the secretary or designee with the opportunity to respond, in writing, within 10 days of receipt of the cancellation.

(r) Any provision of this regulation may be temporarily waived by the secretary or designee during a wildlife health crisis for the protection of public or wildlife health.

(s) This regulation shall be effective on and after January 1, 2006. (Authorized by K.S.A. 32-807, K.S.A. 32-953, and K.S.A. 32-961; implementing K.S.A. 32-807, K.S.A. 32-953, K.S.A. 32-961, K.S.A. 2003 Supp. 32-1001, and K.S.A. 32-1002; effective Jan. 1, 1990; amended Jan. 1, 2006.)

115-18-7. Use of crossbows and locking draws for big game and wild turkey hunting by persons with disabilities; application, permit, and general provisions.

(a) Each permanently disabled person qualified to hunt deer, antelope, elk, or wild turkey with a crossbow and desiring to obtain a crossbow and locking draw permit shall apply to the secretary on forms provided by the department. Each applicant shall provide the following information:

(1) Name of applicant;

(2) address;

(3) a physician's signed report, on forms provided by the department, describing the permanent disability and certifying the applicant physically incapable of using a bow; and

(4) other relevant information as required by the secretary.

(b) Each person with a temporary disability who would be qualified to hunt deer, antelope, elk, or wild turkey with a crossbow if the disability were permanent and who desires to obtain a temporary crossbow and locking draw permit shall apply to the secretary on forms provided by the department. Each applicant shall provide the following information:

(1) Name of applicant;

(2) address;

(3) a physician's signed report, on forms provided by the department, describing the disability, certifying the applicant physically incapable of using a bow, and estimating the time period that the person is likely to be subject to the disability; and

(4) other relevant information as required by the secretary.

Each temporary permit shall expire no more than three years from the date of issuance and shall state the expiration date on the face of the permit.

(c) Any applicant may be required by the secretary to obtain, at the department's expense, a report from a second physician chosen by the secretary.

(d) A crossbow and locking draw permit or temporary permit may be refused issuance or may be revoked by the secretary for any of the following reasons:

(1) The disability does not meet qualifications for the permit.

(2) The application is incomplete or contains false information.

(3) The disability under which the permit was issued no longer exists.

(e) A crossbow and locking draw permit or temporary permit shall be valid statewide.

(f) Any crossbow and locking draw permittee may use a crossbow or bow equipped with a locking draw for hunting deer, antelope, elk, or wild turkey during any archery season established by the secretary for the big game species or wild turkey being hunted by the permittee. This provision shall be subject to the applicable regulations governing archery hunting of that big game species or wild turkey, including possession of a valid hunting permit issued by the department for that big game species or wild turkey, if required.

(g) Legal equipment for hunting any big game or wild turkey by crossbow shall consist of the following:

(1) Crossbows of not less than 125 pounds of draw weight;

(2) arrows not less than 16 inches in length, equipped with broadhead points and all-metal cutting edges;

(3) lighted pin, dot, or holographic sights attached to the bow, but no other electronic or chemical device attached to the crossbow or arrow;

(4) optical scopes or sights that project no visible light toward the target and do not electronically amplify visible or infrared light;

(5) optical scopes that do not magnify the target; and

(6) range-finding devices, if the system does not project visible light toward the target.

(h) Legal equipment for hunting any big game or wild turkey using a bow equipped with a locking draw shall consist of legal archery equipment as specified in K.A.R. 115-4-4, except that the bow may have a mechanical device that locks the bow at full or partial draw.

(i) Any person may assist the holder of a crossbow permit or a temporary crossbow permit during the permittee's hunting activity. A person assisting a holder of a permit shall not perform the actual shooting of the crossbow for the permittee. (Authorized by K.S.A. 32-807, K.S.A. 32-919, and K.S.A. 32-932; implementing K.S.A. 32-932; effective Oct. 30, 1989; amended, T-115-9-9-97, Sept. 9, 1997; amended Dec. 29, 1997; amended Oct. 1, 1999; amended April 19, 2002; amended Feb. 18, 2005.)

Article 20.—MISCELLANEOUS REGULATIONS

115-20-1. Crows; legal equipment, taking methods, and possession. (a) Legal hunting equipment for taking crows shall consist of the following:

(1) Firearms, except fully automatic rifles and handguns and except shotguns and muzzleloading shotguns larger than 10 gauge or using other than shot ammunition;

(2) pellet and BB guns;

(3) archery equipment;

(4) falconry equipment;

(5) calls and decoys, except live decoys; and

(6) optical scopes or sights that project no visible light toward the target and do not electronically amplify visible or infrared light.

(b) The use of dogs shall be permitted while hunting.

(continued)

(c) Hunting hours shall be from 1/2 hour before sunrise to sunset.

(d) Any type of apparel may be worn while hunting crows.

(e) Crows may be shot or pursued by falconry means while the crow is in flight, on the ground, or perched.

(f) Legally taken crows may be possessed without limit in time and number and may be disposed of in any manner. However, crows shall not be purchased, sold, bartered, or offered for purchase, sale, or barter.

(g) Blinds and stands may be used while hunting. (Authorized by K.S.A. 32-807; implementing K.S.A. 32-807 and K.S.A. 32-1002; effective July 30, 1990; amended March 20, 1995; amended July 13, 2001; amended Feb. 18, 2005.)

115-20-2. Certain wildlife; legal equipment, taking methods, possession, and license requirement. (a) Subject to federal and state laws and rules and regulations, wildlife listed below in subsection (b) may be taken for personal use on a noncommercial basis.

(b) For purposes of this regulation, wildlife shall include the following, excluding any species listed in K.A.R. 115-15-1 or K.A.R. 115-15-2:

- (1) Amphibians; except bullfrogs;
- (2) armadillo;
- (3) commensal and other rodents, excluding game and furbearing animals;
- (4) feral pigeon;
- (5) gopher;
- (6) ground squirrel;
- (7) invertebrates;
- (8) kangaroo rat;
- (9) mole;
- (10) porcupine;
- (11) prairie dog;
- (12) reptiles, except common snapping turtles and soft-shelled turtles;
- (13) woodchuck; and
- (14) wood rat.

(c) Wildlife listed above in subsection (b) shall be taken only with any of the following legal equipment or methods:

- (1) Bow and arrow;
- (2) crossbow;
- (3) deadfall;
- (4) dogs;
- (5) falconry;
- (6) firearms, except fully automatic firearms;
- (7) glue board;
- (8) hand;
- (9) net or seine;
- (10) optical scopes or sights that project no visible light toward the target and do not electronically amplify visible or infrared light;
- (11) pellet and BB gun;
- (12) poison, poisonous gas, or smoke, if the toxicant is registered and labeled for that use and if all permit requirements for use of the poison, poisonous gas, or smoke have been met;
- (13) projectiles hand-thrown or propelled by a sling-shot;
- (14) snare or noose; or
- (15) trap.

(d) The open season for the taking of wildlife listed above in subsection (b) shall be year-round.

(e) There shall be no maximum daily bag or possession limit for wildlife listed above in subsection (b), except that no more than five of any one species of amphibian, reptile, or mussel may be possessed and no more than five live specimens of mussels may be possessed. Two opposing shells shall constitute one mussel.

(f) Legally taken wildlife listed above in subsection (b) may be possessed without limit in time.

(g) A hunting license shall not be required to take invertebrates. (Authorized by K.S.A. 32-807; implementing K.S.A. 32-807, K.S.A. 32-919, K.S.A. 32-1002, and K.S.A. 32-1003; effective Sept. 10, 1990; amended Nov. 30, 1998; amended July 13, 2001; amended Nov. 22, 2002; amended Feb. 18, 2005.)

J. Michael Hayden
Secretary of Wildlife and Parks

Doc. No. 031576

INDEX TO ADMINISTRATIVE REGULATIONS

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1-45-19	Amended (T)	V. 23, p. 424
1-45-19	Amended	V. 23, p. 1044
1-45-20	Amended (T)	V. 23, p. 424
1-45-20	Amended	V. 23, p. 1045

1-45-23	Amended (T)	V. 23, p. 425
1-45-23	Amended	V. 23, p. 1045
1-45-24	Amended (T)	V. 23, p. 425
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4-8-39	Amended	V. 23, p. 1103
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4-11-3	Amended	V. 23, p. 895
4-11-6	Revoked	V. 23, p. 896
4-11-7	Revoked	V. 23, p. 896
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4-11-14	Amended	V. 23, p. 896
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4-25-16	Amended	V. 23, p. 95

4-28-1	New (T)	V. 23, p. 1597
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44-12-601	Amended	V. 23, p. 955

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71-2-6	Revoked	V. 23, p. 718
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71-2-9	Revoked	V. 23, p. 151
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71-2-12	Revoked	V. 23, p. 151
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82-3-700		
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82-3-704	Amended	V. 23, p. 538-541
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Reg. No.	Action	Register
110-8-1		
through		
110-8-6	Revoked	V. 23, p. 1595
110-8-8		
through		
110-8-11	Revoked	V. 23, p. 1595
110-10-1	New	V. 23, p. 180

AGENCY 111: KANSAS LOTTERY

A complete index listing all regulations filed by the Kansas Lottery from 1988 through 2000 can be found in the Vol. 19, No. 52, December 28, 2000 Kansas Register. A list of regulations filed by the Kansas Lottery from 2001 through 2003 can be found in the Vol. 22, No. 52, December 25, 2003 Kansas Register. The following regulations were filed after January 1, 2004:

Reg. No.	Action	Register
111-2-151		
through		
111-2-156	New	V. 23, p. 95, 96
111-2-154	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
111-2-158	New	V. 23, p. 459
111-2-159	New	V. 23, p. 901
111-2-160	New	V. 23, p. 1655
111-2-161	New	V. 23, p. 1655
111-2-162	New	V. 23, p. 1655
111-2-163	New	V. 24, p. 15
111-3-13	Amended	V. 23, p. 1433
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
111-4-2126		
through		
111-4-2146	New	V. 23, p. 459-471
111-4-2147		
through		
111-4-2160	New	V. 23, p. 901-909
111-4-2161		
through		
111-4-2173	New	V. 23, p. 1025-1033
111-4-2174	New	V. 23, p. 1074
111-4-2175	New	V. 23, p. 1075
111-4-2176	New	V. 23, p. 1076
111-4-2177		
through		
111-4-2180	New	V. 23, p. 1169-1171
111-4-2181		
through		
111-4-2185	New	V. 23, p. 1343-1346
111-4-2186		
through		
111-4-2195	New	V. 23, p. 1434-1438
111-4-2196		
through		
111-4-2205	New	V. 23, p. 1655-1659
111-4-2206		
through		
111-4-2213	New	V. 24, p. 15-22
111-5-96	Amended	V. 23, p. 101
111-5-111		
through		
111-5-115	New	V. 23, p. 245, 246
111-5-113	Amended	V. 23, p. 472
111-5-114	Amended	V. 23, p. 472
111-6-1	Amended	V. 23, p. 1439
111-6-7	Amended	V. 23, p. 1440
111-6-26	New	V. 24, p. 23
111-7-188		
through		
111-7-192	New	V. 23, p. 319, 320
111-7-190	Amended	V. 23, p. 473
111-7-192	Amended	V. 23, p. 473
111-9-122	New	V. 23, p. 910
111-9-123	New	V. 23, p. 910

111-1-1 through 111-11-11 New V. 23, p. 911-914
 111-11-1 Amended V. 23, p. 1077
 111-12-1 New V. 23, p. 914

AGENCY 112: RACING AND GAMING COMMISSION

Reg. No.	Action	Register
112-10-3	Amended	V. 23, p. 93
112-10-5	Amended	V. 23, p. 1073
112-10-6	Amended	V. 23, p. 1073
112-10-6a	New	V. 23, p. 1074

112-10-13 New V. 23, p. 495
 112-13-2 Amended V. 23, p. 94

AGENCY 115: DEPARTMENT OF WILDLIFE AND PARKS

Reg. No.	Action	Register
115-2-2	Amended	V. 23, p. 1581
115-2-3	Amended	V. 23, p. 1581
115-2-3a	New	V. 23, p. 1582
115-3-2	Amended	V. 23, p. 1043
115-4-14	New	V. 23, p. 1583
115-7-1	Amended	V. 23, p. 1584
115-18-10	Amended	V. 23, p. 1043

115-18-14 Amended V. 23, p. 1585

AGENCY 117: REAL ESTATE APPRAISAL BOARD

Reg. No.	Action	Register
117-2-2	Amended	V. 23, p. 1407
117-3-2	Amended	V. 23, p. 1408
117-4-2	Amended	V. 23, p. 1408
117-6-3	Amended	V. 24, p. 77
117-7-1	Amended	V. 24, p. 78
117-8-1	Amended	V. 24, p. 78
117-9-1	Amended	V. 23, p. 150

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