

Kansas Register

Ron Thornburgh, Secretary of State

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State of Kansas

(Published in the Kansas Register July 28, 2005.)

State Banking Board

Heartland Works, Inc.

Notice of Meeting

Invitation for Bids

The State Banking Board will meet at 9 a.m. Monday, August 22, in the conference room of the office of the State Bank Commissioner, Suite 300, Jayhawk Tower, 700 S.W. Jackson, Topeka. For more information, call (795) 296-2266.

Heartland Works, Inc. is accepting bids for the purchase of printing services. To receive an invitation for bid, including all specifications, contact the Heartland Works office at 610 S.W. 10th Ave., Suite 210, Topeka, 66612-1616, (785) 234-0500. Bids must be received not later than 3 p.m. Thursday, August 25. Heartland Works welcomes all interested companies/individuals to bid.

Clarence W. Norris
State Bank Commissioner

Nancy Leonard
Administrative Assistant

Doc. No. 032216

Doc. No. 032230

State of Kansas

Legislature

Interim Committee Schedule

The following committee meetings have been scheduled during the period of August 9-12. Requests for accommodation to participate in committee meetings should be made at least two working days in advance of the meeting by contacting Legislative Administrative Services at (785) 296-2391 or TTY (785) 296-8430. When available, agendas can be found at <http://kslegislature.org/klrd>.

Date	Room	Time	Committee	Agenda
Aug. 9	514-S	10:00 a.m.	Joint Committee on State Building Construction	Five-year capital improvement plans for various agencies.
Aug. 10	514-S	9:00 a.m.	Joint Committee on Children's Issues	Agenda not available.
Aug. 10	313-S	10:00 a.m.	Joint Committee on Corrections and Juvenile Justice	Juvenile justice issues.
Aug. 11	313-S	9:00 a.m.		
Aug. 11	Atchison	9:00 a.m.		
Aug. 12	Atchison	9:00 a.m.		

Jeffrey M. Russell
Director of Legislative
Administrative Services

Doc. No. 032224

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City of Lenexa, Kansas

Notice to Bidders

Sealed bids for **College Boulevard & Pflumm Road Intersection Widening** will be accepted by the city of Lenexa, Kansas, at the Planning Department, Lenexa City Hall, 12350 W. 87th St. Parkway, Lenexa, 66215, until 1:30 p.m. local time August 23, 2005, at which time bids will be publicly opened and read aloud at the Lenexa City Hall. Any bid received after the designated closing time will not be considered and will be returned unopened.

All bids shall be submitted to the Planning Department customer service staff in sealed envelopes addressed to the City of Lenexa, Kansas, Attention: City Clerk, and marked "Bid for: College Boulevard & Pflumm Road Intersection Widening." Copies of plans, specifications, bidding documents and other contract documents are on file at the Planning Department.

Bidders desiring contract documents for use in preparing bids may obtain a set of such documents at the address above upon payment of \$50, which amount is non-refundable.

Note: Davis-Bacon wage rates apply to this project.

Contractors should read and be fully familiar with all contract documents, including addenda, before submitting a bid. In submitting a bid, the bidder warrants that it has read the contract documents and is fully familiar therewith and that it has visited the site of the work to fully inform itself as to all existing conditions and limitations, and shall include in its bid a sum to cover the cost of all items of the work as specified in the contract documents.

No oral telegraphic, telephonic proposals or alterations will be considered. Facsimile transmissions will not be accepted.

The following items must be included in the sealed envelope with the bid:

- a. Bid Form;
- b. 5% Bid Security—Bid Bond, Cashier's Check or Certified Check (see below).

Each bidder shall file with its bid a bid bond, a cashier's check or a certified check drawn on an acceptable bank, made payable to city of Lenexa, Kansas, in an amount equal to 5 percent of the total bid, which shall be retained by the city of Lenexa, Kansas, until a contract for the project has been executed. Bid bonds will be returned to the bidders, with the exception of the best and lowest and second best and second lowest responsible bidders, within 21 days after their bids are rejected. The bid deposit of the lowest and the second lowest responsible bidders will be returned when the performance bond, maintenance bond and statutory bond, each in an amount equal to 100 percent of the contract amount, required insurance certificates and other required documents shall have been furnished and the contract documents have been executed by the successful bidder.

In the event the low bidder is unable to execute the contract, for whatever reason, within the time provided in the notice of award, the city may annul the notice of award and the bid deposit may be forfeited, and the city

shall exercise its legal prerogatives, including, but not limited to, enforcement of its rights as to the bid security or specific performance.

The city reserves the right to accept or reject any and all bids and to waive any technicalities or irregularities therein. Bids may be modified or withdrawn by written request of the bidder received in the office of the city clerk prior to the time and date for bid opening.

All bidders agree that rejection shall create no liability on the part of the city because of such rejection, and the filing of any bid in response to this notice shall constitute an agreement of the bidder to these conditions.

If this section is completed, a pre-bid conference will be held at 8:30 a.m. August 16 at the Lenexa City Hall, Executive/Public Works conference room.

Mary Sue Fry
City Clerk
City of Lenexa, Kansas

Doc. No. 032211

State of Kansas

Department of Transportation

Request for Comments

The Kansas Department of Transportation requests comments on the amendment of the Statewide Transportation Improvement Program (STIP) FY 2005-2007 by adding the following projects:

Project C-4034-01, Grading, surfacing and bridge replacement, RS-794 over Basket Creek 1.5 miles north and 2.7 miles west of Industry, Clay County

Project C-4047-01, Grading, surfacing and bridge replacement, local road over Bills Creek 3.3 miles south of Holton, Jackson County

Project C-4056-01, Grading, surfacing and bridge replacement, local road over Snow Creek 2.8 miles south and 3 miles west of Valeda, Labette County

Project C-4057-01, Grading and bridge replacement, RS-1137 over tributary to Neosho River 4 miles west and 1.7 miles north of Strauss, Labette County

The amendment of the STIP requires a 30-day public comment period. To receive more information on any of these projects or to make comments on the STIP amendment, contact the Kansas Department of Transportation, Bureau of Program and Project Management, 2nd Floor Tower, Eisenhower State Office Building, 700 S.W. Harrison, Topeka, 66603-3754, (785) 296-3526, fax (785) 368-6664.

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

The comment period regarding the STIP amendment will conclude August 31.

Deb Miller
Secretary of Transportation

Doc. No. 032218

State of Kansas

Department of Transportation

Request for Comments

The Kansas Department of Transportation requests comments on the amendment of the Statewide Transportation Improvement Program (STIP) FY 2005-2007 by adding the following projects:

Project C-4036-01, Grading, surfacing, and bridge replacement, RS-113 over tributary to Brush Creek 2 miles east of Cherokee, Crawford County

Project C-4037-01, Grading, surfacing, and bridge replacement, local road over Cow Creek 2 miles south and .2 mile west of Pittsburg, Crawford County

Project C-4038-01, Grading, surfacing, and bridge replacement, RS-189 over creek .25 mile north of Talmage, Dickinson County

Project C-4067-01, Grading and bridge replacement, local road over north fork Solomon River .5 mile south of Edmund, Norton County

Project C-4075-01, Grading, surfacing, and bridge replacement, RS-592 over Mulberry Creek 3.2 miles west of Salina, Saline County

Project C-4098-01, Grading, surfacing and bridge replacement, RS-465 over Drum Creek 1.4 miles west of Cherryvale, Montgomery County

Project C-4142-01, Grading and surfacing, RS-294 from Kendall 2 miles west and 7 miles south, Hamilton County

Project C-4167-01, Surfacing, RS-528 from railroad tracks in Macksville north to the county line, Stafford County

Project KA-0399-01, Statewide purchase and deployment of kiosks and changeable message signs to improve KDOT's traveler information systems for dissemination of Amber Alerts in Kansas

The amendment of the STIP requires a 30-day public comment period. To receive more information on any of these projects or to make comments on the STIP amendment, contact the Kansas Department of Transportation, Bureau of Program and Project Management, 2nd Floor Tower, Eisenhower State Office Building, 700 S.W. Harrison, Topeka, 66603-3754, (785) 296-3526, fax (785) 368-6664.

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

The comment period regarding the STIP amendment will conclude August 29.

Deb Miller
Secretary of Transportation

Doc. No. 032229

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. August 17 and then publicly opened:

District One—Northeast

Doniphan—36-22 KA-0393-01 — U.S. 36, 0.4 mile southeast of the north city limits of Wathena, southeast 2 miles, overlay. (State Funds)

Johnson—435-46 K-8262-01 — I-435 and Antioch Road in Overland Park, interchange construction. (Federal Funds)

Johnson—435-46 K-7451-01 — I-435 from the east junction of U.S. 169 west to 0.4 mile west of U.S. 69, 2.4 miles, pavement reconstruction. (Federal Funds)

Johnson—46 C-3966-01 — Lexington Avenue from the Douglas-Johnson county line east and northeast to K-10, 4.2 miles, grading and surfacing. (Federal Funds)

District Two—Northcentral

Chase—9 C-3980-01 — County road 0.4 mile north and 2.7 miles east of Strong City, 0.1 mile, grading, bridge and surfacing. (Federal Funds)

Ellsworth—70-27 KA-0390-01 — I-70 from the Russell-Ellsworth county line east to the Ellsworth-Saline county line, 23.2 miles, crack repair. (State Funds)

Ellsworth—27 C-4040-01 — County road 0.2 mile north and 5 miles east of Carneiro, grading and bridge. (Federal Funds)

Geary—40 K-9034-01 — West junction of U.S. 40B and westbound I-70 ramps in Junction City, 0.1 mile, grading and surfacing. (State Funds)

Geary—70-31 KA-0392-01 — I-70 from the junction of K-57 east to the Geary-Riley county line, 16.1 miles, pavement marking. (State Funds)

Saline—85 K-8307-01 — North Ohio Street over the Union Pacific Railroad in Salina, 0.6 mile, grading, bridge and surfacing. (State Funds)

District Three—Northwest

Norton—69 C-4067-01 — County road 0.5 mile south of Edmond, 0.1 mile, grading, bridge and surfacing. (Federal Funds)

District Four—Southeast

Coffey—16 K-9042-01 — Ogden Street from county route 2066 north to the north city limits in Lebo, 1.1 miles, milling and overlay. (State Funds)

District Five—Southcentral

Kingman—48 C-3963-01 — County road 1.1 miles west of Lansdowne, grading, bridge and surfacing. (Federal Funds)

District Six—Southwest

Seward—88 U-1933-01 — 8th Street from U.S. 83 west to Calvert Street in Liberal, 0.4 mile, grading and surfacing. (Federal Funds)

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

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

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

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

Deb Miller
Secretary of Transportation

Doc. No. 032206

State of Kansas

Attorney General

**Notice of Hearing on Proposed
Administrative Regulations**

A public hearing will be conducted at 1 p.m. Wednesday, October 5, in Room A of the SRS Learning Center, 2600 S.W. East Circle Drive South, Topeka, to consider the adoption by the Attorney General of proposed rules and regulations implementing the Child Rape Protection Act, L. 2005, Ch. 149, § 3.

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 Attorney General (c/o Julene Miller), 2nd Floor, Memorial Hall, 120 S.W. 10th Ave., 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 impact statements in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Judy Miles at

(785) 296-2215. Handicapped parking is located immediately to the south of the building.

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

K.A.R. 16-10-1. Definitions. This regulation defines terms used throughout this set of regulations. The definitions for the terms "abortion," "fetal tissue" and "medical care facility" are derived from existing Kansas statutes.

K.A.R. 16-10-2. Preservation and submission of fetal tissue. This regulation specifies the procedures physicians must follow for collecting, preserving, securing, labeling and submitting fetal tissue specimens for the purpose of DNA testing, and for documenting the chain of custody of such tissue as evidence. It also establishes a reporting instrument to be used by physicians when submitting fetal tissue specimens pursuant to the Child Rape Protection Act.

K.A.R. 16-10-3. Disposal of fetal tissue. This regulation requires fetal tissue preserved pursuant to the Child Rape Protection Act, when no longer needed for evidentiary purposes, to be returned to the medical care facility or other location of origin to be disposed of in accordance with Department of Health and Environment regulations dealing with medical services waste.

These regulations implement the Child Rape Protection Act, passed by the Legislature in the 2005 Session. The Act requires physicians who perform abortions on children younger than 14 years of age to collect, preserve and submit fetal tissue to the K.B.I. for use as evidence in child rape prosecutions. The Act also provides for reporting of such procedures. These regulations establish the procedures for collection, preservation, submission and disposal of fetal tissue, for documenting the chain of custody of such tissue for use as evidence, and for reporting.

Physicians performing abortions on children younger than 14 years of age will incur costs for purchase of shipping containers, dry ice or cold packs and shipping services, totaling approximately \$15 per shipment. The K.B.I. will incur costs for developing the tissue collection kits and mailing costs for shipment of the kits to physicians and to the laboratory for testing, totaling approximately \$5,245-\$9,425 in the first year and \$4,725-\$8,725 annually thereafter. Of this, local law enforcement agencies or prosecutors wishing to pursue child rape prosecutions will reimburse the K.B.I. for the cost of the paternity testing, at a rate of \$400-\$800 per test. Local law enforcement also will incur minimal costs for reviewing the evidence custody receipt form and informing the K.B.I. of their investigation intent.

Copies of the regulations and their economic impact statements may be obtained by contacting the Attorney General's office at the address and phone number above.

Phill Kline
Attorney General

Doc. No. 032219

State of Kansas

Wildlife and Parks Commission

Notice of Hearing on Proposed
Administrative Regulations

A public hearing will be conducted by the Wildlife and Parks Commission at 7 p.m. Thursday, October 20, at the Fairgrounds Building, Kinsley, to consider the approval and adoption of proposed administrative regulations of the Kansas Department of Wildlife and Parks.

A workshop meeting on business of the Wildlife and Parks Commission will begin at 1:30 p.m. October 20 at the location listed above. The meeting will recess at 5:30 p.m., then resume at 7 p.m. at the same location for the regulatory hearing. There will be public comment periods at the beginning of the afternoon and evening meetings for any issues not on the agenda, and additional comment periods will be available during the meeting on agenda items. Old and new business also may be discussed at this time. If necessary to complete the hearing or other business matters, the commission will reconvene at 9 a.m. October 21 at the same location.

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 Sheila Kemmis, commission secretary, at (620) 672-5911. Persons with a hearing impairment may call the Kansas Commission for the Deaf and Hard of Hearing at 1-800-432-0698 to request special accommodations.

This 60-day notice period prior to the hearing constitutes a public comment period for the purpose of receiving written public comments on proposed administrative regulations. All interested parties may submit written comments prior to the hearing to the chairman of the commission, Kansas Department of Wildlife and Parks, 1020 S. Kansas Ave., Suite 200, Topeka, 66612, or to sheilak@wp.state.ks.us. All interested parties will be given a reasonable opportunity at the hearing to express their views orally in regard to the adoption of the proposed regulations. During the hearing, all written and oral comments submitted by interested parties will be considered by the commission as a basis for approving, amending and approving, or rejecting the proposed regulations.

The regulations that will be heard during the regulatory hearing portion of the meeting are as follows:

K.A.R. 115-21-1. This permanent regulation sets the requirements for permit applications, examinations and restrictions for commercial guide permits. The proposed version revokes the regulation effective January 1, 2006.

Economic Impact Summary: The proposed regulation is not anticipated to have any substantive economic impact on the department, other agencies or the public.

K.A.R. 115-21-2. This permanent regulation sets the reporting requirements for commercial guide permits. The proposed version revokes the regulation effective January 1, 2006.

Economic Impact Summary: The proposed regulation is not anticipated to have any substantive economic impact on the department, other agencies or the public.

K.A.R. 115-21-4. This permanent regulation sets the requirements for use of department lands and waters for commercial guide permittees. The proposed version revokes the regulation effective January 1, 2006.

Economic Impact Summary: The proposed regulation is not anticipated to have any substantive economic impact on the department, other agencies or the public.

K.A.R. 115-2-1. This permanent regulation sets the amount of fees for various licenses, permits and issues of the department. The proposed version rescinds the fees for commercial and associate guide permits.

Economic Impact Summary: The proposed regulation would decrease revenue to the wildlife fee fund in the amount of \$49,825 in FY 2006 and \$99,650 in FY 2007. Otherwise, the proposed regulation is not anticipated to have any substantive economic impact on the department, other agencies or the public.

K.A.R. 115-2-4. This permanent regulation sets the fees for boat registrations. The proposed amendment would reduce the boat registration classes from two to one and set the registration fee at \$27 for the three-year registration.

Economic Impact Summary: The proposed regulation would generate an additional \$68,658 in FY 2006 and \$137,316 in FY 2007, all of which would accrue to the boating fee fund. Otherwise, the proposed regulation is not anticipated to have any substantive economic impact on the department, other agencies or the public.

K.A.R. 115-18-14. This permanent regulation sets the permissible nontoxic shot types. The proposed version would add new shot types and consolidate two shot types into alloy types.

Economic Impact Summary: The proposed regulation is not anticipated to have any substantive economic impact on the department, other agencies or the public.

Copies of the complete text of the regulations and their respective economic impact statements may be obtained by writing the chairman of the commission at the address above, electronically on the department's Web site at www.kdwp.state.ks.us, or by calling (785) 296-2281.

John R. Dykes
Chairman

Doc. No. 032227

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. Ottawa Municipal Power Plant has applied for a Class I operating permit renewal 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 keep-

ing and reporting requirements applicable to each source as of the effective date of permit issuance.

Ottawa Municipal Power Plant, 101 S. Hickory St., Ottawa, owns and operates an electrical generation facility located at 1000 W. 2nd St., Ottawa.

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 Northeast District Office, 800 W. 24th, Lawrence. To obtain or review the proposed permit and supporting documentation, contact Ralph E. Walden, (785) 296-1583, at the KDHE central office; and to review the proposed permit only, contact Pat Simpson, (785) 842-4600, at the KDHE Northeast District Office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Ralph E. Walden, 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 August 29.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Brie Wilkins, Bureau of Air and Radiation, not later than the close of business August 29 in order for the Secretary of Health and Environment to consider the request.

The U.S. Environmental Protection Agency has a 45-day review period, which will start concurrently with the 30-day public comment period, within which to object to the proposed permit. If the EPA has not objected in writing to the issuance of the permit within the 45-day review period, any person may petition the administrator of the EPA to review the permit. The 60-day public petition period will directly follow the EPA's 45-day review 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 Jon Knodel, U.S. EPA, Region VII, Air Permitting and Compliance Branch, 901 N. 5th St., Kansas City, KS 66101, (913) 551-7622, 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. 032221

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 7-25-05 through 7-31-05

Term	Rate
1-89 days	3.23%
3 months	3.35%
6 months	3.61%
1 year	3.78%
18 months	3.85%
2 years	3.90%

Derl S. Treff
Director of Investments

Doc. No. 032213

State of Kansas

**Department of Health
and Environment**

Request for Comments

The Kansas Department of Health and Environment and the Unified Government of Wyandotte County/Kansas City, Kansas, Department of Air Quality are soliciting comments regarding a proposed air quality operating permit. PQ Corporation 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.

PQ Corporation, Valley Forge, Pennsylvania, owns and operates a sodium silicate, silica gel, zeolite and zeolyst materials manufacturing facility located at 1700 Kansas Ave., Kansas City, Kansas.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during the permit application review process is available for a 30-day public review during normal business hours at the KDHE, Bureau of Air and Radiation, 1000 S.W. Jackson, Topeka, and at the Department of Air Quality, 619 Ann Ave., Kansas City, Kansas. To obtain or review the proposed permit and supporting documentation, contact Brie Wilkins, (785) 296-6422, at the KDHE central office, or Andrew Beard, (913) 573-6700, at the Department of Air Quality. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Andrew Beard, Department of Air Quality, 619 Ann Ave., Kansas City, KS 66101. In order to be considered in formulating a final permit decision written comments, must be received before the close of business August 29.

(continued)

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, KDHE, 1000 S.W. Jackson, Suite 310, Topeka, 66612-1366, not later than the close of business August 29 in order for the Secretary of Health and Environment to consider the request.

The U.S. Environmental Protection Agency has a 45-day review period, which will start concurrently with the 30-day public comment period, within which to object to the proposed permit. If the EPA has not objected in writing to the issuance of the permit within the 45-day review period, any person may petition the administrator of the EPA to review the permit. The 60-day public petition period follows the EPA's 45-day review period.

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 Jon Knodel, U.S. EPA, Region VII, Air Permitting and Compliance Branch, 901 N. 5th St., Kansas City, KS 66101, (913) 551-7622, 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. 032225

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-05-182

**Application(s) for New or Expansion of
Existing Swine Facilities**

Name and Address of Applicant	Owner of Property Where Facility Will Be Located
Michael or Regina Rencin 2645 14th Road Barnes, KS 66933	Michael and Regina Rencin 2645 14th Road Barnes, KS 66933
Legal Description	Receiving Water
SW/4 of Section 20, T03S, R05E, Washington County Kansas Permit No. A-BBWS-S041	Big Blue River Basin

This is an application for a permit for the expansion of an existing swine facility. A new or modified permit will not be issued without additional public notice. The current operation is for 2,000 head of swine 55 pounds or greater (800 animal units). An enclosed nursery unit for 1,950 head of swine less than 55 pounds (195 animal units) is being added. The maximum capacity will be for a total of 3,950 head of swine (995 animal units).

Public Notice No. KS-AG-05-183/188

Pending Permits for Confined Feeding Facilities

Name and Address of Applicant	Legal Description	Receiving Water
Michael or Regina Rencin 2645 14th Road Barnes, KS 66933	SW/4 of Section 20, T03S, R05E, Washington County	Big Blue River Basin

Kansas Permit No. A-BBWS-S041

This is a renewal permit for an expanding facility with a current maximum capacity of 2,000 head of swine weighing 55 pounds or greater (800 animal units). An enclosed nursery unit with a capacity of 1,950 head of swine weighing less than 55 pounds (195 animal units) is being added to bring the proposed total capacity of the facility to 3,950 head of swine (995 animal units).

Name and Address of Applicant	Legal Description	Receiving Water
Philadee Dairy David A. Phillips 6702 N. Hendricks Hutchinson, KS 67502	NW/4 of Section 23, T22S, R06W, Reno County	Lower Arkansas River Basin

Kansas Permit No. A-ARRN-M050

This is a new permit for an existing facility for 60 head (84 animal units) of dairy cattle. A new runoff control system shall be built to capture wastewater from the dairy parlor and holding area at this facility.

Name and Address of Applicant	Legal Description	Receiving Water
Bret or Ron Edgington Route 3, Box 69A Ulysses, KS 67880	NW/4 of Section 18, T26S, R38W, Kearny County	Upper Arkansas River Basin

Kansas Permit No. A-UAKE-S004

This is a renewal permit for an existing facility for 350 head (140 animal units) of swine weighing greater than 55 pounds.

Name and Address of Applicant	Legal Description	Receiving Water
Sandhill Ranch Eldon Alexander 13990 Sandhill Road Garden City, KS 67846	NW/4 of Section 33, T26S, R33W, Finney County	Upper Arkansas River Basin

Kansas Permit No. A-UAFI-B004

This is a renewal permit for an existing facility for 990 head (990 animal units) of beef cattle greater than 700 pounds.

Name and Address of Applicant	Legal Description	Receiving Water
Maple Creek Farms, LLC SW Pork Site Jim Hicks P.O. Box 1598 Leoti, KS 67861	SW/4 of Section 11, T24S, R30W, Gray County	Upper Arkansas River Basin

Kansas Permit No. A-UAGY-H001 Federal Permit No. KS0093319
 This is a renewal permit for an existing facility for 38,400 head (15,360 animal units) of swine weighing more than 55 pounds each. No new construction or operational changes are being proposed.

Name and Address of Applicant	Legal Description	Receiving Water
Cattle Empire, LLC, Location #3 Route 1, Box 109A Satanta, KS 67870	E/2 of Section 33, T30S, R34W, Haskell County	Cimarron River Basin

Kansas Permit No. A-CIHS-C010 Federal Permit No. KS0093611
 This is a modified permit for an existing facility for 32,000 head (32,000 animal units) of beef cattle weighing greater than 700 pounds. The permit is being modified to include additional pens and a truck wash site within the existing controlled drainage area.

Public Notice No. KS-05-090/092

Name and Address of Applicant	Waterway	Type of Discharge
Iola, City of P.O. Box 308 Iola, KS 66749	Neosho River via Coon Creek via Unnamed Tributaries	Process Wastewater

Kansas Permit No. I-NE37-PO04 Federal Permit No. KS0096687
 Legal: SW¼, SE¼, SW¼, S27, T24S, R18E, Allen County
 Facility Name: Iola Water Treatment Plant

Facility Description: The proposed action is to reissue an existing permit for an existing wastewater discharge from a water treatment plant. This is a potable water treatment plant. Wastewater from the lime softening process, miscellaneous wastewater and filter backwash water will be discharged to a three-cell wastewater treatment lagoon system. The proposed permit includes limits for total suspended solids and pH. Monitoring of total residual chlorine, total recoverable copper and total recoverable lead 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
Jackson County RWD No. 3 107 W. 4th St. Holton, KS 66436	Straight Creek via Unnamed Tributary	Process Wastewater

Kansas Permit No. I-KS49-PO01 Federal Permit No. KS0096059
 Legal: NW¼, NW¼, NE¼, S7, T6S, R16E, Jackson County

Facility Description: The proposed action is to reissue an existing permit for an existing wastewater discharge from a water treatment plant. This is a public water treatment plant. The raw water is treated for iron and manganese removal, filtered, and chlorinated prior to introduction into the distribution system. Sludge from the clarifiers and chlorinated filter backwash water are routed to the single-cell lagoon that overflows to the receiving stream. The proposed permit includes limits total suspended solids, total residual chlorine and pH. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

Name and Address of Applicant	Waterway	Type of Discharge
Public Wholesale Water Supply District No. 18 430 Pennsylvania Holton, KS 66436	Banner Creek	Process Wastewater

Kansas Permit No. I-KS23-PO03 Federal Permit No. KS0096695

Legal: NW¼, S9, T7S, R15E, Jackson County
 Facility Location: 22850 "P" Road, Holton, KS 66436
 Facility Description: The proposed action is to reissue an existing permit for an existing wastewater discharge from a water treatment plant. The proposed permit includes limits total suspended solids and pH. Monitoring of total residual chlorine 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-05-023/024

Name and Address of Applicant	Legal Location	Type of Discharge
Basic Chemicals Company, LLC 5005 LBJ Freeway Dallas, TX 75244	NW¼, S27, T28S, R1W, Sedgwick County	Nonoverflowing

Kansas Permit No. I-AR94-NP03
 Facility Location: 6200 S. Ridge Road, Wichita, KS 67215

Facility Description: The proposed action is to modify and reissue an existing permit for operation of an existing wastewater treatment facility. This facility manufactures a wide variety of both organic and inorganic chemicals. The permitted wastewater treatment system consists of an Imhoff tank, trickling filter and clarifier for domestic waste only. The discharge from the clarifier is directed to a two-cell, earthen lagoon system. Discharge of wastewater from this treatment facility to surface waters of the state of Kansas is prohibited by this permit.

Name and Address of Applicant	Legal Location	Type of Discharge
Larrison Enterprises, Inc. c/o Rex Larrison 426 E. 6th St. Holton, KS 66436	N½, SE¼, S16, T7S, R15E, Jackson County	Nonoverflowing

Kansas Permit No. C-KS23-NO02
 Facility Name: Waterfall Restaurant
 Facility Location: 21748 U.S. Hwy. 75, Holton, KS 66436

Facility Description: The proposed action is to reissue an existing permit for operation of an existing wastewater treatment facility. 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 within one year of the effective date of the permit. Discharge of wastewater from this treatment facility to surface waters of the state of Kansas is prohibited by this permit.

Public Notice No. KS-PT-05-016

Name and Address of Applicant	Receiving Facility	Type of Discharge
Excel Industries, Inc. Box 7000 Hesston, KS 67062-2907	Hesston WWTP	Process Wastewater

Kansas Permit No. P-LA07-IO01

Facility Description: The proposed action is to reissue an existing pre-treatment permit for this facility. This facility manufactures various types of landscape equipment, including mowers. Steel parts are welded and phosphated using an eight-stage washer and painted to produce the final product. Outfall 001 is the holding tank 5 (H5) and consists of process tanks 1, 3 and 6, after these regulated wastes are treated. Outfall 002 consists of contaminated rinse water from stages 2, 4, 5 and 7. Since the new washer and chemical precipitation treatment system was installed in late 2003, this facility is considered a "new" source. The proposed permit includes limits for total toxic organics, cadmium, chromium, copper, lead, nickel, silver, zinc, total cyanide and pH. The monitoring of flow also will be required. The permit limits are pursuant to state and federal pretreatment requirements.

(continued)

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 August 27 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate Kansas permit number (KS-AG-05-182/188, KS-05-090/092, KS-ND-05-023/024, KS-PT-05-016) 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

State of Kansas

Historic Sites Board of Review

Notice of Meeting

The Kansas Historic Sites Board of Review will meet at 9 a.m. Saturday, August 27, in classrooms A and B in the Kansas Museum of History on the grounds of the Kansas History Center, 6425 S.W. 6th Ave., Topeka. The board will evaluate the following properties for the National Register of Historic Places and/or the Register of Historic Kansas Places:

- Hoisington High School, 218 E. 7th St., Hoisington, Barton County
(Historic Schools of Kansas MPS)
- Protection High School, 210 S. Jefferson, Protection, Comanche County
(Historic Schools of Kansas MPS)
- Ashland Grade School, 210 W. 7th St., Ashland, Clark County
(Historic Schools of Kansas MPS)
- Sylvia Rural High School, 203 Old Hwy. 50, Sylvia, Reno County
(Historic Schools of Kansas MPS)
- Agra Consolidated School, 941 Kansas Ave., Agra, Phillips County
(Historic Schools of Kansas MPS)
- Wilcox School, U.S. Hwy. 283, Ransom vicinity, Trego County
(Historic Schools of Kansas MPS)
- Prairie Grove School, Seneca vicinity, Nemaha County
(Historic Schools of Kansas MPS)
- Wabaunsee District #1 Grammar School, 56 Center St., Wabaunsee, Wabaunsee County
(Historic Schools of Kansas MPS)
- Riley County Courthouse, 100 Courthouse Plaza, Manhattan, Riley County
- Nora E. Larabee Library, 108 Union St., Stafford, Stafford County
- Farmers National Bank, 100 N. Main St., Stafford, Stafford County
- Independence Downtown Historic District, roughly bound by Maple, 5th St., 6th St., Chestnut St., 8th St., and 9th St., Independence, Montgomery County
- St. Luke AME Church, 900 New York St., Lawrence, Douglas County
- Antelope Lake Park, Morland vicinity, Graham County
- Kuns-Collier House, 302 S. Walnut St., McPherson, McPherson County
- Cather Farm, Beloit vicinity, Mitchell County
- Pleasant Ridge Church, Buffalo Road, Phillipsburg vicinity, Phillips County
- Kirwin City Hall, 1st and Main, Kirwin, Phillips County

- Grace Methodist Episcopal Church, 320 College St., Winfield, Cowley County
- Mary Seaman Ennis House, 202 W. 13th, Goodland, Sherman County
- Lincoln School, 801 Division St., Atchison, Atchison County (Historic Schools of Kansas MPS)
- Mathias Splitlog House, 251 Orchard St., Kansas City, Wyandotte County (State Register only)
- Robert Hall Pearson Farm, 163 E. 2000 Road, Baldwin vicinity, Douglas County (State Register only)
- D.D. Ikenberry Building, 327 Main, Quinter, Gove County (State Register only)

2012	19,000
2013	20,000
2014	20,000
2015	21,000

Persons requiring special accommodations should contact Faye Johnson at the Cultural Resources Division, Kansas State Historical Society, 6425 S.W. 6th Ave., Topeka, 66615-1099, (785) 272-8681, ext. 240, by August 19 to discuss the nature of their disability and what the Kansas State Historical Society may do to ensure participation in the activity.

Jennie Chinn
Executive Director

Doc. No. 032223

(Published in the Kansas Register July 28, 2005.)

**Summary Notice of Bond Sale
City of Minneola, Kansas
\$175,000
General Obligation Bonds, Series 2005
(General obligation bonds payable from
unlimited ad valorem taxes)**

Bids

Subject to the notice of bond sale dated July 27, 2005, written bids will be received on behalf of the clerk of the city of Minneola, Kansas (the issuer), at the address set forth below, until 7:30 p.m. August 9, 2005, for the purchase of the above-referenced bonds. 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 \$1,000 or any integral multiple thereof. The bonds will be dated September 1, 2005, and will become due on September 1 in the years as follows:

Year	Principal Amount
2006	\$14,000
2007	15,000
2008	15,000
2009	16,000
2010	17,000
2011	18,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on 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 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 \$3,500 (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 September 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.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 2004 is \$2,994,440. The total general obligation indebtedness of the issuer as of the date of delivery of the bonds, including the bonds being sold, but excluding temporary notes to be retired in conjunction therewith, is \$345,000.

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:

Brenda Stewart, City Clerk
126 Main
Minneola, KS 67865
(620) 885-4331
Fax (620) 885-4214

Dated July 27, 2005.

City of Minneola, Kansas

Doc. No. 032235

(Published in the Kansas Register July 28, 2005.)

**Unified School District No. 206
Butler County, Kansas (Remington)
Summary Notice of Bond Sale
\$6,940,000**

**General Obligation School Building Bonds
Series 2005**

**(General obligation bonds payable from
unlimited ad valorem taxes)**

Bids

Subject to the notice of bond sale dated July 11, 2005, written and electronic bids will be received on behalf of the clerk of Unified School District No. 206, Butler County, Kansas (Remington) (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/PARTY electronic bid submission system, until 4 p.m. August 8, 2005, for the purchase of the above-referenced bonds. No bid of less than 100 percent of the principal amount of the bonds and accrued interest thereon to the date of delivery will be considered.

Bond Details

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

Year	Principal Amount
2007	\$ 55,000
2008	120,000
2009	130,000
2010	145,000
2011	160,000
2012	175,000
2013	190,000
2014	205,000
2015	225,000
2016	235,000
2017	250,000
2018	265,000
2019	285,000
2020	300,000
2021	320,000
2022	340,000
2023	360,000
2024	380,000
2025	405,000
2026	425,000
2027	450,000
2028	480,000
2029	505,000
2030	535,000

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

Book-Entry-Only System

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

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a good faith deposit in the form of a cashier's or certified check drawn on a bank located in the United States or a qualified financial surety bond in the amount of \$138,800 (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 August 30, 2005, to DTC for the account of the successful bidder.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 2004 is \$33,843,556. The total general obligation indebtedness of the issuer as of the date of delivery of the bonds, including the bonds being sold, is \$6,940,000.

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 or from the financial advisor at the addresses set forth below.

Written and Facsimile Bid and Good Faith Deposit

Delivery Address:

Patrina Smith, Clerk
Office of the Board of Education
110 S. Main
P.O. Box 243
Whitewater, KS 67154
(316) 799-2115
Fax (316) 799-2307
E-mail: pgsmith@remington.k12.ks.us

Financial Advisor and Good Faith Deposit

Delivery Address:

George K. Baum & Company, Financial Advisor
100 N. Main, Suite 810
Wichita, KS 67202
Attn: Stephen E. Shogren
(316) 264-9351
Fax (316) 264-9370
E-mail: shogren@gkbaum.com

Dated July 11, 2005.

Unified School District No. 206
Butler County, Kansas (Remington)

Doc. No. 032220

(Published in the Kansas Register July 28, 2005.)

**Summary Notice of Bond Sale
City of Garden City, Kansas
\$1,385,000
General Obligation Bonds
Series 2005**

Details of the Sale

Subject to the terms and requirements of the official notice of bond sale dated July 8, 2005, of the city of Garden City, Kansas, bids to purchase the city's General Obligation Bonds, Series 2005, will be received at City Administrative Center, 301 N. 8th, Garden City, KS 67846, or by telefacsimile at (620) 276-1169, until 11 a.m. Tuesday, August 9, 2005. Bids received will be considered by the governing body at its meeting at 1 p.m. on the sale date.

No oral or auction bids for the bonds will be considered, and no bid for less than 100 percent of the total principal amount of the bonds and accrued interest to the date of delivery will be considered.

Good Faith Deposit

Each bidder must submit a good faith deposit in the form of a certified or cashier's check made payable to the order of the city or a financial surety bond in an amount equal to 2 percent of the principal amount of the bonds.

Details of the Bonds

The bonds are dated September 1, 2005, and will be issued as registered bonds in the denomination of \$5,000 or any integral multiple thereof. Interest on the bonds is payable semiannually on May 1 and November 1 of each year, beginning May 1, 2006. Principal of the bonds becomes due on November 1 in the years and amounts shown below:

Maturity Schedule

Principal Amount	Maturity Date
\$110,000	2006
125,000	2007
125,000	2008
130,000	2009
135,000	2010
140,000	2011
145,000	2012
150,000	2013
160,000	2014
165,000	2015

Payment of Principal and Interest

The Kansas State Treasurer will serve as the bond registrar and paying agent for the bonds.

Book-entry Bonds

The bonds will be issued and registered under a book-entry-only system administered by the Depository Trust Company, New York, New York.

Delivery of the Bonds

The city will prepare the bonds at its expense and will deliver the registered bonds to the successful bidder on or about September 7, 2005, through the facilities of DTC.

Legal Opinion

The bonds will be sold subject to the legal opinion of Triplett, Woolf & Garretson, LLC, Wichita, Kansas, bond counsel, whose fees will be paid by the city.

Financial Matters

The city's current assessed valuation for purposes of calculating statutory debt limitations is \$155,974,807. As of September 1, 2005, the city's total outstanding general obligation debt (including the bonds) is \$9,264,000.

Additional Information

For additional information, contact the city clerk at the address and telephone number shown below or the city's financial advisor, Chuck Bouilly, George K. Baum & Company, 100 N. Main, Suite 810, Wichita, KS 67202, (316) 264-9351.

City of Garden City, Kansas
By Jean E. Payne
City Clerk
City Administrative Center
301 N. 8th
Garden City, KS 67846
(620) 276-1100
Fax (620) 276-1169

Doc. No. 032228

State of Kansas

Kansas Water Authority

Notice of Meetings

The Kansas Water Authority will meet Tuesday through Thursday, August 9-11, at the Plaza Hotel, 1911 E. Kansas Ave., Garden City.

The Committee of the Whole will meet at 1 p.m. August 9 to hear updates on issues related to the Ogallala-High Plains aquifer, diverse river basin issues in Kansas, and water supply contracts and studies.

The Committee of the Whole will reconvene at 9 a.m. August 10 hear a report from the chairs of the state's 12 river basin advisory committees. The staff of the Kansas Water Office will update members of the Authority on four policy issues: public input on the state's water planning process, economic development opportunities at federal reservoirs, watershed dam rehabilitation, and water conservation. The Authority will decide whether to conduct public hearings on the policy recommendations, a prerequisite to any changes in the Kansas Water Plan.

The full Authority will meet at 9 a.m. August 11 to consider the items placed on the consent agenda by the Committee of the Whole.

For more information or to request special meeting place accommodations, contact the Kansas Water Office at (888) KAN-WATER (526-9283). A complete agenda for the meeting and the mailing materials sent to Authority members are posted on the Kansas Water Office Web site, www.kwo.org.

Steve Irsik
Chairman

Doc. No. 032226

(Published in the Kansas Register July 28, 2005.)

Notice of Redemption
City of Kansas City, Kansas
Water and Electric Light Plant Revenue Bonds
Series 1977

Notice is hereby given that, pursuant to Section 2 of Ordinance No. 56857 of the city of Kansas City, Kansas, passed on September 15, 1977, \$1,485,000 principal amount of the bonds is being called for redemption on September 1, 2005, at the redemption price of 100 percent of the principal amount being redeemed plus accrued interest thereon to the redemption date.

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

Bearer Bonds
Due September 1, 2007
(CUSIP Number: 484800 LE5)

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

- 1655 1657 1664 1671 1703 1705 1706 1707 1708 1710 1711
1716 1718 1733 1736 1739 1745 1756 1758 1759 1780 1782
1786 1789 1803 1815 1818 1821 1841 1847 1853 1859 1902
1916 1926 1938 1966 1971 1997 1998 1999 2000 2001 2003
2005 2006 2017 2019 2032 2039 2046 2047 2076 2079 2112
2118 2122 2129 2130 2135 2137 2142 2151 2165 2166 2168
2170 2171 2172 2183 2195 2198 2216 2220 2233 2245 2250
2254 2263 2264 2265 2286 2300 2332 2334 2345 2377 2386
2391 2412 2416 2420 2421 2429 2431 2437 2445 2446 2449
2450 2456 2460 2469 2483 2484 2508 2512 2527 2539 2546
2552 2556 2557 2560 2562 2563 2570 2577 2579 2584 2590
2598 2608 2619 2635 2641 2649 2674 2683 2700 2713 2725
2735 2737 2739 2764 2780 2792 2813 2814 2818 2832 2839
2842 2846 2848 2860 2864 2870 2885 2887 2918 2926 2930
2933 2944 2959 2962 2966 2971 2973 2974 2977 2978 2981
2987 3002 3006 3008 3022 3023 3026 3034 3035 3048 3059
3064 3087 3091 3092 3105 3109 3125 3133 3147 3149 3152
3190 3204 3229 3255 3256 3259 3260 3263 3265 3271 3272
3281 3296 3300 3318 3319 3329 3338 3356 3358 3365 3368
3383 3386 3393 3401 3402 3405 3406 3413 3415 3427 3430
3439 3452 3454 3458 3462 3474 3476 3477 3491 3501 3516
3535 3537 3540 3545 3572 3598 3606 3608 3625 3635 3639
3650 3690 3694 3701 3702 3710 3713 3717 3726 3734 3738
3745 3749 3753 3754 3778 3796 3810 3811 3816 3822 3828
3853 3856 3858 3877 3880 3889 3895 3900 3906 3913 3921
3926 3932 3941 3949 3964 3975 3980 3985 4029 4030 4044
4059 4094 4095 4102 4115 4122 4134 4137 4146 4154 4158

Coupons due subsequent to September 1, 2005, must be attached to bonds called for redemption. Payment of the redemption price of the bonds to be redeemed will be made at Security Bank of Kansas City as follows:

Via U.S. Mail

Security Bank of Kansas City
Corporate Trust Department
P.O. Box 171297
Kansas City, KS 66117

Via Courier or Hand Delivery

Security Bank of Kansas City
Corporate Trust Department
701 Minnesota Ave., Suite 206
Kansas City, KS 66101

In order to avoid a 28 percent backup withholding required by the Jobs and Growth Tax Relief Reconciliation

Act of 2003, bondholders should submit certified taxpayer identification numbers on IRS Form W-9 when presenting their certificates for redemption.

Notice is hereby given that on and after September 1, 2005, interest on the bonds hereby called for redemption shall cease to accrue.

Dated July 28, 2005.

Security Bank of Kansas City
Paying Agent

Doc. No. 032234

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:

- 08/08/2005 08629 Clothing
08/08/2005 08631 Abandoned Well Plugging
08/09/2005 08635 Remote Siren System
08/09/2005 08641 T-Shirts
08/09/2005 08647 HVAC, Furnish and Install
08/09/2005 08648 Grandstand Roof Repair
08/10/2005 08652 Topeka State Hospital Cemetery Memorial
08/11/2005 08640 Vehicles
08/12/2005 08644 Janitorial Services
08/16/2005 07848 Weather Forecasting Services/ Internet-Based Weather Information
08/26/2005 08642 Standard A Class Flat Mailing Services
08/30/2005 08633 Dataram Memory Products

The above-referenced bid documents may 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:

- 08/18/2005 A-010005 (A) Reroof Printing Plant
08/25/2005 A-9620 (A) WSU Engineering Complex Expansion/Research Lab Building
08/25/2005 A-010022 Reroof Various Buildings

The above-referenced bid documents may be downloaded at the following Web site (please monitor this Web site on a regular basis for any changes):

http://da.state.ks.us/fp

Chris Howe
Director of Purchases

Doc. No. 032232

State of Kansas

University of Kansas

Notice to Bidders

Proposals for the items listed below will be received by E & I Cooperative Service, Inc., Hauppauge, New York, at the time and date indicated in the bid documents and then will be publicly opened. Interested bidders may call (631) 630-8283 or fax (631) 273-3370 for additional information:

Thursday, August 18, 2005

RFP 682445

Food Service Equipment and Smallwares

Barry Swanson
Associate Comptroller/
Director of Purchasing Services

Doc. No. 032212

State of Kansas

Department of Commerce

Permanent Administrative
RegulationsArticle 13.—RURAL BUSINESS DEVELOPMENT
TAX CREDIT PROGRAM

110-13-1. Definitions. As used in these regulations, the following definitions shall apply: (a) "Act" means the rural business development tax credit program pursuant to K.S.A. 74-50,154, and amendments thereto.

(b) "Business support services" means business counseling, technical assistance, and business planning services provided to existing or prospective small businesses or entrepreneurs.

(c) "Department" means the department of commerce.

(d) "Entrepreneur" means an individual creating a new business, service, or product.

(e) "Fiscal year" means the 12-month period beginning July 1 and ending June 30.

(f) "Regional business development fund" means an authorized and audited fund that is created by taxpayer contributions, interest income, and investment income and is managed by the regional foundation board of directors for the purposes of economic and leadership development in the region.

(g) "Regional leadership development" means training and education that enable a region to develop community leadership that strengthens the economic and social environment in that region.

(h) "Secretary" means secretary of the department of commerce.

(i) "Small business" means an independently owned and operated business having fewer than 100 full-time equivalent employees.

(j) "Technology improvements" means a project that results in the ability of the region to enhance service in areas including broadband access, web site creation, wireless internet services, computer programming, computer servers, computer networks, computer databases, elec-

tronic training modules, electronic media, and any other technological areas deemed eligible by the secretary.

(k) "Utilization" means a regional foundation's demonstrated ability to obtain enough qualifying contributions to fully use all tax credits allocated to the region during the period of time in which the tax credits were allocated to the regional foundation by the secretary. (Authorized by K.S.A. 2004 Supp. 74-5002r; implementing K.S.A. 74-5005, K.S.A. 74-5007a, and K.S.A. 2004 Supp. 74-50,154; effective Aug. 12, 2005.)

110-13-2. Designated regions. Each of the following Kansas county groupings shall be designated as a region:

(a) "East central region" means Douglas, Franklin, Johnson, Leavenworth, Miami, and Wyandotte counties.

(b) "North central region" means Chase, Clay, Cloud, Dickinson, Ellsworth, Geary, Jewell, Lincoln, Lyon, Marshall, Mitchell, Morris, Ottawa, Pottawatomie, Republic, Riley, Saline, Wabaunsee, and Washington counties.

(c) "Northeast region" means Atchison, Brown, Doniphan, Jackson, Jefferson, Nemaha, Osage, and Shawnee counties.

(d) "Northwest region" means Cheyenne, Decatur, Ellis, Grove, Graham, Logan, Norton, Osborne, Phillips, Rawlins, Rooks, Russell, Sheridan, Sherman, Smith, Thomas, Trego, and Wallace counties.

(e) "South central region" means Butler, Chautauqua, Cowley, Elk, Greenwood, Harper, Harvey, Kingman, Marion, McPherson, Reno, Rice, Sedgwick, and Sumner counties.

(f) "Southeast region" means Allen, Anderson, Bourbon, Cherokee, Coffey, Crawford, Labette, Linn, Montgomery, Neosho, Wilson, and Woodson counties.

(g) "Southwest region" means Barber, Barton, Clark, Comanche, Edwards, Finney, Ford, Grant, Gray, Greeley, Hamilton, Haskell, Hodgeman, Kearny, Kiowa, Lane, Meade, Morton, Ness, Pawnee, Pratt, Rush, Scott, Seward, Stafford, Stanton, Stevens, and Wichita counties. (Authorized by K.S.A. 2004 Supp. 74-5002r; implementing K.S.A. 2004 Supp. 74-50,154; effective Aug. 12, 2005.)

110-13-3. Determination of regional foundations.

(a) Within each region, agencies and organizations that exist primarily to engage in economic development activities on behalf of cities, counties, and multicounty areas shall propose one agency or organization among them as the regional foundation. The agency or organization that is the proposed regional foundation shall submit an application to the secretary, on a form provided by the department.

(b) The name, address, and occupation of each regional foundation board member shall be submitted to the secretary within 10 business days after the board is chosen.

(c) Each regional foundation shall provide documentation supporting at least one of the criteria specified in K.S.A. 74-50,154 and amendments thereto.

(d) Each regional foundation's board of directors shall oversee and determine the use of funds generated through contributions.

(e) Each regional foundation shall provide the secretary with the following information:

(continued)

(1) Its investment philosophy, including how the regional foundation intends to target the funds generated through contributions towards specific industries, businesses, services, or products; and

(2) a written policy describing the criteria and procedures that the regional foundation intends to use to review and to approve or deny applications submitted to the foundation for the use of funds within the region.

(f) Each regional foundation shall provide the secretary with a list of projects that provide economic and leadership development appropriate for that region.

(g) If the agencies and organizations within a region are unable to propose a regional foundation pursuant to subsection (a), each agency or organization within the region requesting designation as the regional foundation shall submit the following information to the secretary for determination as to the designation of the regional foundation:

(1) The name, address, and history of the agency or organization and the manner in which the agency or organization qualifies pursuant to subsection (c);

(2) a list of the names and occupations of the board of directors who are proposed by the agency or organization;

(3) a history of the agency's or organization's economic development activities;

(4) the types of supporting proposals for funding that the agency or organization believes are best suited to the region and the supporting reasons;

(5) the reason that the agency or organization is best suited to lead and moderate economic development projects in the region;

(6) a description of the prior fund-raising capacity of the members of the agency or organization; and

(7) examples of community support within the region for the applicant's appointment as the regional foundation. (Authorized by K.S.A. 2004 Supp. 74-5002r; implementing K.S.A. 2004 Supp. 74-50,154; effective Aug. 12, 2005.)

110-13-4. Regional business development funds; eligible projects. (a) Each regional foundation shall administer a regional business development fund.

(b) The sums generated by contributions to each regional business development fund shall be allocated according to the following provisions:

(1) No less than 60 percent may be allocated for job creation or retention.

(2) A maximum of five percent may be allocated towards the administrative cost of overseeing the project.

(3) The remaining funds may be allocated towards other eligible activities in a manner that fits the region's priorities and needs.

(c) Contributions to the fund shall be utilized by the regional foundation for one or more of the following projects:

(1) Business start-ups;

(2) business expansion;

(3) business retention;

(4) business support services;

(5) regional leadership development;

(6) technology improvements; and

(7) administrative services.

(d) All interest generated on idle funds administered for this program by the regional foundation shall be used by the foundation's board in a manner not inconsistent with this regulation.

(e) Any regional foundation may exceed the maximum percentages allowed for one or more eligible projects with the prior approval of the secretary. (Authorized by K.S.A. 2004 Supp. 74-5002r; implementing K.S.A. 74-5005 and K.S.A. 74-5007a; effective Aug. 12, 2005.)

110-13-5. Allocation of tax credits. (a) Each regional foundation shall contract with the department for the foundation's utilization of tax credits through a tax credit agreement.

(b) Each regional foundation shall initially receive an equal share of the total amount of tax credits allocated in a given fiscal year.

(c) Each tax credit agreement shall be reviewed by the secretary on the anniversary date of the agreement to determine whether the regional foundation is utilizing its tax credits. The regional foundation shall attempt to achieve 100 percent utilization of the tax credits. Compliance with this level of utilization of tax credits shall be ascertained by the secretary through quarterly and annual reviews. (Authorized by K.S.A. 2004 Supp. 74-5002r and K.S.A. 2004 Supp. 74-50,154; implementing K.S.A. 2004 Supp. 74-50,154; effective Aug. 12, 2005.)

110-13-6. Reallocation of tax credits. (a) If the secretary determines that allocated tax credits are not being utilized in the manner specified in the regional foundation's approved proposal, the tax credits may be reallocated by the secretary to other regional foundations that have utilized all of the tax credits originally assigned to them.

(b) Tax credits may be reclaimed by the secretary, if the secretary determines that there is no specific use anticipated by a regional foundation for the foundation's remaining tax credits. A written notice shall be sent by the secretary to the regional foundation 30 days after the annual review of the tax credit agreement. The notice shall indicate the amount of unclaimed tax credits and instruct the foundation to submit a utilization schedule within 15 calendar days. Within 15 calendar days after the deadline for the foundation's response, a decision whether to reclaim the remaining tax credits from the regional foundation shall be made by the secretary.

(c) No regional foundation shall seek or take contributions for encumbering any reallocated tax credits until authorized in writing by the secretary. (Authorized by K.S.A. 2004 Supp. 74-5002r; implementing K.S.A. 2004 Supp. 74-50,154(c)(5); effective Aug. 12, 2005.)

110-13-7. Appeals. Any regional foundation may appeal the reallocation of its tax credits, if the secretary's decision involves the reallocation of over 10 percent of the foundation's annual allocation of tax credits. Each appeal shall be submitted in writing to the secretary within 30 calendar days of notice of the reallocation, stating the reasons for the appeal and the course of action requested by the regional foundation to satisfy the deficiencies noted by the secretary in the notice. Each appeal shall be

decided by the secretary within 15 calendar days of receipt of the appeal request. (Authorized by and implementing K.S.A. 2004 Supp. 74-5002r; effective Aug. 12, 2005.)

110-13-8. Progress reports. Each regional foundation shall submit quarterly progress reports concerning its projects to the secretary on or before January 10, April 10, July 10, and October 10 each year. A quarterly progress report shall be due even if no tax credit is utilized in that quarter. If a regional foundation does not submit these reports by the specified dates, the regional foundation shall not take contributions from taxpayers for tax credits and shall not submit tax credit applications for processing by the department until the delinquent quarterly progress reports have been filed with the department. (Authorized by K.S.A. 2004 Supp. 74-5002r; implementing K.S.A. 2004 Supp. 74-50,154; effective Aug. 12, 2005.)

110-13-9. Auditing. Each regional foundation receiving tax credits shall have an annual financial and compliance audit performed according to standard auditing procedures. Each audit shall be performed by an independent certified public accountant (CPA) who is licensed in Kansas. The audit report shall be submitted by the independent CPA to the secretary on or before February 28 each year. (Authorized by K.S.A. 2004 Supp. 74-5002r and K.S.A. 2004 Supp. 74-50,154; implementing K.S.A. 2004 Supp. 74-50,154; effective Aug. 12, 2005.)

110-13-10. Administration of contributions and regional business development fund. (a) Until the secretary approves each contribution from a taxpayer to the regional foundation as being eligible for tax credits, the regional foundation shall not consider, and the foundation shall not communicate to any taxpayer, that the contribution is entitled to a tax credit under this act.

(b) Each regional foundation being allocated tax credits shall open an account for the regional business development fund in a bank or other financial institution located in the state of Kansas that is insured by the federal deposit insurance corporation (FDIC). The foundation shall deposit any funds related to each project in that account.

(c) Each contribution by taxpayers made to the regional foundation shall indicate that the contribution is to be allocated to the regional foundation's regional business development fund as specified in the regional foundation's approved proposal.

(d) Any regional foundation may amend its budget if the scope of work for the projects remains the same. Each amendment exceeding 10 percent of the regional foundation's total regional business development fund budget shall require the approval of both the regional foundation's board of directors and the secretary.

(e) When requesting contributions from individuals and businesses, the regional foundation shall not utilize tax credits in excess of the amount allocated by the secretary. (Authorized by K.S.A. 2004 Supp. 74-5002r and K.S.A. 2004 Supp. 74-50,154; implementing K.S.A. 2004 Supp. 74-50,154; effective Aug. 12, 2005.)

Howard R. Fricke
Secretary of Commerce

Doc. No. 032215

State of Kansas

Behavioral Sciences Regulatory Board

Permanent Administrative Regulations

Article 3.—PROFESSIONAL COUNSELORS

102-3-4a. Applications for licensure. (a) Each applicant for licensure as a professional counselor or clinical professional counselor shall request the appropriate licensure application forms from the director of the board.

(b) Each applicant for licensure as a professional counselor shall submit the completed application materials to the board and complete the following application procedures:

(1) Submit the full payment of the licensure application fee as provided in K.A.R. 102-3-2;

(2) submit, on board-approved forms, references from three individuals, one of whom shall have provided direct clinical supervision of the applicant's graduate program practicum or internship. If this individual is unavailable, the graduate program director or any person with knowledge of the applicant's practicum, internship, or postgraduate work experience shall submit the reference. Except as specified below in paragraph (b)(2)(C), each individual submitting a reference shall meet the following conditions:

(A) Is not related to the applicant;

(B) can address the applicant's professional conduct, competence, and merit of the public trust; and

(C) is authorized by law to practice professional counseling or to practice in a related field. However, this paragraph shall not apply to the individual specified above in paragraph (b)(2) who submits the reference if the practicum supervisor is unavailable;

(3) arrange for the applicant's transcripts covering all applicable graduate college or university coursework to be sent directly from each academic institution to the board office. Each applicant who graduated from a college or university outside the United States also shall arrange for the applicant's transcript to be translated and evaluated for degree equivalency by a source and in a manner that are acceptable to the board; and

(4) demonstrate satisfactory completion of educational requirements as specified in K.S.A. 65-5804a, and amendments thereto, and in K.A.R. 102-3-3a.

(c) Each applicant for licensure as a clinical professional counselor shall submit the completed application materials to the board and complete the following application procedures:

(1) Submit the full payment of the licensure application fee as provided in K.A.R. 102-3-2;

(2) demonstrate that the applicant is licensed by the board as a professional counselor or meets all requirements for licensure as a professional counselor;

(3) if not previously provided to the board, submit, on board-approved forms, references from three individuals, one of whom shall have provided direct clinical supervision of the applicant's graduate program practicum or internship. If this individual is unavailable, the graduate

(continued)

program director or any person with knowledge of the applicant's practicum, internship, or postgraduate work experience shall submit the reference. At least one reference shall be from a licensed clinical professional counselor. Each individual submitting a reference shall meet the following conditions:

(A) Is not related to the applicant; and
 (B) can address the applicant's professional conduct, competence, and merit of the public trust;
 (4) if not previously provided to the board, arrange for the applicant's transcripts covering all applicable graduate college or university coursework to be sent directly from each academic institution to the board office. Each applicant who graduated from a college or university outside the United States also shall arrange for the applicant's transcript to be translated and evaluated for degree equivalency by a source and in a manner that are acceptable to the board;

(5) if not previously provided to the board, demonstrate satisfactory completion of educational requirements as specified in K.S.A. 65-5804a, and amendments thereto, and in K.A.R. 102-3-3a;

(6) for any applicant earning a degree in professional counseling after July 1, 2003, demonstrate completion of graduate education requirements as specified in K.S.A. 65-5804a, and amendments thereto, and in K.A.R. 102-3-3a. If an applicant who earns a degree in professional counseling on or after July 1, 2003 has not completed the 350 hours of clinical practice required by K.S.A. 65-5804a(c)(1), and amendments thereto, as a part of a graduate-level practicum or internship, the applicant may complete this requirement through 350 hours of postgraduate, supervised experience as set out in K.A.R. 102-3-7a, in addition to the 4,000 hours of postgraduate, supervised experience required by K.S.A. 65-5804a(c)(1);

(7) submit an attestation from the clinical supervisor that the applicant has satisfactorily completed the postgraduate supervised professional experience requirements in accordance with a clinical supervision training plan approved by the board as specified in K.A.R. 102-3-7a; and

(8) demonstrate that the applicant is current with continuing education requirements as prorated for the applicant's present licensing renewal period.

(d) The following provisions shall apply to each applicant for licensure as a professional counselor and to each applicant for licensure as a clinical professional counselor:

(1) Upon the board's determination that the applicant has met the applicable educational requirements, each applicant shall pass the appropriate nationally administered, standardized written examination approved by the board in accordance with K.A.R. 102-3-5a.

(2) An applicant or prospective applicant shall not be given a judgment on the applicant's eligibility for licensure until the board receives all application materials and the applicant completes all application procedures.

(3) Upon notification from the board that all eligibility requirements have been satisfied, each applicant shall submit the fee as provided in K.A.R. 102-3-2 for the original, two-year licensure period.

(4) If the applicant fails to qualify for and obtain licensure, the applicant's application may, for lack of qualifications or for incompleteness, be suspended for a period not to exceed one year. At the end of one year, the application shall expire under any of the following conditions:

(A) If the applicant has not met the qualifications;
 (B) if the applicant has not submitted a complete application; or
 (C) if the applicant has not submitted the original license fee.

(5) Upon expiration, the applicant shall submit a new application, the required fee, and all supporting documents, if the applicant wishes to reapply for licensure.

(e) If an applicant for licensure as a professional counselor qualifies for and obtains a temporary license, the applicant's application shall remain active until the temporary license expires.

(f) Any person who has been actively engaged in the practice of professional counseling as a licensed or registered professional counselor in Kansas at any time within the five years before July 1, 2000, may apply for a license as a clinical professional counselor by completing the following application procedures:

(1) Submit the completed transition application materials;

(2) submit the full payment of the licensure application fee as provided in K.A.R. 102-3-2;

(3) demonstrate that the applicant held Kansas licensure or registration as a professional counselor in good standing at any time during the five years immediately before July 1, 2000;

(4) demonstrate active engagement in the practice of professional counseling at any time during the five years immediately before July 1, 2000; and

(5) demonstrate competence to diagnose and treat mental disorders by documenting completion of at least two of the three following requirements:

(A)(i) Completion of at least nine semester credit hours of graduate-level coursework, as documented on the transcript, which shall address clinical theory, assessment, and treatment issues, including three semester credit hours addressing psychopathology; or

(ii) passage of the national clinical examination in professional counseling as specified by K.A.R. 102-3-5a at the time of taking the examination;

(B) three years of clinical practice, including at least eight hours of client contact per week for at least nine months of each year in a community mental health center or its affiliate, a state mental hospital, or a setting in which the applicant engaged in clinical practice that included diagnosis or treatment of mental disorders; or

(C) one attestation, on a form provided by the board, from a licensed psychologist, a licensed specialist clinical social worker, or a person licensed to practice medicine and surgery that the applicant has demonstrated competence in diagnosis and treatment of mental disorders. (Authorized by K.S.A. 2004 Supp. 74-7507; implementing K.S.A. 65-5804a and 65-5808; effective Dec. 19, 1997; amended Aug. 4, 2000; amended July 19, 2002; amended Aug. 12, 2005.)

Phyllis Gilmore
 Executive Director

Doc. No. 032214

State of Kansas
Governmental Ethics Commission

Opinion No. 2005-10

Written July 21, 2005, to Carol Ruth Bonebrake, Goodell Stratton Edmonds & Palmer, LLP, Topeka.

This opinion is in response to your letter dated July 6, 2005, requesting an opinion from the Kansas Governmental Ethics Commission concerning state level conflict of interest laws, K.S.A. 46-215 *et seq.* We note at the outset that the Commission's jurisdiction concerning your questions is limited to the application of K.S.A. 46-215 *et seq.*, and whether some other statutory system, common law theory or agency rule or regulation applies to your inquiry is not covered by this opinion.

Factual Statement:

You request this opinion in your capacity as attorney for the Heartland Regional Alcohol and Drug Assessment Center (HRADAC). You state that HRADAC is a recipient of federal block grant funds administered through the Kansas Department of Social and Rehabilitation Services (SRS). You provided a copy of the Notification of Grant Award to HRADAC for the period October 1, 2004 through June 30, 2005 along with your request. HRADAC is considering making an offer of employment to a current SRS employee. You seek this opinion to determine if the Kansas Governmental Ethics laws would limit the conditions under which this employee could accept employment with HRADAC.

You indicate that this employee prepared the grant documents used by SRS for the grant to HRADAC. She also monitors the HRADAC grant, which includes meeting with HRADAC to communicate state policy, program direction and desired outcomes regarding treatment. Additionally, this employee evaluates program and service effectiveness and monitors the performance of HRADAC through reports it submits to SRS. She did not make recommendations or decisions regarding who received the block grant funds and the amount of those funds. The federal grant money has been divided between HRADAC and 3 other regional alcohol and drug assessment centers according to the amounts allocated to each regional alcohol and drug assessment center based on requests for proposals received by SRS in the mid 1990's. This employee has been employed by SRS since 1999 and was not involved in the initial requests for proposals or grant allocation process.

Questions:

1. Is the grant to HRADAC a contract within the meaning of the state conflict of interest laws?
2. Could the SRS employee accept employment with HRADAC after terminating her employment with SRS without violating the state conflict of interest laws?

Opinion:

K.S.A. 2004 Supp. 46-233 places restrictions on a state employee's ability to accept employment after terminating their employment with the State. That statute states in pertinent part as follows:

- (a)(2) Except as otherwise provided in this subsection, whenever any individual has participated as a state officer

or employee in the making of any contract with any person or business, such individual shall not accept employment with such person or business as an employee, independent contractor or subcontractor until two years after performance of the contract is completed or until two years after the individual terminates employment as a state officer or employee, whichever is sooner.

...

(d) Subsections (a) and (b) shall not apply to the following:

- (1) Contracts let after competitive bidding has been advertised for by published notice; and
- (2) Contracts for property or services for which the price or rate is fixed by law.

(e) When used in this section:

...

(2) "Substantially involved in the preparation or participate in the making of a contract" means having approved or disapproved a contract or having provided significant factual or specific information or advice or recommendations in relation to the negotiated terms of the contract.

Regarding your first question, the Notification of Grant Award you provided contains provisions and language that routinely appear in contracts, including the Contractual Provisions Attachment of the State Department of Administration. In prior opinions, this Commission has consistently opined that grants are contracts under K.S.A. 46-233. (See Opinions 1993-25, 1994-11, 1997-11, 1998-12, 2002-02, 2002-13, 2004-13.) In response to your first question, the grant by SRS to HRADAC is a contract under K.S.A. 2004 Supp. 46-233.

Turning to your second question, you state that this contract was not bid. Therefore, the exception for contracts let after competitive bidding stated in K.S.A. 2004 Supp. 46-233(d)(1) would not apply. To answer your second question, we must determine whether this employee participated in the making of the contract between SRS and HRADAC. According to the information that you provided in your request and subsequent email, this employee did not make recommendations concerning who received grants or the amount of the grants, and she did not approve the contract between SRS and HRADAC. Additionally, her monitoring of the HRADAC grant occurred after the contract was made.

In Opinion 1995-19, the Commission considered what constituted participation in the making of a contract under K.S.A. 46-233, and concluded:

It is our opinion that for the "participation" language to be triggered, the "participation" must generally include discretionary determinations which assist in the selection of the person to be contracted with, or with significant terms of the agreement, or with providing significant factual or specific information concerning a proposed contract. In other words, mere ministerial actions would not constitute "participation" leading to the prohibition of later accepting employment.

It is unclear from the information you provided whether this employee's actions in preparing the grant documents for SRS were ministerial in nature, or whether she exercised discretion in the document preparation. If her actions played no part in the selection of who received

(continued)

the contract, or in the terms of the agreement, then she did not participate in the making of the contract and would not be subject to the prohibitions stated in K.S.A. 2004 Supp. 46-233. In that case, she could accept employment with HRADAC immediately after terminating employment with the State without violating any state conflict of interest statutes. However, if she made discretionary determinations that assisted in the selection of HRADAC or that affected significant terms of the agreement, she would be prohibited from accepting employment with HRADAC for two years after the completion of the contract, or for two years after she leaves state employment, whichever comes first.

Daniel Severt
Chairman

Doc. No. 032236

State of Kansas

Secretary of State

Certification of New State Laws

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

Ron Thornburgh
Secretary of State

(Published in the Kansas Register July 28, 2005.)

Special Session of 2005

HOUSE Substitute for SENATE BILL No. 3

AN ACT concerning schools and school districts; relating to school finance; relating to the powers and duties of the legislature, courts, state board of education and school districts in relation thereto; relating to litigation in relation thereto; making and concerning appropriations for the fiscal years ending June 30, 2006, for the department of education; amending K.S.A. 60-2106, 72-6410, as amended by section 14 of 2005 House Bill No. 2247, 72-6412, as amended by section 15 of 2005 House Bill No. 2247, 72-6414, as amended by section 17 of 2005 House Bill No. 2247, 72-6426, and 79-1801 and K.S.A. 2004 Supp. 72-978, as amended by section 10 of 2005 House Bill No. 2247, 72-6407, as amended by section 16 of 2005 Senate Bill No. 43, and 72-6434, as amended by section 24 of 2005 House Bill No. 2247, and section 2 of 2005 House Bill No. 2247, section 3 of 2005 House Bill No. 2247, and section 22 of 2005 Senate Bill No. 43, and repealing the existing sections; also repealing K.S.A. 46-1222, 46-1223, 46-1224 and section 13 of 2005 Senate Bill No. 43.

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

New Section 1. (a) It is the public policy goal of the state of Kansas that at least 65% of the moneys appropriated, distributed or otherwise provided by the state to school districts shall be expended in the classroom or for instruction.

(b) All moneys attributable to the increase in the amount of base state aid per pupil under the provisions of this act shall be expended in the classroom or for instruction.

(c) The amount of moneys expended per pupil in the classroom or for instruction in school year 2005-2006, shall not be less than the amount of moneys expended per pupil for such purposes in school year 2004-2005, plus \$35 per pupil.

(d) As used in this section, "instruction" means the activities dealing directly with the interaction between teachers and students and may be provided in a school classroom, in another location such as

a home or hospital, and in other learning situations such as those involving cocurricular activities. Instruction also may be provided through the internet, television, radio, computer, multimedia telephone, correspondence that is delivered inside or outside the classroom and other teacher-student settings or through other approved media. Instruction also includes the activities of aides or classroom assistants of any type including, but not limited to, clerks, graders and teaching machines which assist in the instructional process.

New Sec. 2. Except as specifically provided by this section, whenever any provision of law provides that the state board of education shall determine the amount of and distribute state aid for school districts, such provision shall be construed to require the legislature to determine the amount of and distribute any such state aid as otherwise provided in such provision. The legislative coordinating council shall certify to the director of accounts and reports the amount due as state aid to each district in the amount determined by the legislature. Such certification, and the amount of state aid payable from the state general fund, shall be approved by the director of the budget. The director of accounts and reports shall draw warrants on the state treasurer payable to the district treasurer of each district entitled to payment of state aid, pursuant to vouchers approved by the legislative coordinating council. Upon receipt of such warrant, each district treasurer shall deposit the amount of state aid as otherwise provided by law.

(b) The provisions of this section shall expire on June 30, 2007.

New Sec. 3. (a) No school district shall expend, use or transfer any moneys from the general fund of the district for the purpose of engaging in or supporting in any manner any litigation by the school district or any person, association, corporation or other entity against the state of Kansas, the state board of education, the state department of education, other state agency or any state officer or employee regarding the school district finance and quality performance act or any other law concerning school finance. No such moneys shall be paid, donated or otherwise provided to any person, association, corporation or other entity and used for the purpose of any such litigation.

(b) Nothing in K.S.A. 72-6433 or this section, and amendments thereto, shall be construed as prohibiting the expenditure, use or transfer of moneys from the supplemental general fund for the purposes specified in subsection (a).

New Sec. 4. (a) As used in this section:

(1) "School district" or "district" means a school district which: (A) Has a declining enrollment; and (B) for school year 2005-2006, has adopted a local option budget in an amount which equals at least 25%; or (C) for school year 2006-2007 and each school year thereafter, has adopted a local option budget in an amount which equals the state prescribed percentage at the time the district applies to the state board of tax appeals for authority to make a levy pursuant to this section.

(2) "Declining enrollment" means an enrollment which has declined in amount from that of the preceding school year.

(b) (1) A school district may levy an ad valorem tax on the taxable tangible property of the district each year for a period of time not to exceed two years in an amount not to exceed the amount authorized by the state board of tax appeals under this subsection for the purpose of financing the costs incurred by the state that are directly attributable to assignment of declining enrollment weighting to enrollment of the district. The state board of tax appeals may authorize the district to make a levy which will produce an amount that is not greater than the amount of revenues lost as a result of the declining enrollment of the district. Such amount shall not exceed 5% of the general fund budget of the district in the school year in which the district applies to the state board of tax appeals for authority to make a levy pursuant to this section.

(2) The board of tax appeals shall certify to the state board the amount authorized to be produced by the levy of a tax under this section.

(3) The state board shall prescribe guidelines for the data that school districts shall include in cases before the state board of tax appeals pursuant to this section.

(c) A district may levy the tax authorized pursuant to this section for a period of time not to exceed two years unless authority to make such levy is renewed by the state board of tax appeals. The state board of tax appeals may renew the authority to make such levy for periods of time not to exceed two years.

(d) The state board shall provide to the state board of tax appeals such school data and information requested by the state board of tax appeals and any other information deemed necessary by the state board.

(e) There is hereby established in every district a fund which shall be called the declining enrollment fund. Such fund shall consist of all moneys deposited therein or transferred thereto according to law. The proceeds from the tax levied by a district under authority of this section shall be credited to the declining enrollment fund of the district. The proceeds from the tax levied by a district credited to the declining enrollment fund shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the state school district finance fund.

New Sec. 5. (a) In each school year, each district that imposes a declining enrollment levy pursuant to section 4, and amendments thereto, is eligible for entitlement to an amount of declining enrollment state aid. Entitlement of a district to such state aid shall be determined by the state board as provided in this subsection. The state board shall:

(1) Determine the amount of the assessed valuation per pupil in the preceding school year of each district in the state;

(2) rank the districts from low to high on the basis of the amounts of assessed valuation per pupil determined under (1);

(3) identify the amount of the assessed valuation per pupil located at the 75th percentile of the amounts ranked under (2);

(4) divide the assessed valuation per pupil of the district in the preceding school year by the amount identified under (3);

(5) subtract the ratio obtained under (4) from 1.0. If the resulting ratio equals or exceeds 1.0, the eligibility of the district for entitlement to declining enrollment state aid shall lapse. If the resulting ratio is less than 1.0, the district is entitled to receive declining enrollment state aid in an amount which shall be determined by the state board by multiplying the amount the district is obligated to pay under subsection (b) of section 4, and amendments thereto, by such ratio. The product is the amount of declining enrollment state aid the district is entitled to receive for the school year.

(b) If the amount of appropriations for declining enrollment state aid is less than the amount each district is entitled to receive for the school year, the state board shall prorate the amount appropriated among the districts in proportion to the amount each district is entitled to receive.

(c) The state board shall prescribe the dates upon which the distribution of payments of declining enrollment state aid to school districts shall be due. Payments of such state aid shall be distributed to districts on the dates prescribed by the state board. The state board shall certify to the director of accounts and reports the amount due each district, and the director of accounts and reports shall draw a warrant on the state treasurer payable to the treasurer of the district. Upon receipt of the warrant, the treasurer of the district shall credit the amount thereof to the declining enrollment fund of the district to be used for the purposes of such fund.

(d) If any amount of declining enrollment state aid that is due to be paid during the month of June of a school year pursuant to the other provisions of this section is not paid on or before June 30 of such school year, then such payment shall be paid on or after the ensuing July 1, as soon as moneys are available therefor. Any payment of declining enrollment state aid that is due to be paid during the month of June of a school year and that is paid to school districts on

or after the ensuing July 1 shall be recorded and accounted for by school districts as a receipt for the school year ending on the preceding June 30.

New Sec. 6. (a) There is hereby established the at-risk education council. The council shall be composed of six members as follows:

(1) One member appointed by the president of the senate;

(2) one member appointed by the minority leader of the senate;

(3) one member appointed by the speaker of the house of representatives;

(4) one member appointed by the minority leader of the house of representatives;

(5) the commissioner of education or a designee thereof; and

(6) a member appointed by the governor who shall be the chairperson of the council. Such person shall be selected from two nominations submitted to the governor by the president of the senate and two nominations submitted by the speaker of the house of representatives.

(b) Members shall be selected with special reference to training, experience or expertise in serving at-risk children. No members of the legislature may be appointed to the council.

(c) All members of the council shall serve at the pleasure of the appointing authority.

(d) Members of the council attending regular or special meetings or subcommittee meetings authorized by the council, shall be paid amounts for expenses, mileage and subsistence as provided in subsection (e) of K.S.A. 75-3223, and amendments thereto. Expenses for the commission shall be part of the budget of the legislative coordinating council and shall be subject to the council's approval.

(e) The council may meet at any time and at any place within the state on the call of the chairperson as authorized by the legislative coordinating council. A quorum of the council shall be four members. All actions of the council shall be by motion adopted by a majority of those voting members present when there is a quorum.

(f) In accordance with K.S.A. 46-1204, and amendments thereto, the legislative coordinating council may provide for such professional services as may be requested by the council.

(g) The staff of the office of the revisor of statutes, the legislative research department and the division of legislative administrative services shall provide such assistance as may be requested by the council. Upon request of the council, the state board of education and the center for innovative school leadership established pursuant to K.S.A. 2004 Supp. 76-767, and amendments thereto, shall provide consultants and assistance when requested by the council. In addition and upon the request of the council, the state board of education and school districts shall provide any information and supporting documentation related thereto.

(h) The council shall cease to exist on June 30, 2007.

New Sec. 7. (a) The at-risk education council shall:

(1) Identify those conditions or circumstances which contribute to making a student at-risk for not succeeding in school;

(2) develop and recommend programs and services which meet the needs of at-risk students;

(3) develop and recommend programs and services which help close the achievement gap;

(4) develop and recommend tools to assess and evaluate the effectiveness of at-risk programs; and

(5) recommend funding alternatives for at-risk programs.

(b) On or before October 1, 2006, the council shall submit a report on its activities to the 2010 commission and the governor. On or before October 1, 2007, the council shall submit its final report, including its recommendations, to the 2010 commission and the governor.

New Sec. 8. (a) There is hereby established in the state treasury the school district capital outlay state aid fund. Such fund shall consist of all amounts transferred thereto under the provisions of subsection (c).

(continued)

(b) In each school year, each school district which levies a tax pursuant to K.S.A. 72-8801 et seq., and amendments thereto, shall be entitled to receive payment from the school district capital outlay state aid fund in an amount determined by the state board of education as provided in this subsection. The state board of education shall:

(1) Determine the amount of the assessed valuation per pupil (AVPP) of each school district in the state and round such amount to the nearest \$1,000. The rounded amount is the AVPP of a school district for the purposes of this section;

(2) determine the median AVPP of all school districts;

(3) prepare a schedule of dollar amounts using the amount of the median AVPP of all school districts as the point of beginning. The schedule of dollar amounts shall range upward in equal \$1,000 intervals from the point of beginning to and including an amount that is equal to the amount of the AVPP of the school district with the highest AVPP of all school districts and shall range downward in equal \$1,000 intervals from the point of beginning to and including an amount that is equal to the amount of the AVPP of the school district with the lowest AVPP of all school districts;

(4) determine a state aid percentage factor for each school district by assigning a state aid computation percentage to the amount of the median AVPP shown on the schedule, decreasing the state aid computation percentage assigned to the amount of the median AVPP by one percentage point for each \$1,000 interval above the amount of the median AVPP, and increasing the state aid computation percentage assigned to the amount of the median AVPP by one percentage point for each \$1,000 interval below the amount of the median AVPP. The state aid percentage factor of a school district is the percentage assigned to the schedule amount that is equal to the amount of the AVPP of the school district, except that the state aid percentage factor of a school district shall not exceed 100%. The state aid computation percentage is 25%;

(5) determine the amount levied by each school district pursuant to K.S.A. 72-8801 et seq., and amendments thereto;

(6) multiply the amount computed under (5), but not to exceed 8 mills, by the applicable state aid percentage factor. The product is the amount of payment the school district is entitled to receive from the school district capital outlay state aid fund in the school year.

(c) The state board shall certify to the director of accounts and reports the entitlements of school districts determined under the provisions of subsection (b), and an amount equal thereto shall be transferred by the director from the state general fund to the school district capital outlay state aid fund for distribution to school districts.

(d) Payments from the school district capital outlay state aid fund shall be distributed to school districts at times determined by the state board of education. The state board of education shall certify to the director of accounts and reports the amount due each school district entitled to payment from the fund, and the director of accounts and reports shall draw a warrant on the state treasurer payable to the treasurer of the school district. Upon receipt of the warrant, the treasurer of the school district shall credit the amount thereof to the capital outlay fund of the school district to be used for the purposes of such fund.

New Sec. 9. (a) There is hereby established the office of legislative counsel. The legislative counsel shall be appointed by the legislative coordinating council and shall be an attorney in the private practice of law employed by the legislative coordinating council pursuant to a contract entered into by the legislative coordinating council and such attorney.

(b) No person shall be eligible for appointment as legislative counsel unless: (1) Such person has been admitted to practice law in Kansas for not less than five years prior to appointment; and (2) such person is admitted to practice in the federal court. In addition to the foregoing qualifications, in considering a person for appointment as legislative counsel the legislative coordinating council shall investigate such person's experience in legal research, trial and appellate practice and related areas in order that such person shall possess the

experience and judgment deemed necessary to fulfill the duties and responsibilities of the office. The legislative coordinating council shall further make such investigation of a person considered for appointment as will ensure that such person is of high professional standing.

(c) No person who is a member of the legislature and no person who is a member or partner of a firm, partnership, corporation, limited liability company or other business entity of which a legislator is a member or partner shall be eligible for appointment as legislative counsel.

(d) The provisions of the contract entered into by the legislative coordinating council and the legislative counsel shall provide that the legislative counsel may be removed from the position and the contract terminated by a vote of five members of the legislative coordinating council taken at any regular meeting of the council. The legislative counsel shall receive compensation fixed by the legislative coordinating council in accordance with the contract. The contract shall provide for such other matters as the parties to the contract deem appropriate.

(e) Expenditures provided for in this act shall not be subject to approval under any other statute and shall be paid from appropriations for the legislature. No contract made under authority of this act shall require approval under any other statute.

(f) The legislative counsel shall represent the legislature, or either house thereof, in any school finance litigation or other cause or matter as directed by the legislative coordinating council. In cases of quo warranto and mandamus the legislative counsel shall have the same powers and standing in all courts of this state as any county attorney or district attorney has in such attorney's county or in the supreme court and as the attorney general has in any court. When the legislature is in session, either house thereof by its resolution, or both houses by concurrent resolution may authorize the legislative coordinating council to direct the legislative counsel to bring or participate in any cause or action by representing the legislature or either house thereof or the legislative coordinating council in any court of this state or of the United States. When the legislature is not in session, the legislative coordinating council may direct the legislative counsel to bring or participate in any cause or action by representing the legislature or either house thereof or the legislative coordinating council in any court of this state or of the United States in accordance with directions of the legislative coordinating council.

(g) The legislative counsel shall render unofficial advisory opinions upon such legal questions submitted by any member or any standing or special committee of the legislature, all in accordance with policies to be established by the legislative coordinating council. Upon direction of the legislative coordinating council, the legislative counsel shall act as counsel to special committees of the legislature and shall provide investigative assistance, conduct examination of witnesses and participate in committee hearings and deliberations as deemed necessary by the committee chairpersons.

(h) The legislative counsel shall perform such other duties as are directed by the legislative coordinating council.

Sec. 10. K.S.A. 2004 Supp. 72-6407, as amended by section 16 of 2005 Senate Bill No. 43, is hereby amended to read as follows: 72-6407. (a) (1) "Pupil" means any person who is regularly enrolled in a district and attending kindergarten or any of the grades one through 12 maintained by the district or who is regularly enrolled in a district and attending kindergarten or any of the grades one through 12 in another district in accordance with an agreement entered into under authority of K.S.A. 72-8233, and amendments thereto, or who is regularly enrolled in a district and attending special education services provided for preschool-aged exceptional children by the district.

(2) Except as otherwise provided in paragraph (3) of this subsection, a pupil in attendance full time shall be counted as one pupil. A pupil in attendance part time shall be counted as that proportion of one pupil (to the nearest $\frac{1}{10}$) that the pupil's attendance bears to full-time attendance. A pupil attending kindergarten shall be counted as $\frac{1}{2}$ pupil. A pupil enrolled in and attending an institution of post-secondary education which is authorized under the laws of this state

to award academic degrees shall be counted as one pupil if the pupil's postsecondary education enrollment and attendance together with the pupil's attendance in either of the grades 11 or 12 is at least $\frac{5}{6}$ time, otherwise the pupil shall be counted as that proportion of one pupil (to the nearest $\frac{1}{10}$) that the total time of the pupil's postsecondary education attendance and attendance in grade 11 or 12, as applicable, bears to full-time attendance. A pupil enrolled in and attending an area vocational school, area vocational-technical school or approved vocational education program shall be counted as one pupil if the pupil's vocational education enrollment and attendance together with the pupil's attendance in any of grades nine through 12 is at least $\frac{5}{6}$ time, otherwise the pupil shall be counted as that proportion of one pupil (to the nearest $\frac{1}{10}$) that the total time of the pupil's vocational education attendance and attendance in any of grades nine through 12 bears to full-time attendance. A pupil enrolled in a district and attending special education and related services, except special education and related services for preschool-aged exceptional children, provided for by the district shall be counted as one pupil. A pupil enrolled in a district and attending special education and related services for preschool-aged exceptional children provided for by the district shall be counted as $\frac{1}{2}$ pupil. A preschool-aged at-risk pupil enrolled in a district and receiving services under an approved at-risk pupil assistance plan maintained by the district shall be counted as $\frac{1}{2}$ pupil. A pupil in the custody of the secretary of social and rehabilitation services and enrolled in unified school district No. 259, Sedgwick county, Kansas, but housed, maintained, and receiving educational services at the Judge James V. Riddel Boys Ranch, shall be counted as two pupils.

(3) A pupil residing at the Flint Hills job corps center shall not be counted. A pupil confined in and receiving educational services provided for by a district at a juvenile detention facility shall not be counted. A pupil enrolled in a district but housed, maintained, and receiving educational services at a state institution shall not be counted. A pupil enrolled in a virtual school in a district but who is not a resident of the state of Kansas shall not be counted.

(b) "Preschool-aged exceptional children" means exceptional children, except gifted children, who have attained the age of three years but are under the age of eligibility for attendance at kindergarten.

(c) "At-risk pupils" means pupils who are eligible for free meals under the national school lunch act and who are enrolled in a district which maintains an approved at-risk pupil assistance plan.

(d) "Preschool-aged at-risk pupil" means an at-risk pupil who has attained the age of four years, is under the age of eligibility for attendance at kindergarten, and has been selected by the state board in accordance with guidelines consonant with guidelines governing the selection of pupils for participation in head start programs.

(e) "Enrollment" means: (1) (A) Subject to the provisions of paragraph (1)(B), for districts scheduling the school days or school hours of the school term on a trimestral or quarterly basis, the number of pupils regularly enrolled in the district on September 20 plus the number of pupils regularly enrolled in the district on February 20 less the number of pupils regularly enrolled on February 20 who were counted in the enrollment of the district on September 20; and for districts not specified in this paragraph (1), the number of pupils regularly enrolled in the district on September 20; (B) a pupil who is a foreign exchange student shall not be counted unless such student is regularly enrolled in the district on September 20 and attending kindergarten or any of the grades one through 12 maintained by the district for at least one semester or two quarters or the equivalent thereof;

(2) if enrollment in a district in any school year has decreased from enrollment in the preceding school year, enrollment of the district in the current school year means whichever is the greater of (A) enrollment in the preceding school year minus enrollment in such school year of preschool-aged at-risk pupils, if any such pupils were enrolled, plus enrollment in the current school year of preschool-aged at-risk pupils, if any such pupils are enrolled, or (B) the sum of enrollment in the current school year of preschool-aged at-risk pu-

pils, if any such pupils are enrolled and the average (mean) of the sum of (i) enrollment of the district in the current school year minus enrollment in such school year of preschool-aged at-risk pupils, if any such pupils are enrolled and (ii) enrollment in the preceding school year minus enrollment in such school year of preschool-aged at-risk pupils, if any such pupils were enrolled and (iii) enrollment in the school year next preceding the preceding school year minus enrollment in such school year of preschool-aged at-risk pupils, if any such pupils were enrolled; or

(3) the number of pupils as determined under K.S.A. 72-6447 or section 2 of 2005 House Bill No. 2059, and amendments thereto.

(f) "Adjusted enrollment" means enrollment adjusted by adding at-risk pupil weighting, program weighting, low enrollment weighting, if any, ~~extraordinary correlation weighting~~, if any, declining enrollment weighting, if any, school facilities weighting, if any, ancillary school facilities weighting, if any, cost of living weighting, if any, special education and related services weighting, and transportation weighting to enrollment.

(g) "At-risk pupil weighting" means an addend component assigned to enrollment of districts on the basis of enrollment of at-risk pupils.

(h) "Program weighting" means an addend component assigned to enrollment of districts on the basis of pupil attendance in educational programs which differ in cost from regular educational programs.

(i) "Low enrollment weighting" means an addend component assigned to enrollment of districts having under ~~1,725~~ 1,662 enrollment on the basis of costs attributable to maintenance of educational programs by such districts in comparison with costs attributable to maintenance of educational programs by districts having ~~1,725~~ 1,662 or over enrollment.

(j) "School facilities weighting" means an addend component assigned to enrollment of districts on the basis of costs attributable to commencing operation of new school facilities.

(k) "Transportation weighting" means an addend component assigned to enrollment of districts on the basis of costs attributable to the provision or furnishing of transportation.

(l) "Cost of living weighting" means an addend component assigned to enrollment of districts to which the provisions of section 12 of 2005 Senate Bill No. 43, and amendments thereto, apply on the basis of costs attributable to the ~~extraordinary~~ cost of living in the district.

(m) "Ancillary school facilities weighting" means an addend component assigned to enrollment of districts to which the provisions of K.S.A. 72-6441, and amendments thereto, apply on the basis of costs attributable to commencing operation of new school facilities. Ancillary school facilities weighting may be assigned to enrollment of a district only if the district has levied a tax under authority of K.S.A. 72-6441, and amendments thereto, and remitted the proceeds from such tax to the state treasurer. Ancillary school facilities weighting is in addition to assignment of school facilities weighting to enrollment of any district eligible for such weighting.

(n) "Juvenile detention facility" means: (1) Any secure public or private facility which is used for the lawful custody of accused or adjudicated juvenile offenders and which shall not be a jail;

(2) any level VI treatment facility licensed by the Kansas department of health and environment which is a psychiatric residential treatment facility for individuals under the age of 21 which conforms with the regulations of the centers for medicare/medicaid services and the joint commission on accreditation of health care organizations governing such facilities; and

(3) the Forbes Juvenile Attention Facility, the Sappa Valley Youth Ranch of Oberlin, Salvation Army/Koch Center Youth Services, the Clarence M. Kelley Youth Center, the Clarence M. Kelley Transitional Living Center, Trego County Secure Care Center, St. Francis Academy at Atchison, St. Francis Academy at Ellsworth, St. Francis

(continued)

Academy at Salina, St. Francis Center at Salina, King's Achievement Center, and Liberty Juvenile Services and Treatment.

(o) "Special education and related services weighting" means an addend component assigned to enrollment of districts on the basis of costs attributable to provision of special education and related services for pupils determined to be exceptional children.

(p) "Virtual school" means any kindergarten or grades one through 12 course offered for credit that uses distance-learning technologies which predominantly use internet-based methods to deliver instruction and for which the course content is available on an "anytime, anyplace" basis, but the instruction occurs asynchronously with the teacher and pupil in separate locations, not necessarily located within a local education agency.

(q) ~~Extraordinary~~ Declining enrollment weighting" means an addend component assigned to enrollment of districts to which the provisions of section ~~13~~ 4, and amendments thereto, apply on the basis of reduced revenues attributable to the declining enrollment of the district.

(r) "Correlation weighting" means an addend component assigned to enrollment of districts having 1,662 or over enrollment on the basis of costs attributable to maintenance of educational programs by such districts as a correlate to low enrollment weighting assigned to enrollment of districts having under 1,662 enrollment.

Sec. 11. K.S.A. 72-6426 is hereby amended to read as follows: 72-6426. (a) There is hereby established in every district a fund which shall be called the contingency reserve fund. Such fund shall consist of all moneys deposited therein or transferred thereto according to law. The fund shall be maintained for payment of expenses of a district attributable to financial contingencies as determined by the board. Except as otherwise provided in subsection (b), at no time in any school year shall the amount maintained in the fund exceed an amount equal to 4% of the general fund budget of the district for the school year.

(b) (1) In any school year, if the amount in the contingency reserve fund of a district is in excess of the amount authorized under subsection (a) to be maintained in the fund, and if such excess amount is the result of a reduction in the general fund budget of the district for the school year because of a decrease in enrollment, the district may maintain the excess amount in the fund until depletion of such excess amount by expenditure from the fund for the purposes thereof.

(2) Except as provided in paragraph (1) of this subsection, at no time in school year 2005-2006, shall the amount maintained in the fund exceed an amount equal to 6% of the general fund budget of the district for such school year.

Sec. 12. K.S.A. 2004 Supp. 72-6434, as amended by section 24 of 2005 House Bill No. 2247, is hereby amended to read as follows: 72-6434. (a) ~~Subject to the limitations of subsection (b)~~ In each school year, each district that has adopted a local option budget is eligible for entitlement to an amount of supplemental general state aid. Entitlement of a district to supplemental general state aid shall be determined by the state board as provided in this subsection. The state board shall:

(1) Determine the amount of the assessed valuation per pupil in the preceding school year of each district in the state;

(2) rank the districts from low to high on the basis of the amounts of assessed valuation per pupil determined under (1);

(3) identify the amount of the assessed valuation per pupil located at the ~~75th~~ 81.2 percentile of the amounts ranked under (2);

(4) divide the assessed valuation per pupil of the district in the preceding school year by the amount identified under (3);

(5) subtract the ratio obtained under (4) from 1.0. If the resulting ratio equals or exceeds 1.0, the eligibility of the district for entitlement to supplemental general state aid shall lapse. If the resulting ratio is less than 1.0, the district is entitled to receive supplemental general state aid in an amount which shall be determined by the state board by multiplying the amount of the local option budget of the

district by such ratio. The product is the amount of supplemental general state aid the district is entitled to receive for the school year.

(b) ~~For school year 2005-2006, districts shall not be paid supplemental general state aid for that portion of the local option budget in excess of the state prescribed percentage in effect prior to the effective date of this act.~~

(c) If the amount of appropriations for supplemental general state aid is less than the amount each district is entitled to receive for the school year, the state board shall prorate the amount appropriated among the districts in proportion to the amount each district is entitled to receive.

~~(d)~~ (c) The state board of education shall prescribe the dates upon which the distribution of payments of supplemental general state aid to school districts shall be due. Payments of supplemental general state aid shall be distributed to districts on the dates prescribed by the state board. The state board shall certify to the director of accounts and reports the amount due each district, and the director of accounts and reports shall draw a warrant on the state treasurer payable to the treasurer of the district. Upon receipt of the warrant, the treasurer of the district shall credit the amount thereof to the supplemental general fund of the district to be used for the purposes of such fund.

~~(e)~~ (d) If any amount of supplemental general state aid that is due to be paid during the month of June of a school year pursuant to the other provisions of this section is not paid on or before June 30 of such school year, then such payment shall be paid on or after the ensuing July 1, as soon as moneys are available therefor. Any payment of supplemental general state aid that is due to be paid during the month of June of a school year and that is paid to school districts on or after the ensuing July 1 shall be recorded and accounted for by school districts as a receipt for the school year ending on the preceding June 30.

Sec. 13. Section 3 of 2005 House Bill No. 2247 is hereby amended to read as follows: Sec. 3. (a) ~~In order to assist the legislature in the gathering of information which is necessary for the legislature's consideration when meeting its constitutional duties to:~~ (1) Provide for intellectual, educational, vocational and scientific improvement in public schools established and maintained by the state; and (2) make suitable provision for the finance of educational interests of the state; the division of post audit shall conduct a professional cost study analysis to determine the costs of delivering the kindergarten and grades one through 12 curriculum, related services and other programs mandated by state statute in accredited schools. Subject to the provisions of subsection (b), the cost analysis study shall be conducted as directed by the legislative post audit committee.

~~(b) Any study conducted pursuant to subsection (a) shall include:~~

~~(1) A determination of the services or programs required by state statute to be provided by school districts. Such review shall include high school graduation requirements, admissions requirements established by the state board of regents pursuant to K.S.A. 76-716, and amendments thereto, state scholarship requirements established by the state board of regents and courses of instruction at various grade levels required by state statute.~~

~~(2) A study of the actual costs incurred in a sample of school districts to provide reasonable estimates of the costs of providing services and programs required by state statute to be provided by school districts for regular elementary and secondary education, including instruction, administration, support staff, supplies, equipment and building costs.~~

~~(3) A study of the actual costs incurred in a sample of school districts to provide reasonable estimates of the costs of providing services and programs required by state statute to be provided by school districts for specialized education services including, but not limited to, special education and related services, bilingual education and at-risk programs.~~

~~(4) A study of the factors which may contribute to the variations in costs incurred by school districts of various sizes and in various regions of the state when providing services or programs required~~

by state statute to be provided by school districts. Such study shall include the administrative costs of providing such services and programs:

— (5) An analysis in a sample of districts as determined by the legislative post auditor showing such things as:

— (A) The percent of the estimated cost of providing services and programs required by state statute that could have been funded by the various types of state aid the districts received in the most recently completed school year, as well as the percent funded by the district's local option budget;

— (B) the percent of district funding that is spent on instruction;

— (C) the percent of district funding that is spent on central administration, and

— (D) the percent of district funding that is spent on support services.

— (6) A review of relevant studies that assess whether there is a correlation between amounts spent on education and student performance.

— (7) A review to determine whether students who are counted as a basis for computing funding for specialized educational services are actually receiving those services.

— (8) Any additional reviews or analyses the legislative post auditor considers relevant to the legislature's decisions regarding the cost of funding services or programs required by state statute to be provided by school districts.

(a) The purpose of this section is to assist the legislature in the gathering of information which is necessary for the legislature's consideration when meeting its constitutional duties to: (1) Provide for intellectual, educational, vocational and scientific improvement in public schools established and maintained by the state; and (2) make suitable provision for the finance of educational interests of the state. The division of post audit shall conduct a professional cost study analysis to estimate the costs of providing programs and services required by law.

(b) As used in this section, "law" means any: (1) State statute; and (2) rules and regulations or standards relating to student performance outcomes adopted by the state board.

(c) The cost study analysis shall be based upon data available through school year 2004-2005. Subject to the provisions of subsection (d), the cost study analysis shall be conducted as directed by the legislative post audit committee.

(d) Any cost study analysis conducted pursuant to this section shall include:

(1) A determination of the services or programs required by law to be provided by school districts and a review of the high school graduation requirements and the school performance accreditation system, pupil assessments and other requirements of K.S.A. 72-6439, and amendments thereto.

(2) A review of the admissions requirements established by the state board of regents pursuant to K.S.A. 76-716, and amendments thereto, state scholarship requirements established by the state board of regents.

(3) A study of the actual costs incurred in a sample of school districts to provide reasonable estimates of the costs for regular elementary and secondary education as required by law, including instruction, administration, support staff, supplies, equipment and building costs.

(4) A study of the actual costs incurred in a sample of school districts to provide reasonable estimates of the costs for specialized education services as required by law including, but not limited to, special education and related services, bilingual education and at-risk programs.

(5) A study of the factors which may contribute to the variations in costs incurred by school districts of various sizes and in various regions of the state when providing services or programs as required by law. Such study shall include all administrative costs of providing program and services as required by law.

(6) An analysis in a sample of districts as determined by the legislative post auditor showing such things as:

(A) The percent of the estimated costs of providing programs and services as required by law that could have been funded by the various types of state aid the districts received in the most recently completed school year, as well as the percent funded by the district's local option budget;

(B) the percent of district funding that is spent on instruction;

(C) the percent of district funding that is spent on administration including central administration; and

(D) the percent of district funding that is spent on support services.

(7) A review of relevant studies that assess whether there is a correlation between amounts spent on education and student performance.

(8) A review to determine whether students who are counted as a basis for computing funding for specialized educational services are actually receiving those services.

(9) Any additional reviews or analyses the legislative post auditor considers relevant to the legislature's decisions regarding the cost of funding services or programs required by law.

(e) The division also shall conduct a professional cost study analysis considering the same factors specified in subsection (d), except that such cost study analysis shall consider only those curriculum, related services and programs mandated by state statute.

(f) In conducting such cost analysis study, historical data and expenditures may be used to estimate future reasonable and actual costs so long as any examination of historical data and expenditures corrects any recognized inadequacy of such data or expenditure through a reliable method of extrapolation. The cost study analysis shall incorporate these requirements and any report to the legislature must demonstrate how the incorporation was accomplished.

(g) In conducting such cost analysis study and subject to the limitations of the budget of the division and appropriations therefor, the legislative post auditor may enter into contracts for with consultants as the post auditor deems necessary with consultants as needed.

(h) In conducting such cost study analysis, the legislative post auditor shall have the authority to access all books, accounts, records, files, documents and correspondence, confidential or otherwise, as authorized in conducting an audit under the legislative post audit act.

(i) Following the completion of such cost analysis study, the legislative post auditor shall submit a detailed report thereon to the legislature on or before the first day of the 2006 legislative session. If additional time is needed to provide the most accurate information relating to any area of requested study, the legislative post auditor shall so report to the legislature, explaining the reasons for the need for additional time and providing a reasonable time frame for completion of that aspect of the study. In that event, the legislative post auditor shall submit a report on that portion of the study which has been completed before the start of the 2006 legislative session and the balance of such report shall be submitted within the time frame established by the legislative post auditor when requesting additional time.

(j) For any agency required to be audited under K.S.A. 74-7283 et seq., and amendments thereto, in time to be reviewed and evaluated during the 2006, 2007 or 2008 regular session of the legislature, such review and evaluation shall be moved forward one year.

(k) The provisions of this section shall be part of and supplemental to the legislative post audit act.

Sec. 14. Section 2 of 2005 House Bill No. 2247 is hereby amended to read as follows: Sec. 2. ~~In order~~ (a) The purpose of this section is to allow any person desiring to obtain, analyze and compare financial and performance data of school districts the ability to do so.

(b) On or before December 31, 2005, the state board of education shall design and implement a uniform system of reporting of such data by school districts. Such system shall be an internet-based data

(continued)

reporting system which is freely available and accessible. Such system shall allow a person to search and manipulate the data and allow for the comparison of data on a district by district basis. Such system may be designed so that school districts may input directly the district's financial and performance data in lieu of reporting data to the state board.

New Sec. 15. (a) Any cost study analysis, audit or other study commissioned or funded by the legislature and any conclusions or recommendations thereof shall not be binding upon the legislature. The legislature may reject, at any time, any such analysis, audit or study and any conclusions and recommendations thereof.

(b) A cost study analysis, audit or study shall include, but not be limited to, any cost study analysis, audit or study conducted pursuant to K.S.A. 46-1225, prior to its repeal, and sections 3 and 5 of 2005 House Bill No. 2247, and amendments thereto.

Sec. 16. K.S.A. 79-1801 is hereby amended to read as follows: 79-1801. (a) *Except as provided by subsection (b)*, each year the governing body of any city, the trustees of any township, the board of education of any school district and the governing bodies of all other taxing subdivisions shall certify, on or before August 25, to the proper county clerk the amount of ad valorem tax to be levied. Thereupon, the county clerk shall place the tax upon the tax roll of the county, in the manner prescribed by law, and the tax shall be collected by the county treasurer. The county treasurer shall distribute the proceeds of the taxes levied by each taxing subdivision in the manner provided by K.S.A. 12-1678a, and amendments thereto.

(b) *In 2005, the board of education of any school district shall certify, on or before September 7, to the proper county clerk the amount of ad valorem tax to be levied.*

Sec. 17. K.S.A. 2004 Supp. 72-978, as amended by section 10 of 2005 House Bill No. 2247, is hereby amended to read as follows: 72-978. (a) Each year, the state board of education shall determine the amount of state aid for the provision of special education and related services each school district shall receive for the ensuing school year. The amount of such state aid shall be computed by the state board as provided in this section. The state board shall:

(1) Determine the total amount of general fund and local option budgets of all school districts;

(2) subtract from the amount determined in paragraph (1) the total amount attributable to assignment of transportation weighting, program weighting, special education weighting and at-risk pupil weighting to enrollment of all school districts;

(3) divide the remainder obtained in paragraph (2) by the total number of full-time equivalent pupils enrolled in all school districts on September 20;

(4) determine the total full-time equivalent enrollment of exceptional children receiving special education and related services provided by all school districts;

(5) multiply the amount of the quotient obtained in paragraph (3) by the full-time equivalent enrollment determined in paragraph (4);

(6) determine the amount of federal funds received by all school districts for the provision of special education and related services;

(7) determine the amount of revenue received by all school districts rendered under contracts with the state institutions for the provisions of special education and related services by the state institution;

(8) add the amounts determined under paragraphs (6) and (7) to the amount of the product obtained under paragraph (5);

(9) determine the total amount of expenditures of all school districts for the provision of special education and related services;

(10) subtract the amount of the sum obtained under paragraph (8) from the amount determined under paragraph (9); and

(11) (A) for school year 2005-2006, multiply the remainder obtained under paragraph (10) by ~~85%~~, 89.3%, *except such limitation is suspended if there is a transfer of moneys pursuant to subsection (b) of section 25; and*

(B) for school year; 2006-2007 *and each school year thereafter*, multiply the remainder obtained under paragraph (10) by ~~88%~~, and 92%.

~~(C) for school year 2007-2008 and each year thereafter, multiply the remainder obtained under paragraph (10) by 91%.~~

The computed amount is the amount of state aid for the provision of special education and related services aid a school district is entitled to receive for the ensuing school year.

(b) Each school district shall be entitled to receive:

(1) Reimbursement for actual travel allowances paid to special teachers at not to exceed the rate specified under K.S.A. 75-3203, and amendments thereto, for each mile actually traveled during the school year in connection with duties in providing special education or related services for exceptional children; such reimbursement shall be computed by the state board by ascertaining the actual travel allowances paid to special teachers by the school district for the school year and shall be in an amount equal to 80% of such actual travel allowances;

(2) reimbursement in an amount equal to 80% of the actual travel expenses incurred for providing transportation for exceptional children to special education or related services; such reimbursement shall not be paid if such child has been counted in determining the transportation weighting of the district under the provisions of the school district finance and quality performance act;

(3) reimbursement in an amount equal to 80% of the actual expenses incurred for the maintenance of an exceptional child at some place other than the residence of such child for the purpose of providing special education or related services; such reimbursement shall not exceed \$600 per exceptional child per school year; and

(4) except for those school districts entitled to receive reimbursement under subsection (c) or (d), after subtracting the amounts of reimbursement under paragraphs (1), (2) and (3) of this subsection (a) from the total amount appropriated for special education and related services under this act, an amount which bears the same proportion to the remaining amount appropriated as the number of full-time equivalent special teachers who are qualified to provide special education or related services to exceptional children and are employed by the school district for approved special education or related services bears to the total number of such qualified full-time equivalent special teachers employed by all school districts for approved special education or related services.

Each special teacher who is qualified to assist in the provision of special education or related services to exceptional children shall be counted as $\frac{2}{3}$ full-time equivalent special teacher who is qualified to provide special education or related services to exceptional children.

(c) Each school district which has paid amounts for the provision of special education and related services under an interlocal agreement shall be entitled to receive reimbursement under subsection (b)(4). The amount of such reimbursement for the district shall be the amount which bears the same relation to the aggregate amount available for reimbursement for the provision of special education and related services under the interlocal agreement, as the amount paid by such district in the current school year for provision of such special education and related services bears to the aggregate of all amounts paid by all school districts in the current school year who have entered into such interlocal agreement for provision of such special education and related services.

(d) Each contracting school district which has paid amounts for the provision of special education and related services as a member of a cooperative shall be entitled to receive reimbursement under subsection (b)(4). The amount of such reimbursement for the district shall be the amount which bears the same relation to the aggregate amount available for reimbursement for the provision of special education and related services by the cooperative, as the amount paid by such district in the current school year for provision of such special education and related services bears to the aggregate of all amounts paid by all contracting school districts in the current school year by

such cooperative for provision of such special education and related services.

(e) No time spent by a special teacher in connection with duties performed under a contract entered into by the Kansas juvenile correctional complex, the Atchison juvenile correctional facility, the Beloit juvenile correctional facility, the Larned juvenile correctional facility, or the Topeka juvenile correctional facility and a school district for the provision of special education services by such state institution shall be counted in making computations under this section.

Sec. 18. K.S.A. 72-6410, as amended by section 14 of 2005 House Bill No. 2247, is hereby amended to read as follows: 72-6410. (a) "State financial aid" means an amount equal to the product obtained by multiplying base state aid per pupil by the adjusted enrollment of a district.

(b) "Base state aid per pupil" means an amount of state financial aid per pupil. Subject to the other provisions of this subsection, the amount of base state aid per pupil is ~~\$4,222~~ \$4,257. The amount of base state aid per pupil is subject to reduction commensurate with any reduction under K.S.A. 75-6704, and amendments thereto, in the amount of the appropriation from the state general fund for general state aid. If the amount of appropriations for general state aid is insufficient to pay in full the amount each district is entitled to receive for any school year, the amount of base state aid per pupil for such school year is subject to reduction commensurate with the amount of the insufficiency.

(c) "Local effort" means the sum of an amount equal to the proceeds from the tax levied under authority of K.S.A. 72-6431, and amendments thereto, and an amount equal to any unexpended and unencumbered balance remaining in the general fund of the district, except amounts received by the district and authorized to be expended for the purposes specified in K.S.A. 72-6430, and amendments thereto, and an amount equal to any unexpended and unencumbered balances remaining in the program weighted funds of the district, except any amount in the vocational education fund of the district if the district is operating an area vocational school, and an amount equal to any remaining proceeds from taxes levied under authority of K.S.A. 72-7056 and 72-7072, and amendments thereto, prior to the repeal of such statutory sections, and an amount equal to the amount deposited in the general fund in the current school year from amounts received in such year by the district under the provisions of subsection (a) of K.S.A. 72-1046a, and amendments thereto, and an amount equal to the amount deposited in the general fund in the current school year from amounts received in such year by the district pursuant to contracts made and entered into under authority of K.S.A. 72-6757, and amendments thereto, and an amount equal to the amount credited to the general fund in the current school year from amounts distributed in such year to the district under the provisions of articles 17 and 34 of chapter 12 of Kansas Statutes Annotated and under the provisions of articles 42 and 51 of chapter 79 of Kansas Statutes Annotated, and an amount equal to the amount of payments received by the district under the provisions of K.S.A. 72-979, and amendments thereto, and an amount equal to the amount of a grant, if any, received by the district under the provisions of K.S.A. 72-983, and amendments thereto, and an amount equal to 70% of the federal impact aid of the district.

(d) "Federal impact aid" means an amount equal to the federally qualified percentage of the amount of moneys a district receives in the current school year under the provisions of title I of public law 874 and congressional appropriations therefor, excluding amounts received for assistance in cases of major disaster and amounts received under the low-rent housing program. The amount of federal impact aid defined herein as an amount equal to the federally qualified percentage of the amount of moneys provided for the district under title I of public law 874 shall be determined by the state board in accordance with terms and conditions imposed under the provisions of the public law and rules and regulations thereunder.

Sec. 19. K.S.A. 72-6412, as amended by section 15 of 2005 House Bill No. 2247, is hereby amended to read as follows: 72-6412. (a) A

low enrollment weighting factor shall be assigned to each school district as provided by this section.

(b) For districts with enrollment of ~~1,725~~ 1,662 or more, the low enrollment weighting factor shall be 0.

(c) For districts with enrollment of less than 100, the low enrollment weighting factor shall be equal to the low enrollment weighting factor of a district with enrollment of 100.

(d) For districts with enrollment of less than ~~1,725~~ 1,662 and more than 99, the low enrollment weighting factor shall be determined by the state board as follows:

(1) Determine the low enrollment weighting factor for such districts for school year 2004-2005;

(2) multiply the low enrollment weighting factor of each district determined under paragraph (1) by 3,863;

(3) add 3,863 to the product obtained under paragraph (2);

(4) divide the product obtained under paragraph (3) by 4,107; and

(5) subtract 1 from the product obtained under paragraph (4). The difference shall be the low enrollment weighting factor for school year 2005-2006 and each school year thereafter.

Sec. 20. K.S.A. 72-6414, as amended by section 17 of 2005 House Bill No. 2247, is hereby amended to read as follows: 72-6414. (a) The at-risk pupil weighting of each district shall be determined by the state board by multiplying the number of at-risk pupils included in enrollment of the district by ~~145~~ .193. The product is the at-risk pupil weighting of the district.

(b) Except as provided in subsection (d), of the amount a district receives from the at-risk pupil weighting, an amount produced by a pupil weighting of .01 shall be used by the district for achieving mastery of basic reading skills by completion of the third grade in accordance with standards and outcomes of mastery identified by the state board under K.S.A. 72-7534, and amendments thereto.

(c) A district shall include such information in its at-risk pupil assistance plan as the state board may require regarding the district's remediation strategies and the results thereof in achieving the third grade reading standards and outcomes of mastery identified by the state board. The reporting requirements shall include information documenting remediation strategies and improvement made by pupils who performed below the expected standard on the second grade diagnostic reading test prescribed by the state board.

(d) A district whose pupils substantially achieve the state board standards and outcomes of mastery of reading skills upon completion of third grade may be released, upon request, by the state board from the requirements of subsection (b).

New Sec. 21. The correlation weighting of each district with 1,662 or over enrollment shall be determined by the state board as follows:

(a) Determine the schedule amount for a district with 1,662 enrollment as derived from the linear transition under (d) of K.S.A. 72-6412, and amendments thereto, and subtract the amount determined under (c) of K.S.A. 72-6412, and amendments thereto, from the schedule amount so determined;

(b) divide the remainder obtained under (a) by the amount determined under (c) of K.S.A. 72-6412, and amendments thereto, and multiply the quotient by the enrollment of the district in the current school year. The product is the correlation weighting of the district.

Sec. 22. Section 22 of 2005 Senate Bill No. 43 is hereby amended to read as follows: Sec. 22. (a) If a petition is filed in a district court of this state alleging a violation of article 6 of the Kansas constitution, the chief judge of such district court shall notify the chief justice of the supreme court of such petition within three business days thereafter.

(b) Within three business days of receiving such notice, the chief justice shall notify the chief judge of the court of appeals. Within 10 business days of receiving notice by the chief justice, the chief judge shall appoint a panel of three current or retired district court judges to preside over such civil action. The chief judge shall designate one of such judges to be the presiding judge of the panel. The judicial

(continued)

panel shall be considered a court of competent jurisdiction to hear and decide the civil action.

(c) The judicial panel shall establish venue pursuant to section 23 of 2005 Senate Bill No. 43, and amendments thereto.

(d) As a part of a remedy, preliminary decision or final decision in which a statute or legislative enactment of this state has been held unconstitutional as a violation of article 6 of the Kansas constitution, the judicial panel or any master or other person or persons appointed by the panel to hear or determine a cause or controversy or to make or enforce any order or remedy ordered by a court pursuant to K.S.A. 60-253, and amendments thereto, or any other provision of law, shall not have the authority to order a school district or any attendance center within a school district to be closed or enjoin the use of all statutes related to the distribution of funds for public education.

Sec. 23. K.S.A. 60-2106 is hereby amended to read as follows: 60-2106. (a) Opinions. It shall be the duty of the judges of an appellate court to prepare and file with the papers in each case, the opinion of the court upon the questions of law arising in the case, within ~~sixty~~ (60) 60 days after the decision of the same; and the opinion so filed shall be treated as a part of the record in the case, but no costs shall be charged therefor, except for copies thereof ordered by a party, and no mandate shall be sent to the court below, until the opinion provided for by this section has been filed.

A memorandum opinion may be prepared in any case where no new question of law is decided or which is otherwise considered as having no value as a precedent. Such a memorandum opinion need not contain a syllabus or statement of facts. In all other cases a formal opinion shall be prepared.

(b) Syllabus. Each formal opinion shall contain a syllabus of the points of law decided, which shall be confined to those questions necessarily arising from the facts in the case.

(c) Judgment and mandate. The supreme court may by rule provide for post decision motions for rehearing or other relief. When under such rule a decision of an appellate court becomes final, such court shall promptly cause to be transmitted to the clerk of the district court its mandate containing such directions as are appropriate under the decision. A copy of the opinion of the court shall accompany and be a part of the mandate. The clerk of the district court shall make a notation thereof on the appearance docket. Such mandate and opinion, without further order of the judge, shall thereupon be a part of the judgment of the court if it is determinative of the action, or shall be controlling in the conduct of any further proceedings necessary in the district court.

(d) As a part of a remedy, preliminary decision or final decision in which a statute or legislative enactment of this state has been held unconstitutional as a violation of article 6 of the Kansas constitution, the appellate court or any master or other person or persons appointed by the appellate court to hear or determine a cause or controversy or to make or enforce any order or remedy ordered by a court pursuant to K.S.A. 60-253, and amendments thereto, or any other provision of law, shall not have the authority to order a school district or any attendance center within a school district to be closed or enjoin the use of all statutes related to the distribution of funds for public education.

New Sec. 24. (a) Before commencing an action pursuant to section 22 of 2005 Senate Bill No. 43, and amendments thereto, a party alleging a violation of article 6 of the Kansas constitution shall file a written notice as provided in this section. The notice shall be filed with the chief clerk of the house of representatives and the secretary of the senate and shall contain the following: (1) The name and address of the party or parties and the name and address of the party's or parties' attorney, if any; (2) a concise statement of the factual basis of the alleged violation, including supporting documentation; and (3) a statement of the amount of monetary damages a specific relief that is being requested. In the filing of a notice of claim, substantial compliance with the provisions and requirements of this subsection shall constitute valid filing of a claim. The contents of such notice shall

not be admissible in any subsequent action arising out of the claim. Once notice of the alleged violation is filed, no action shall be commenced until after the party has received a written response by the legislature or until after 120 days has passed following the filing of the notice of claim, whichever occurs first.

(b) Except as otherwise provided, before any alleged violation is presented to the legislature or before any alleged violation is acted upon by the legislature, the alleged violation shall be investigated by the legislative counsel.

Sec. 25.

DEPARTMENT OF EDUCATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2006, the following:

General state aid.....	\$75,600,000
Supplemental general state aid	\$41,300,000
Capital outlay state aid	\$18,000,000
Special education services aid.....	\$13,500,000

(b) If the provisions of 2005 House Bill No. 2247 and 2005 Senate Bill No. 43 regarding the increased local option budget (LOB) authority over 25%, which were stayed by the order of the Kansas supreme court in the supplemental opinion issued on June 3, 2005, in the case of Montoy, et al., v. Kansas, case No. 92,032, are not released from such stay ordered by the Kansas supreme court in that case and such release is not effective prior to September 1, 2005, then, (1) on September 1, 2005, the director of accounts and reports shall transfer the amount which exceeds the amount necessary to fund supplemental general state aid, as certified by the state board of education, from the \$41,300,000 appropriated for the department of education for the fiscal year ending June 30, 2006, by subsection (a) of this section from the state general fund in the supplemental general state aid account to the special education services aid account of the state general fund of the department of education and, (2) on September 1, 2005, upon such transfer to the special education services aid account of the state general fund for fiscal year 2006, (A) such amount certified by the state board is hereby appropriated for the department of education from the state general fund for special education services aid for the fiscal year ending June 30, 2006, and (B) such amount certified by the state board is hereby lapsed from the \$41,300,000 appropriated for the department of education for the fiscal year ending June 30, 2006, by subsection (a) of this section from the state general fund in the supplemental general state aid account.

New Sec. 26. Except as provided by this section, the provisions of this act shall not be severable. If any provision of this act, other than the provisions relating to declining enrollment and the increase in supplemental general state aid attributable to the increase in the state prescribed percentage under K.S.A. 72-6433, as amended by section 17 of 2005 Senate Bill No. 43, is held to be invalid or unconstitutional by court order, the entire act shall be null and void.

Sec. 27. 46-1222, 46-1223, 46-1224, 60-2106, 72-6410, as amended by section 14 of 2005 House Bill No. 2247, 72-6412, as amended by section 15 of 2005 House Bill No. 2247, 72-6414, as amended by section 17 of 2005 House Bill No. 2247, 72-6426, and 79-1801 and K.S.A. 2004 Supp. 72-978, as amended by section 10 of 2005 House Bill No. 2247, 72-6407, as amended by section 16 of 2005 Senate Bill No. 43, and 72-6434, as amended by section 24 of 2005 House Bill No. 2247, and section 2 of 2005 House Bill No. 2247, section 3 of 2005 House Bill No. 2247, section 13 of 2005 Senate Bill No. 43, and section 22 of 2005 Senate Bill No. 43, are hereby repealed.

Sec. 28. This act shall take effect and be in force from and after its publication in the Kansas register.

(Editor’s Note: Sections of the following bill were line-item vetoed by the Governor. The line-item vetoes will stand, as the 2005 Special Session of the Legislature adjourned sine die. The line-item vetoes are indicated in double-strike type. The Governor’s line-item veto message is printed immediately following the bill.)

(Published in the Kansas Register July 28, 2005.)

Special Session of 2005

SENATE BILL No. 4

AN ACT making and concerning appropriations for the fiscal year ending June 30, 2006, for state agencies; 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; amending section 83 of 2005 Senate Substitute for House Bill No. 2482 and repealing the existing section.

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

Section 1. (a) For the fiscal year ending June 30, 2006, appropriations are hereby made, restrictions and limitations are hereby imposed, and transfers, capital improvement projects, fees, receipts, disbursements and acts incidental to the foregoing are hereby directed or authorized as provided in this act.

(b) The agencies named in this act are hereby authorized to initiate and complete the capital improvement projects specified and authorized by this act or for which appropriations are made by this act, subject to the restrictions and limitations imposed by this act.

(c) This act shall not be subject to the provisions of subsection (a) of K.S.A. 75-6702 and amendments thereto.

(d) The appropriations made by this act shall not be subject to the provisions of K.S.A. 46-155 and amendments thereto.

Sec. 2.

ATTORNEY GENERAL

(a) There is appropriated for the above agency from the state general fund for the fiscal year or years specified, the following:

Death penalty litigation	
For the fiscal year ending June 30, 2006.....	\$150,000
Young Kansans — safe kids program	
For the fiscal year ending June 30, 2006.....	\$250,000

Provided, That all expenditures from the young Kansans — safe kids program account shall be made only for the purpose of matching nonstate moneys for young Kansans — safe kids program projects on the basis of \$1 from this account and \$1 from nonstate moneys: Provided further, That the attorney general shall prepare and submit a report on expenditures from the young Kansans — safe kids program account during January, 2006, to the committee on appropriations of the house of representatives and the committee on ways and means of the senate.

(b) On July 1, 2005, the expenditure limitation established for the fiscal year ending June 30, 2006, by section 79(b) of 2005 Senate Substitute for House Bill No. 2482 on the tort claims fund for costs of defending the state or an employee of the state in any actions or proceedings on claims against the state or an employee of the state under the Kansas tort claims act or under the civil rights laws of the United States or the state of Kansas is hereby increased from \$1,301,227 to no limit.

~~(c) On July 1, 2005, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$250,000 from the social welfare fund of the department of social and rehabilitation services to the state general fund for the purpose of financing the young Kansans — safe kids program of the attorney general.~~

~~Sec. 3. Section 83 of 2005 Senate Substitute for House Bill No. 2482 is hereby amended to read as follows: Sec. 83. (a) On and after the effective date of this act, during the fiscal year ending June 30, 2005, and during the fiscal year ending June 30, 2006, no expendi-~~

~~tures shall be made by any state agency from any moneys appropriated for any state agency from the state general fund or any special revenue fund for fiscal year 2005 and or fiscal year 2006 by chapter 123 or 134 of the 2004 Session Laws of Kansas or by 2005 Senate Bill No. 225 or by this or other appropriation act 2005 Senate Substitute for House Bill No. 2482 of the 2005 regular session of the legislature, or by this or other appropriation or other act of the special session of 2005 of the legislature for media advertising by any state agency of the state of Kansas unless such media advertising includes a disclosure the specific statement that such media advertising is funded, in whole or in part, by state taxpayer dollars, as the case may be, and includes the following specific statement: “Paid for by your Kansas tax dollars”. The specific statement shall be included so that the specific statement is in eight point font or larger and is easily seen and read or can be easily heard, in the case of media advertising utilizing audible broadcast media.~~

~~(b) As used in this section “state agency” has the meaning ascribed thereto by K.S.A. 75-3701 and amendments thereto; and “media advertising” means all forms of advertising expressed or otherwise communicated, in any fashion, utilizing or otherwise through the use of (1) billboards, newspapers, handbills, or mailings, or (2) television, radio, or cable broadcasting.~~

~~(c) The provisions of this section shall be broadly construed, applied and administered to be as inclusive as possible. The provisions of this section shall not apply to any media advertising that has been printed or manufactured prior to July 1, 2005.~~

Sec. 4.

LEGISLATURE

(a) In addition to the other purposes for which expenditures may be made by the legislature from the moneys appropriated from the state general fund or from the legislative special revenue fund for fiscal year 2006 as authorized by 2005 Senate Bill No. 225 or 2005 Senate Substitute for House Bill No. 2482 of the 2005 regular session of the legislature or by this or other appropriation act of the special session of 2005 of the legislature expenditures shall be made by the legislature from moneys appropriated from the state general fund or from the legislative special revenue fund for fiscal year 2006 to provide for meetings of a special committee on children’s issues composed of senators and representatives appointed by the legislative coordinating council who are members of the joint committee on children’s issues, except that no representative shall be required to be a member of the house committee on insurance or the house committee on appropriations to be a member of the special committee on children’s issues: Provided, That the special committee on children’s issues shall be assigned by the legislative coordinating council to oversee the implementation and operation of the children’s health insurance plans created under the provisions of K.S.A. 38-2001 through 38-2010 and amendments thereto, including the assessment of the performance based contracting’s measurable outcomes as set forth in subsection (b)(4) of K.S.A. 38-2001 and amendments thereto, and other children’s issues as the special committee deems necessary and such other matters as may be assigned by the legislative coordinating council.

(b) In addition to the other purposes for which expenditures may be made by the legislature from the moneys appropriated from the state general fund or from the legislative special revenue fund for fiscal year 2006 as authorized by 2005 Senate Bill No. 225 or 2005 Senate Substitute for House Bill No. 2482 of the 2005 regular session of the legislature or by this or other appropriation act of the special session of 2005 of the legislature, expenditures shall be made by the legislature from moneys appropriated from the state general fund or from the legislative special revenue fund for fiscal year 2006 to provide for an interim study regarding the administration of the provisions of section 83 of 2005 Senate Substitute for House Bill No. 2482, and amendments thereto, and the expansion of the provisions of that statute to apply to expenditures by state agencies for media adver-

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tising through the use of other printed materials, the internet, or promotional products or items.

~~Sec. 5.~~

~~SECRETARY OF STATE~~

~~(a) There is appropriated for the above agency from the state general fund for the fiscal year or years specified, the following:~~

~~Constitutional amendment — reimbursements to counties, publications, and other costs~~

~~For the fiscal year ending June 30, 2006..... \$1,750,000~~

~~Sec. 6. Section 83 of 2005 Senate Substitute for House Bill No. 2482 is hereby repealed.~~

Sec. 7. This act shall take effect and be in force from and after its publication in the Kansas register.

Message from the Governor

Pursuant to Article 2, Section 14 of the Kansas Constitution, Governor Kathleen Sebelius signed Senate Bill 4, with four exceptions: Section 2 (c), Section 3, Section 5, and Section 6 of Senate Bill 4 have been line item vetoed.

Message from Governor Sebelius regarding line item veto on Section 2(c):

Over the past several years, Kansas has been faced with considerable uncertainty over federal funding for state human services programs. As a result, it is dangerous to set a precedent whereby the SRS fee fund is used to pay for programs in other state agencies. All available resources in the SRS fee fund must be devoted to protecting children and the state’s most vulnerable adults.

The Young Kansans—Safe Kids Program is an exciting new initiative. To ensure that the program is appropriately funded, in line with the Legislature’s intentions, the funding should come from the State General Fund.

Message from Governor Sebelius regarding line item veto on Section 3 and 6:

Kansas taxpayers deserve to know where their tax dollars are going. Section 3 of Senate Bill 4 would prevent that from happening, by misleading taxpayers into believing their tax dollars are paying for all state media advertising. Many state advertisements are paid for by federal dollars, private grants, and voluntary payments like lottery ticket sales, but this section makes no distinction.

Even worse, Section 3 would waste the very tax dollars it seeks to save. For example, agencies placing simple classified ads for employment openings would be required to place the disclaimer in eight-point font, which would significantly increase the cost of the ads. It would be ironic and unfortunate to waste tax dollars in the name of saving them.

Earlier this year, I signed Senate Substitute for House Bill 2482, which requires a reasonable, accurate disclosure in state advertising. This new proposal would prevent taxpayers from knowing where their tax dollars are going, and would waste those very dollars. Because I believe misleading the people is bad for our democracy, I veto this section.

Note: Section 6 was line item vetoed to allow previously passed disclaimer language in Senate Substitute for House Bill 2482 to remain the law.

Message from Governor Sebelius regarding line item veto on Section 5:

Section 5 of Senate Bill 4 appropriated \$1.75 million for a special election to amend the Kansas Constitution. Because the resolution calling for the special election did not pass the Legislature, this appropriation is no longer necessary.

Dated July 25, 2005.

Kathleen Sebelius
Governor

INDEX TO ADMINISTRATIVE REGULATIONS

This index lists in numerical order the new, amended and revoked administrative regulations and the volume and page number of the *Kansas Register* issue in which more information can be found. Temporary regulations are designated with a (T) in the Action column. This cumulative index supplements the 2003 Volumes and 2004 Supplement of the *Kansas Administrative Regulations*.

AGENCY 1: DEPARTMENT OF ADMINISTRATION

Reg. No.	Action	Register
1-1-1	Amended	V. 24, p. 848
1-2-9	Amended	V. 24, p. 849
1-2-25	Amended	V. 24, p. 849
1-2-25a	New	V. 24, p. 849
1-2-30	Revoked	V. 24, p. 849
1-2-31	Amended	V. 24, p. 849
1-2-43a	New	V. 24, p. 849
1-2-44	Amended	V. 24, p. 849
1-2-46	Amended	V. 24, p. 849
1-2-74	Amended	V. 24, p. 850
1-2-84a	Revoked	V. 24, p. 850

1-2-84b	Revoked	V. 24, p. 850	1-9-1	Amended	V. 24, p. 860
1-2-97	Amended	V. 24, p. 850	1-9-2	Amended	V. 24, p. 860
1-3-2	Revoked	V. 24, p. 850	1-9-4	Amended	V. 23, p. 718
1-4-2	Amended	V. 24, p. 850	1-9-13	Amended	V. 24, p. 861
1-4-3	Amended	V. 24, p. 850	1-9-14	Amended	V. 24, p. 861
1-4-5	Amended	V. 24, p. 850	1-9-19	Amended	V. 24, p. 861
1-4-7	Amended	V. 24, p. 850	1-9-19a	Amended	V. 24, p. 862
1-4-8	Amended	V. 24, p. 851	1-9-20	Amended	V. 24, p. 863
1-5-8	Amended	V. 24, p. 851	1-9-23	Amended	V. 24, p. 863
1-5-9	Amended	V. 24, p. 852	1-9-27	Revoked	V. 24, p. 865
1-5-14	Amended	V. 24, p. 852	1-10-6	Revoked	V. 24, p. 865
1-5-15	Amended	V. 24, p. 852	1-10-7	Revoked	V. 24, p. 865
1-5-19c	Amended	V. 24, p. 853	1-10-10	Revoked	V. 24, p. 865
1-5-20	Amended	V. 24, p. 853	1-10-11	Revoked	V. 24, p. 865
1-5-24	Amended	V. 24, p. 853	1-11-1	Amended	V. 24, p. 865
1-5-30	Amended	V. 24, p. 855	1-11-3	Revoked	V. 24, p. 865
1-6-2	Amended	V. 24, p. 855	1-12-1	Amended	V. 24, p. 865
1-6-8	Amended	V. 24, p. 855	1-12-2	Amended	V. 24, p. 865
1-6-27	Amended	V. 24, p. 856	1-13-1a	Amended	V. 24, p. 866
1-6-29	Amended	V. 24, p. 856	1-13-1b	New	V. 24, p. 866
1-6-32	Amended	V. 24, p. 857	1-14-8	Amended	V. 24, p. 866
1-7-3	Amended	V. 24, p. 858	1-14-11	Amended	V. 23, p. 868
1-7-10	Amended	V. 24, p. 858	1-45-18	Amended (T)	V. 23, p. 424
1-7-11	Amended	V. 24, p. 858	1-45-18	Amended	V. 23, p. 1044
1-7-12	Amended	V. 24, p. 859	1-45-19	Amended (T)	V. 23, p. 424
1-8-2	Amended	V. 24, p. 859	1-45-19	Amended	V. 23, p. 1044
1-8-3	Amended	V. 24, p. 859	1-45-20	Amended (T)	V. 23, p. 424
1-8-4	Amended	V. 24, p. 859	1-45-20	Amended	V. 23, p. 1045
1-8-5	Revoked	V. 24, p. 860	1-45-23	Amended (T)	V. 23, p. 425
1-8-6	Amended	V. 24, p. 860	1-45-23	Amended	V. 23, p. 1045

1-45-24 Amended (T) V. 23, p. 425
 1-45-24 Amended V. 23, p. 1045

AGENCY 4: DEPARTMENT OF AGRICULTURE

Reg. No.	Action	Register
4-8-14a	Amended	V. 23, p. 1102
4-8-14a	Amended (T)	V. 24, p. 958
4-8-27 through 4-8-37	Amended	V. 23, p. 1102, 1103
4-8-27	Amended (T)	V. 24, p. 958
4-8-34	Amended (T)	V. 24, p. 958
4-8-27	Amended (T)	V. 24, p. 958
4-8-34	Amended (T)	V. 24, p. 958
4-8-39	Amended	V. 23, p. 1103
4-8-40	Amended (T)	V. 23, p. 901
4-8-40	Amended	V. 23, p. 1103
4-8-42	Amended	V. 23, p. 1103
4-11-2	Amended	V. 23, p. 895
4-11-3	Amended	V. 23, p. 895
4-11-6	Revoked	V. 23, p. 896
4-11-7	Revoked	V. 23, p. 896
4-11-8	Amended	V. 23, p. 896
4-11-9	Amended	V. 23, p. 896
4-11-14	Amended	V. 23, p. 896
4-15-7	Amended	V. 24, p. 550
4-15-8	Amended	V. 24, p. 550
4-25-16	Amended (T)	V. 22, p. 2176
4-25-16	Amended	V. 23, p. 95
4-28-1	New (T)	V. 23, p. 1597
4-28-2	New (T)	V. 23, p. 1597
4-28-1 through 4-28-7	New	V. 24, p. 145, 146

AGENCY 5: DEPARTMENT OF AGRICULTURE—DIVISION OF WATER RESOURCES

Reg. No.	Action	Register
5-3-4e	Amended (T)	V. 23, p. 1284
5-3-4e	Amended	V. 23, p. 1580
5-3-5o	New	V. 23, p. 1130
5-3-29	New (T)	V. 23, p. 1284
5-3-29	New	V. 23, p. 1580
5-17-1 through 5-17-18	New	V. 23, p. 1131-1137
5-22-1	Amended	V. 23, p. 1534
5-22-4b	New	V. 23, p. 1536
5-22-4c	New	V. 23, p. 1536
5-22-4d	New	V. 23, p. 1537
5-22-6	Amended	V. 23, p. 1634
5-22-7	Amended	V. 23, p. 1537
5-22-8	Amended	V. 23, p. 1538
5-22-9	Amended	V. 23, p. 1538
5-22-10	New	V. 23, p. 1635
5-22-13	New	V. 23, p. 1636
5-22-14	New	V. 23, p. 1636
5-22-15	New	V. 23, p. 1637
5-22-17	New	V. 23, p. 1539
5-23-1	Amended	V. 23, p. 181
5-23-3	Amended	V. 23, p. 181
5-23-3a	Amended	V. 23, p. 182
5-24-1	Amended	V. 23, p. 65
5-24-2	Amended	V. 23, p. 65
5-24-3	Amended	V. 23, p. 66
5-24-4	Amended	V. 23, p. 68
5-24-6	Amended	V. 23, p. 68
5-24-8	Amended	V. 23, p. 68
5-24-11	New	V. 23, p. 69

AGENCY 7: SECRETARY OF STATE

Reg. No.	Action	Register
7-18-1	Revoked	V. 23, p. 1366
7-18-2	Revoked	V. 23, p. 1366
7-18-3	Revoked	V. 23, p. 1366
7-27-1	Amended	V. 23, p. 1366
7-29-2	Amended	V. 23, p. 1366
7-34-2	New (T)	V. 24, p. 42
7-34-2	New	V. 24, p. 332

AGENCY 9: ANIMAL HEALTH DEPARTMENT

Reg. No.	Action	Register
9-2-32	Amended (T)	V. 24, p. 272
9-2-32	Amended	V. 24, p. 919
9-11-10	Amended (T)	V. 24, p. 272
9-11-10	Amended	V. 24, p. 919
9-18-1	Amended (T)	V. 24, p. 1144

AGENCY 10: KANSAS BUREAU OF INVESTIGATION

Reg. No.	Action	Register
10-22-1	Amended	V. 24, p. 962

AGENCY 11: STATE CONSERVATION COMMISSION

Reg. No.	Action	Register
11-11-1 through 11-11-7	New	V. 24, p. 242-244

AGENCY 14: DEPARTMENT OF REVENUE

Reg. No.	Action	Register
14-14-12	Revoked	V. 24, p. 798

AGENCY 16: ATTORNEY GENERAL

Reg. No.	Action	Register
16-1-7	Amended	V. 24, p. 95
16-4-2	New	V. 24, p. 95
16-4-3	New	V. 24, p. 95
16-4-4	New	V. 24, p. 96
16-6-1	Amended	V. 24, p. 96
16-10-1	New (T)	V. 24, p. 1176
16-10-2	New (T)	V. 24, p. 1176
16-10-3	New (T)	V. 24, p. 1176

AGENCY 22: STATE FIRE MARSHAL

Reg. No.	Action	Register
22-1-2	Amended	V. 23, p. 978
22-1-7	New	V. 23, p. 978

AGENCY 28: DEPARTMENT OF HEALTH AND ENVIRONMENT

Reg. No.	Action	Register
28-1-2	Amended	V. 23, p. 202
28-1-4	Amended	V. 23, p. 203
28-1-20	Amended	V. 23, p. 360
28-4-576	Amended (T)	V. 23, p. 389
28-4-576	Amended	V. 23, p. 1255
28-4-577	Amended (T)	V. 23, p. 390
28-4-577	Amended	V. 23, p. 1257
28-4-578	Amended (T)	V. 23, p. 391
28-4-578	Amended	V. 23, p. 1257
28-4-583	Amended (T)	V. 23, p. 392
28-4-583	Amended	V. 23, p. 1258
28-4-585	Amended (T)	V. 23, p. 392
28-4-585	Amended	V. 23, p. 1259
28-4-587	Amended (T)	V. 23, p. 394
28-4-587	Amended	V. 23, p. 1260
28-4-590	Amended (T)	V. 23, p. 396
28-4-590	Amended	V. 23, p. 1262
28-4-591	Amended (T)	V. 23, p. 397
28-4-591	Amended	V. 23, p. 1264
28-4-600 through 28-4-613	New	V. 23, p. 957-962
28-4-700 through 28-4-705	New (T)	V. 23, p. 398-400
28-4-705	New	V. 23, p. 1265, 1266
28-4-1400	New (T)	V. 24, p. 1142
28-15-11	Revoked	V. 23, p. 1367
28-15-13	Revoked	V. 23, p. 1367
28-15-14	Revoked	V. 23, p. 1367
28-15-15a	Revoked	V. 23, p. 1367
28-15-16	Amended	V. 23, p. 1367
28-15-18	Amended	V. 23, p. 1367
28-15-20	Revoked	V. 23, p. 1368
28-15-21	Revoked	V. 23, p. 1368
28-15-22	Revoked	V. 23, p. 1368
28-15-35	Amended	V. 23, p. 305

28-15-36	Amended	V. 23, p. 309
28-15a-2	New	V. 23, p. 1368
28-15a-3	New	V. 23, p. 1368
28-15a-4	New	V. 23, p. 1368
28-15a-6	New	V. 23, p. 1369
28-15a-11	New	V. 23, p. 1369
28-15a-21	New	V. 23, p. 1369
28-15a-23 through 28-15a-29	New	V. 23, p. 1369, 1370
28-15a-31	New	V. 23, p. 1370
28-15a-33	New	V. 23, p. 1370
28-15a-41	New	V. 23, p. 1370
28-15a-42	New	V. 23, p. 1370
28-15a-43	New	V. 23, p. 1370
28-15a-60 through 28-15a-66	New	V. 23, p. 1370
28-15a-70	New	V. 23, p. 1370
28-15a-72 through 28-15a-76	New	V. 23, p. 1370, 1371
28-15a-80 through 28-15a-91	New	V. 23, p. 1371
28-15a-100	New	V. 23, p. 1371
28-15a-101	New	V. 23, p. 1371
28-15a-110	New	V. 23, p. 1371
28-15a-111	New	V. 23, p. 1371
28-15a-130 through 28-15a-135	New	V. 23, p. 1371, 1372
28-15a-151 through 28-15a-155	New	V. 23, p. 1372
28-15a-170	New	V. 23, p. 1372
28-15a-172 through 28-15a-175	New	V. 23, p. 1372, 1373
28-15a-201 through 28-15a-210	New	V. 23, p. 1373
28-15a-500 through 28-15a-503	New	V. 23, p. 1373, 1374
28-15a-536	New	V. 23, p. 1374
28-15a-540 through 28-15a-544	New	V. 23, p. 1374
28-15a-550 through 28-15a-553	New	V. 23, p. 1374
28-15a-560 through 28-15a-564	New	V. 23, p. 1374, 1375
28-15a-570	New	V. 23, p. 1375
28-15a-571	New	V. 23, p. 1375
28-16-28b through 28-16-28f	Amended	V. 24, p. 42-51
28-16-28g	Amended	V. 24, p. 753
28-16-58	Amended	V. 24, p. 52
28-16-160 through 28-16-174	New	V. 24, p. 754-764
28-17-1	Amended (T)	V. 23, p. 1597
28-17-1	Amended	V. 24, p. 178
28-17-6	Amended (T)	V. 23, p. 1598
28-17-6	Amended	V. 24, p. 179
28-17-20	Amended (T)	V. 23, p. 1598
28-17-20	Amended	V. 24, p. 179
28-17-22	New (T)	V. 23, p. 1600
28-17-22	New	V. 24, p. 181
28-19-202	Amended	V. 23, p. 70
28-19-720	Amended	V. 23, p. 1596
28-19-735	Amended	V. 23, p. 1596
28-19-750	Amended	V. 23, p. 1596
28-19-750a	New	V. 23, p. 1596
28-29-75 through 28-29-82	Amended	V. 23, p. 203-205

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28-31-10	Amended	V. 23, p. 1486
28-35-145	Amended	V. 23, p. 1404
28-35-146	Amended	V. 23, p. 1404
28-35-146a	New	V. 23, p. 1404
28-35-147	Revoked	V. 23, p. 1404
28-35-147a	New	V. 23, p. 1404
28-36-1	Revoked	V. 24, p. 146
28-36-32	Revoked	V. 24, p. 146
28-36-60	Revoked	V. 24, p. 146
28-36-120	Revoked	V. 24, p. 146
28-70-1	Amended	V. 24, p. 1177
28-70-2	Amended	V. 24, p. 1177
28-70-3	Amended	V. 24, p. 1178

AGENCY 30: SOCIAL AND REHABILITATION SERVICES

Reg. No.	Action	Register
30-4-50	Amended	V. 23, p. 894
30-4-90	Amended (T)	V. 23, p. 897
30-4-90	Amended	V. 23, p. 1104
30-5-59	Amended	V. 23, p. 1637
30-5-64	Amended	V. 24, p. 802
30-5-71	Amended	V. 23, p. 1211
30-5-81u	Amended	V. 24, p. 271
30-6-91	New	V. 23, p. 894
30-10-1a	Amended	V. 24, p. 489
30-10-1b	Amended	V. 24, p. 491
30-10-1d	Amended	V. 24, p. 492
30-10-11	Amended	V. 24, p. 492
30-10-17	Amended	V. 24, p. 494
30-10-18	Amended (T)	V. 24, p. 23
30-10-18	Amended	V. 24, p. 334
30-10-19	Amended	V. 24, p. 495
30-10-20	Amended	V. 24, p. 496
30-10-23a	Amended	V. 24, p. 496
30-10-23b	Amended	V. 24, p. 497
30-46-10	Amended	V. 23, p. 977
30-46-13	Amended	V. 23, p. 978
30-46-15	Amended	V. 23, p. 978
30-46-16	Amended	V. 23, p. 978
30-46-17	Amended	V. 23, p. 978

AGENCY 36: DEPARTMENT OF TRANSPORTATION

Reg. No.	Action	Register
36-41-1 through 36-41-5	New (T)	V. 24, p. 273, 274
36-41-1 through 36-41-5	New	V. 24, p. 1111, 1112

AGENCY 40: KANSAS INSURANCE DEPARTMENT

Reg. No.	Action	Register
40-1-44	Amended	V. 24, p. 848
40-1-48	Amended	V. 23, p. 426
40-1-50	New (T)	V. 23, p. 244
40-1-50	New	V. 23, p. 951
40-1-51	New	V. 23, p. 361
40-2-14a	New	V. 24, p. 751
40-2-14b	New	V. 24, p. 751
40-2-26	Amended	V. 23, p. 151
40-2-27	New	V. 23, p. 825
40-3-6	Amended	V. 23, p. 1212
40-3-20	Revoked	V. 23, p. 693
40-3-50	Revoked	V. 24, p. 848
40-3-53	New (T)	V. 24, p. 15
40-3-53	New	V. 24, p. 615

AGENCY 44: DEPARTMENT OF CORRECTIONS

Reg. No.	Action	Register
44-5-115	Amended (T)	V. 23, p. 384
44-5-115	Amended	V. 23, p. 952
44-7-104	Amended (T)	V. 23, p. 385
44-7-104	Amended	V. 23, p. 953
44-7-113	Amended (T)	V. 23, p. 386
44-7-113	Amended	V. 23, p. 955
44-12-313	Amended (T)	V. 23, p. 386
44-12-313	Amended	V. 23, p. 955
44-12-601	Amended (T)	V. 23, p. 387
44-12-601	Amended	V. 23, p. 955

AGENCY 51: DEPARTMENT OF LABOR— DIVISION OF WORKERS COMPENSATION

Reg. No.	Action	Register
51-9-17	Amended	V. 24, p. 959

AGENCY 60: BOARD OF NURSING

Reg. No.	Action	Register
60-3-106a	Amended	V. 24, p. 1145
60-3-107	Amended	V. 24, p. 1145
60-3-108	Amended	V. 24, p. 1145
60-3-112	Amended	V. 24, p. 1145
60-11-13	Amended	V. 24, p. 1145
60-11-120	Amended	V. 24, p. 1145
60-11-121	Amended	V. 24, p. 1145
60-13-112	Amended	V. 24, p. 1146
60-15-101	Amended	V. 24, p. 1146
60-15-104	Amended	V. 24, p. 1147
60-16-103	Amended	V. 24, p. 1147
60-16-104	Amended	V. 24, p. 1148
60-17-111	Amended	V. 24, p. 1149

AGENCY 63: BOARD OF MORTUARY ARTS

Reg. No.	Action	Register
63-1-4	Amended	V. 23, p. 1533
63-3-21	Amended	V. 23, p. 1533
63-5-1	Amended	V. 23, p. 1534
63-6-1	Amended	V. 23, p. 1534

AGENCY 65: BOARD OF EXAMINERS IN OPTOMETRY

Reg. No.	Action	Register
65-4-3	Amended	V. 23, p. 893
65-5-5	Revoked	V. 23, p. 1596
65-5-11	New	V. 23, p. 893
65-5-12	New	V. 23, p. 1596
65-8-5	Revoked	V. 23, p. 893

AGENCY 66: BOARD OF TECHNICAL PROFESSIONS

Reg. No.	Action	Register
66-6-4	Amended	V. 24, p. 79
66-8-5	Amended	V. 23, p. 95
66-8-8	New	V. 24, p. 80
66-9-6	Amended	V. 24, p. 80
66-9-7	New	V. 24, p. 80
66-10-14	New	V. 24, p. 80
66-14-3	Amended	V. 24, p. 80
66-14-5	Amended	V. 24, p. 81

AGENCY 68: BOARD OF PHARMACY

Reg. No.	Action	Register
68-1-3a	Amended	V. 23, p. 1739
68-7-20	New	V. 23, p. 382

AGENCY 69: BOARD OF COSMETOLOGY

Reg. No.	Action	Register
69-1-4	Amended (T)	V. 24, p. 14
69-1-4	Amended	V. 24, p. 392

AGENCY 70: BOARD OF VETERINARY EXAMINERS

Reg. No.	Action	Register
70-5-1	Amended	V. 23, p. 360

AGENCY 71: KANSAS DENTAL BOARD

Reg. No.	Action	Register
71-1-1	Revoked	V. 23, p. 151
71-1-2	Revoked	V. 23, p. 151
71-1-3	Revoked	V. 23, p. 151
71-1-8	Revoked	V. 23, p. 151
71-1-10	Revoked	V. 23, p. 151
71-1-11	Revoked	V. 23, p. 151
71-1-15	Amended	V. 23, p. 151
71-2-1	Revoked	V. 23, p. 151
71-2-2	Amended	V. 24, p. 338
71-2-4	Revoked	V. 23, p. 151
71-2-5	Amended	V. 23, p. 717
71-2-6	Revoked	V. 23, p. 718
71-2-7	Amended	V. 23, p. 718
71-2-9	Revoked	V. 23, p. 151
71-2-11	Amended	V. 23, p. 1286
71-2-12	Revoked	V. 23, p. 151
71-3-2	Amended	V. 23, p. 1286

71-3-4	Amended	V. 23, p. 1286
71-3-5	Revoked	V. 23, p. 151
71-3-9	New	V. 23, p. 1286
71-4-1	Amended	V. 23, p. 151
71-4-3	Revoked	V. 23, p. 152
71-6-1	Amended	V. 23, p. 383
71-6-5	Amended	V. 23, p. 718
71-7-1	New	V. 23, p. 152

AGENCY 74: BOARD OF ACCOUNTANCY

Reg. No.	Action	Register
74-4-1a	Amended	V. 24, p. 794
74-4-8	Amended	V. 24, p. 794
74-5-2	Amended	V. 24, p. 795
74-5-101	Amended	V. 24, p. 795
74-5-102	Amended	V. 24, p. 796
74-5-103	Amended	V. 24, p. 796
74-5-104	Amended	V. 24, p. 796
74-5-201	Amended	V. 24, p. 796
74-5-202	Amended	V. 24, p. 796
74-5-203	Amended	V. 24, p. 797
74-5-205	Revoked	V. 24, p. 797
74-5-301	Amended	V. 24, p. 797
74-5-401	Amended	V. 24, p. 797
74-5-403	Amended	V. 24, p. 797
74-11-6	Amended	V. 24, p. 797
74-11-15	Amended	V. 24, p. 798

AGENCY 82: STATE CORPORATION COMMISSION

Reg. No.	Action	Register
82-3-101	Amended	V. 23, p. 426
82-3-108	Amended	V. 23, p. 1739
82-3-123	Amended	V. 23, p. 1740
82-3-123a	Amended	V. 23, p. 1740
82-3-138	Amended	V. 23, p. 1741
82-3-208	Amended	V. 23, p. 1741
82-3-301	Revoked	V. 23, p. 1742
82-3-304	Amended	V. 23, p. 1742
82-3-312	Amended	V. 23, p. 1742
82-3-314	New	V. 23, p. 1743
82-3-600	Amended	V. 23, p. 429
82-3-600a	Amended	V. 23, p. 430
82-3-600b	Revoked	V. 23, p. 430
82-3-601a	Amended	V. 23, p. 430
82-3-601b	Amended	V. 23, p. 431
82-3-602	Amended	V. 23, p. 431
82-3-603	Amended	V. 23, p. 431
82-3-604	Amended	V. 23, p. 432
82-3-605	Revoked	V. 23, p. 432
82-3-606	Amended	V. 23, p. 432
82-3-607	New	V. 23, p. 433
82-3-700 through 82-3-704	Amended (T)	V. 23, p. 152-155
82-3-700 through 82-3-704	Amended	V. 23, p. 538-541
82-3-705 through 82-3-710	New (T)	V. 23, p. 155-158
82-3-705 through 82-3-710	New	V. 23, p. 541-544
82-3-1005	Amended	V. 23, p. 1743
82-4-3	Amended (T)	V. 24, p. 97
82-4-3	Amended	V. 24, p. 463
82-4-3a through 82-4-3m	New (T)	V. 24, p. 97-122
82-4-3a through 82-4-3m	New	V. 24, p. 463-488

AGENCY 86: REAL ESTATE COMMISSION

Reg. No.	Action	Register
86-3-29	New (T)	V. 24, p. 959

AGENCY 88: BOARD OF REGENTS

Reg. No.	Action	Register
88-16-5b	New	V. 23, p. 1595
88-23-2	Amended	V. 23, p. 276
88-23-2a	New	V. 23, p. 278
88-23-3	Revoked	V. 23, p. 279

88-23-3a	New	V. 23, p. 279
88-26-1		
through		
88-26-16	New	V. 23, p. 1487-1491
88-27-1	New	V. 23, p. 1491
88-27-2	New	V. 23, p. 1492

AGENCY 91: DEPARTMENT OF EDUCATION

Reg. No.	Action	Register
91-1-68a		
through		
91-1-68e	Revoked	V. 23, p. 1111
91-1-203	Amended	V. 24, p. 1178
91-1-213	Revoked	V. 24, p. 1181
91-1-220	New	V. 24, p. 1181
91-1-221	New	V. 24, p. 1182
91-1-230	New	V. 23, p. 1106
91-1-231	New	V. 23, p. 1107
91-1-232	New	V. 23, p. 1108
91-1-235	New	V. 23, p. 1108
91-1-236	New	V. 23, p. 1109
91-8-2	Revoked	V. 23, p. 1493
91-8-15	Revoked	V. 23, p. 1493
91-8-16	Revoked	V. 23, p. 1493
91-8-17	Revoked	V. 23, p. 1493
91-8-19	Revoked	V. 23, p. 1493
91-8-26	Revoked	V. 23, p. 1493
91-8-30		
through		
91-8-33	Revoked	V. 23, p. 1493
91-9-11	Revoked	V. 23, p. 1493
91-15-1	Amended	V. 24, p. 272
91-18-24	Revoked	V. 23, p. 280
91-18-27	Revoked	V. 23, p. 280
91-18-29	Revoked	V. 23, p. 280
91-18-34	Revoked	V. 23, p. 280
91-18-40	Revoked	V. 23, p. 280
91-25-1a	Revoked	V. 23, p. 1493
91-25-1c	Revoked	V. 23, p. 1493
91-25-2	Revoked	V. 23, p. 1493
91-25-3a	Revoked	V. 23, p. 1493
91-25-4a	Revoked	V. 23, p. 1493
91-25-17	Revoked	V. 23, p. 1493
91-25-18	Revoked	V. 23, p. 1493
91-25-19	Revoked	V. 23, p. 1493
91-35-1		
through		
91-35-4	Revoked	V. 24, p. 272

AGENCY 92: DEPARTMENT OF REVENUE

Reg. No.	Action	Register
92-12-113	New	V. 24, p. 423
92-19-49a	Revoked	V. 24, p. 798
92-19-49b	New	V. 24, p. 798
92-19-49c	New	V. 24, p. 799
92-19-49d	New	V. 24, p. 801
92-19-81	Amended	V. 24, p. 802
92-26-4	Amended	V. 23, p. 1533
92-51-34a	Amended	V. 24, p. 423

AGENCY 94: BOARD OF TAX APPEALS

Reg. No.	Action	Register
94-2-21	Amended (T)	V. 23, p. 896
94-2-21	Amended	V. 23, p. 1375

AGENCY 100: BOARD OF HEALING ARTS

Reg. No.	Action	Register
100-11-1	Amended (T)	V. 23, p. 580
100-11-1	Amended	V. 23, p. 1042
100-15-2	Revoked	V. 24, p. 1113
100-15-4		
through		
100-15-7	New	V. 24, p. 1113, 1114
100-28a-1	Amended	V. 23, p. 1558
100-28a-14	Amended	V. 24, p. 1114
100-28a-17	New	V. 24, p. 1114
100-28a-18	New	V. 24, p. 1115
100-29-7	Amended	V. 23, p. 1558
100-49-4	Amended	V. 23, p. 1148
100-54-4	Amended (T)	V. 23, p. 383
100-54-4	Amended	V. 23, p. 1042
100-55-4	Amended (T)	V. 23, p. 383
100-55-4	Amended	V. 23, p. 1042

100-69-5	Amended	V. 23, p. 1558
100-72-6	Amended	V. 24, p. 1115
100-72-8	New	V. 24, p. 14
100-72-9	New	V. 23, p. 1558
100-73-1		
through		
100-73-6	New (T)	V. 24, p. 1142-1144

AGENCY 102: BEHAVIORAL SCIENCES REGULATORY BOARD

Reg. No.	Action	Register
102-1-13	Amended	V. 24, p. 424
102-1-18	Amended	V. 24, p. 424
102-2-3	Amended	V. 24, p. 424
102-2-8	Amended	V. 24, p. 424
102-2-12	Amended	V. 24, p. 426
102-2-14	Amended	V. 24, p. 427
102-3-2	Amended	V. 24, p. 428
102-3-3a	Amended (T)	V. 24, p. 330
102-3-7a	Amended	V. 23, p. 1139
102-3-15	Amended	V. 24, p. 428
102-4-2	Amended	V. 24, p. 428
102-4-3a	Amended	V. 23, p. 1141
102-4-4a	Amended	V. 23, p. 1143
102-4-7a	Amended	V. 23, p. 1144
102-4-15	Amended	V. 24, p. 428
102-5-2	Amended	V. 24, p. 428
102-5-4a	Amended	V. 23, p. 1145
102-5-7a	Amended	V. 23, p. 1147
102-5-14	Amended	V. 24, p. 429

AGENCY 108: STATE EMPLOYEES HEALTH CARE COMMISSION

Reg. No.	Action	Register
108-1-1	Amended	V. 24, p. 960
108-1-4	Amended	V. 23, p. 823

AGENCY 109: BOARD OF EMERGENCY MEDICAL SERVICES

Reg. No.	Action	Register
109-3-2	New	V. 23, p. 202

AGENCY 110: DEPARTMENT OF COMMERCE

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
110-11-1	New	V. 24, p. 429
110-11-2	New	V. 24, p. 429
110-11-3	New	V. 24, p. 429
110-12-1		
through		
110-12-6	New	V. 24, p. 371

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
111-2-164	New	V. 24, p. 199
111-2-165	New	V. 24, p. 296
111-2-166	New	V. 24, p. 296

111-2-167		
through		
111-2-172	New	V. 24, p. 430, 431
111-2-173	New	V. 24, p. 460
111-2-174	New	V. 24, p. 460
111-2-175	New	V. 24, p. 919
111-2-176	New	V. 24, p. 919
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
111-4-2214		
through		
111-4-2227	New	V. 24, p. 199-207
111-4-2228		
through		
111-4-2235	New	V. 24, p. 297-300
111-4-2228	Amended	V. 24, p. 1115
111-4-2236		
through		
111-4-2241	New	V. 24, p. 432-435
111-4-2242	New	V. 24, p. 461
111-4-2243	New	V. 24, p. 462
111-4-2244		
through		
111-4-2258	New	V. 24, p. 920-925
111-4-2246	Amended	V. 24, p. 1028
111-4-2255	Amended	V. 24, p. 1029
111-4-2259		
through		
111-4-2283	New	V. 24, p. 1029-1046
111-4-2284		
through		
111-4-2292	New	V. 24, p. 1116-1119
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
111-5-116		
through		
111-5-120	New	V. 24, p. 208, 209

(continued)

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
111-7-193		
through		
111-7-197	New	V. 24, p. 436, 437
111-7-198		
through		
111-7-202	New	V. 24, p. 1046, 1047
111-9-122	New	V. 23, p. 910
111-9-123	New	V. 23, p. 910
111-9-124	New	V. 24, p. 437
111-9-125	New	V. 24, p. 438
111-9-126	New	V. 24, p. 438
111-11-1		
through		
111-11-11	New	V. 23, p. 911-914
111-11-1	Amended	V. 24, p. 989
111-11-4	Amended	V. 24, p. 990
111-11-5	Amended	V. 24, p. 990
111-11-11	Amended	V. 24, p. 991
111-12-1	New	V. 23, p. 914
111-12-2	New	V. 24, p. 991
111-12-3	New	V. 24, p. 991

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
115-2-1	Amended	V. 24, p. 147
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. 24, p. 148
115-4-2	Amended	V. 24, p. 420
115-4-4	Amended	V. 24, p. 421
115-4-4a	New	V. 24, p. 422
115-4-6	Amended	V. 24, p. 148
115-4-6a	New	V. 24, p. 151
115-4-11	Amended	V. 24, p. 151
115-4-13	Amended	V. 24, p. 422
115-4-14	New	V. 23, p. 1583
115-5-1	Amended	V. 24, p. 152
115-5-4	New	V. 24, p. 752
115-7-1	Amended	V. 23, p. 1584
115-7-2	Amended	V. 24, p. 153
115-9-4	Amended	V. 24, p. 153
115-9-9	New	V. 24, p. 1112

115-11-1	Amended	V. 24, p. 752
115-11-2	Amended	V. 24, p. 153
115-15-1	Amended	V. 24, p. 154
115-15-2	Amended	V. 24, p. 155
115-18-1	Amended	V. 24, p. 156
115-18-7	Amended	V. 24, p. 159
115-18-10	Amended	V. 24, p. 753
115-18-14	Amended	V. 23, p. 1585
115-20-1	Amended	V. 24, p. 159
115-20-2	Amended	V. 24, p. 160

AGENCY 117: REAL ESTATE APPRAISAL BOARD

Reg. No.	Action	Register
117-2-2	Amended	V. 23, p. 1407
117-2-2a	New	V. 24, p. 1079
117-2-3	Amended (T)	V. 24, p. 1141
117-3-2	Amended	V. 23, p. 1408
117-3-3	Amended (T)	V. 24, p. 1141
117-3-2a	New	V. 24, p. 1079
117-4-2	Amended	V. 23, p. 1408
117-4-2a	New	V. 24, p. 1080
117-4-3	Amended (T)	V. 24, p. 1141
117-5-2a	New	V. 24, p. 1080
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

AGENCY 123: JUVENILE JUSTICE AUTHORITY

Reg. No.	Action	Register
123-1-101	New	V. 24, p. 301
123-2-105	New	V. 24, p. 338
123-2-110	New	V. 24, p. 338
123-5-101	New	V. 24, p. 339
123-5-106	New	V. 24, p. 339
123-5-111	New	V. 24, p. 339
123-5-112	New	V. 24, p. 340
123-5-505	New	V. 24, p. 340
123-12-101		
through		
123-12-107	New	V. 24, p. 301, 302
123-12-201		
through		
123-12-210	New	V. 24, p. 302, 303
123-12-301		
through		
123-12-315	New	V. 24, p. 303-305
123-12-317	New	V. 24, p. 305
123-12-318	New	V. 24, p. 305
123-12-319	New	V. 24, p. 306
123-12-321		
through		
123-12-325	New	V. 24, p. 306
123-12-327	New	V. 24, p. 306
123-12-328	New	V. 24, p. 307
123-12-401	New	V. 24, p. 307
123-12-501		
through		
123-12-505	New	V. 24, p. 307, 308
123-12-505b	New	V. 24, p. 308

123-12-506	New	V. 24, p. 308
123-12-601	New	V. 24, p. 308
123-12-602	New	V. 24, p. 310
123-12-702	New	V. 24, p. 310
123-12-801	New	V. 24, p. 310
123-12-901	New	V. 24, p. 310
123-12-902	New	V. 24, p. 310
123-12-1001	New	V. 24, p. 311
123-12-1002	New	V. 24, p. 311
123-12-1101	New	V. 24, p. 311
123-12-1201	New	V. 24, p. 312
123-12-1202	New	V. 24, p. 312
123-12-1301	New	V. 24, p. 312
123-12-1302	New	V. 24, p. 312
123-12-1303	New	V. 24, p. 312
123-12-1306	New	V. 24, p. 312
123-12-1308	New	V. 24, p. 313
123-13-101	New	V. 24, p. 342
123-13-101a	New	V. 24, p. 343
123-13-103	New	V. 24, p. 343
123-13-105	New	V. 24, p. 343
123-13-106	New	V. 24, p. 343
123-13-201	New	V. 24, p. 343
123-13-201b	New	V. 24, p. 344
123-13-202	New	V. 24, p. 345
123-13-203	New	V. 24, p. 345
123-13-306	New	V. 24, p. 345
123-13-307	New	V. 24, p. 346
123-13-401		
through		
123-13-404	New	V. 24, p. 346-348
123-13-405a	New	V. 24, p. 349
123-13-406	New	V. 24, p. 349
123-13-408	New	V. 24, p. 350
123-13-409	New	V. 24, p. 350
123-13-501	New	V. 24, p. 350
123-13-502a	New	V. 24, p. 350
123-13-505		
through		
123-13-509	New	V. 24, p. 350, 351
123-13-601	New	V. 24, p. 351
123-13-602	New	V. 24, p. 351
123-13-603	New	V. 24, p. 351
123-13-610	New	V. 24, p. 351
123-13-701		
through		
123-13-704	New	V. 24, p. 352, 353
123-13-706	New	V. 24, p. 353
123-13-707	New	V. 24, p. 353
123-15-101	New	V. 24, p. 353
123-15-101a	New	V. 24, p. 354
123-15-101b	New	V. 24, p. 354
123-15-102	New	V. 24, p. 354
123-15-104	New	V. 24, p. 355
123-15-105	New	V. 24, p. 355
123-15-105a	New	V. 24, p. 356
123-15-106	New	V. 24, p. 356
123-15-201	New	V. 24, p. 356
123-16-102	New	V. 24, p. 356
123-16-105	New	V. 24, p. 357

AGENCY 127: KANSAS HOUSING RESOURCES CORPORATION

Reg. No.	Action	Register
127-1-1	New	V. 24, p. 848

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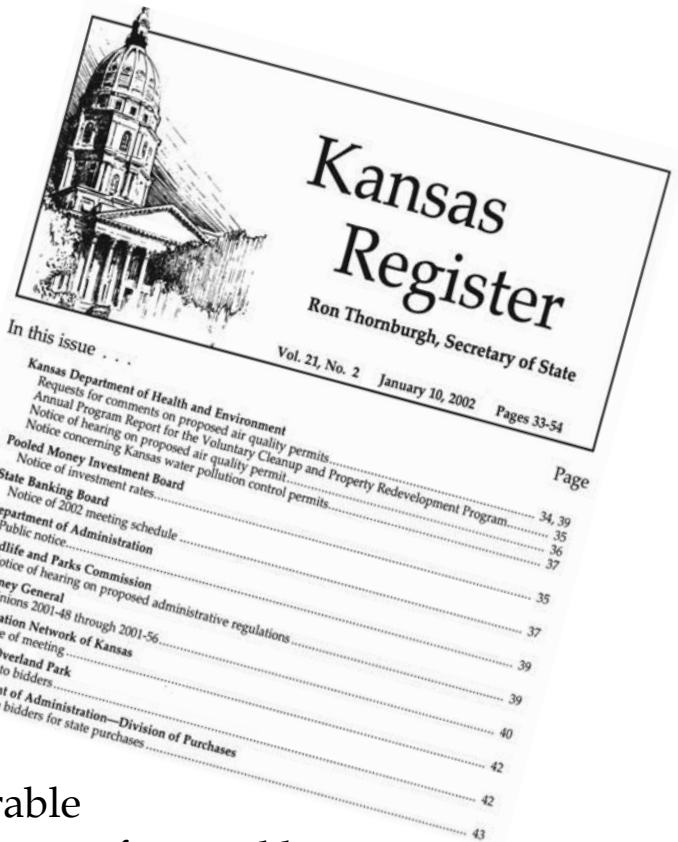
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