



Kansas Register

Ron Thornburgh, Secretary of State

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State of Kansas
Speech-Language Pathology/Audiology
Advisory Board

Notice of Meeting

The Speech-Language Pathology/Audiology Advisory Board will meet at 10 a.m. Thursday, October 27, in Classroom F of the KNEA Building, 715 S.W. 10th Ave., Topeka.

Marla Rhoden, Director
Health Occupations Credentialing

Doc. No. 032461

State of Kansas
Secretary of State

Usury Rate for October

Pursuant to the provisions of K.S.A. 2004 Supp. 16-207, the maximum effective rate of interest per annum for notes secured by all real estate mortgages and contracts for deed for real estate (except where the note or contract for deed permits adjustment of the interest rate, the term of the loan or the amortization schedule) executed during the period of October 1, 2005 through October 31, 2005, is 7.31 percent.

Ron Thornburgh
Secretary of State

Doc. No. 032458

State of Kansas
Secretary of State

Code Mortgage Rate for October

Pursuant to the provisions of K.S.A. 2004 Supp. 16a-1-301, Section 11, the code mortgage rate during the period of October 1, 2005 through October 31, 2005, is 12 percent.

Ron Thornburgh
Secretary of State

Doc. No. 032459

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 10-3-05 through 10-9-05

Term	Rate
1-89 days	3.85%
3 months	3.65%
6 months	3.93%
1 year	4.12%
18 months	4.16%
2 years	4.17%

Derl S. Treff
Director of Investments

Doc. No. 032457

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State of Kansas

Legislature

Interim Committee Schedule

The following committee meetings have been scheduled during the period of October 10-21. 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
Oct. 10	123-S	10:00 a.m.	Joint Committee on Kansas Security	Homeland security equipment procurement; 2005 SB 25; and tour of KDHE Emergency Operations Center.
Oct. 10	514-S	10:00 a.m.	Legislative Budget Committee	10th: Topic 3 — Mental health issues that impact state facilities at Larned, and the impact on prison capacity. 11th: Topic 8 — Veterans' benefits and services.
Oct. 11	514-S	9:00 a.m.		
Oct. 11	519-S	10:00 a.m.	Joint Committee on Economic Development	Eminent domain; film industry; workforce development; Workers Compensation Fund Oversight Committee; and recommendations for committee report.
Oct. 12	519-S	9:00 a.m.		
Oct. 12	313-S	10:00 a.m.	Joint Committee on Children's Issues*	12th: Roundtable on children's mental health issues. 13th: Judges' roundtable.
Oct. 13	313-S	9:00 a.m.		
Oct. 13	514-S	10:00 a.m.	Joint Committee on Corrections and Juvenile Justice Oversight	Update on 2003 SB 123; review of funding for community corrections adult residential centers in Johnson and Sedgwick counties; review of inmate population projections and DOC facility capacity; and review of faith-based inmate programs.
Oct. 14	514-S	9:00 a.m.		
Oct. 17	519-S	10:00 a.m.	Special Committee on Assessment and Taxation	17th: Topic 1 — Valuation of historic property—information requested in September, discussion, and possible decisions. Topic 5 — Analysis of state and local tax policy — information requested in September, further comments of Department of Revenue, public hearing, and discussion. Topic 3 — Motor vehicle taxes — information requested in September, public hearing, and discussion. 18th: Topic 2 — Tax treatment of not-for-profit entities — information requested in September, public hearing, and discussion. Topic 4 — Sexually oriented business excise tax — information requested in September, public hearing, and discussion.
Oct. 18	519-S	9:00 a.m.		
Oct. 20	514-S	10:00 a.m.	Special Committee on Judiciary	20th: a.m. — Topic 3 — Docket fees. p.m. — Topic 5 — School finance/burden of proof. 21st: a.m. — Topic 4 — Supreme Court Justice selection. p.m. — Committee discussion.
Oct. 21	514-S	9:00 a.m.		

* **Note:** The Joint Committee on Children's Issues will hold a roundtable discussion for providers and consumers of mental health services for children and youth October 12. Participation is limited. For more information, contact Susan Kannarr in the Kansas Legislative Research Department at SusanK@klrd.state.ks.us.

Jeffrey M. Russell
Director of Legislative
Administrative Services

State of Kansas

State Records Board

Notice of Meeting

The Kansas State Records Board will meet at 8:30 a.m. Thursday, October 13, at the Kansas History Center, 6425 S.W. 6th Ave., Topeka. The board will consider requests from state agencies submitting proposals for retention and disposition of noncurrent government records. In addition, general administrative matters and other business will be discussed.

Patricia A. Michaelis
State Archivist

Doc. No. 032460

State of Kansas

Department of Transportation

Notice to Consulting Engineers

The Kansas Department of Transportation is seeking qualified consulting engineering firms for the project listed below. A response may be submitted by e-mail to neil@ksdot.org, or seven signed copies of the response may be mailed to Neil Rusch, P.E., Assistant to the Director, Division of Engineering and Design, KDOT, Eisenhower State Office Building, 700 S.W. Harrison, Topeka, 66603-3754. Responses shall be limited to four pages and must be received by 5 p.m. November 3 for the consulting engineering firm to be considered.

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

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

6 X-2541-01

Bourbon County

The scope of services is to provide a highway/railroad safety study of improvement alternatives for the BNSF Railway mainline crossings in the city of Fort Scott. Each safety alternative investigated will measure the positive and negative impacts to the city of Fort Scott. Improvement alternatives should include all ranges of improvement strategies available, including but not limited to: grade separations, active flashing light and gate warning systems, crossing closures, construction of connecting roads, automated horn system, adjacent highway traffic signal improvements, adjacent highway traffic signal interconnection with highway/railroad signal systems and

pedestrian crossings. Three specific alternatives to be investigated are (1) best future location for additional grade separation, (2) determine feasibility of increasing vertical clearance at Third Street underpass, and (3) recommend feasible supplementary safety measures to allow for a locomotive horn quiet zone.

Impacts of the safety alternatives should be evaluated with both objective and subjective measures. Measures to be used in evaluating the alternatives should include but not be limited to: estimated construction costs, vehicular travel and delay times, emergency services access, predicted accident rates, train operations, access to public services, access to private properties, impacts to historical features and pedestrian mobility.

The study shall be completed within nine months of the consultant receiving the notice to proceed.

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

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

Deb Miller
Secretary of Transportation

Doc. No. 032463

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 Wichita Airport Hilton, until 2 p.m. October 19 and then publicly opened:

District One — Northeast

Atchison—3 C-4026-01 — County road 2.2 miles north and 0.5 mile west of Cummings, 0.2 mile, grading, bridge and surfacing. (Federal Funds)

District—106 K-9738-01 — North city limits of Leavenworth to Atchison and from Atchison to the Kansas-Nebraska state line, 61.5 miles, signing. (State Funds)

Jackson—75-43 K-8260-01 — U.S. 75 and county road 150, 1 mile south of Mayetta, interchange construction. (Federal Funds)

Jackson—43 C-4047-01 — County road 3.3 miles south of Holton, 0.3 mile, grading, bridge and surfacing. (Federal Funds)

Marshall—58 C-4054-01 — County road 4 miles south and 4 miles west of Frankfort, 0.2 mile, bridge repair. (Federal Funds)

Pottawatomie—75 C-4192-01 — County road 0.5 mile south and 1.5 miles east of Flush, 0.1 mile, bridge superstructure. (Federal Funds)

Riley—81 C-4193-01 — County road 0.3 mile north and 1.3 miles west of Randolph, 0.4 mile, bridge superstructure. (Federal Funds)

Shawnee—89 U-1996-01 — Southwest Wanamaker Road from 37th to 39th Street in Topeka, 0.3 mile, grading and surfacing. (Federal Funds)

Shawnee—89 C-4025-01 — Southwest Wanamaker Road from 39th Street to 41st Street in Topeka, 0.2 mile, grading and surfacing. (Federal Funds)

Shawnee—89 C-4024-01 — Southwest 41st Street and Wanamaker Road intersection in Topeka, 0.1 mile, intersection improvement. (Federal Funds)

District Two — Northcentral

Chase—9 C-4029-01 — County road 5 miles west of Bazaar, 0.1 mile, grading and bridge. (Federal Funds)

Chase—9 C-4030-01 — County road 3.8 miles south and 2.3 miles west of Cottonwood Falls, 0.1 mile, grading and bridge. (Federal Funds)

Clay-Cloud—106 KA-0353-01 — U.S. 24 from the Cloud-Clay county line east to the west city limits of Clay Center; U.S. 24 from the junction of K-189 east to the Cloud-Clay county line; K-189 from the east city limits of Miltonvale north to the junction of U.S. 24, 17.1 miles, seal. (State Funds)

Cloud—15 C-3951-01 — County road 5 miles north and 1.7 miles west of Glasco, 0.2 mile, grading and bridge. (Federal Funds)

Dickinson—21 C-4038-01 — County road 0.3 mile north of Talmage, grading, bridge and surfacing. (Federal Funds)

Lincoln—53 C-3977-01 — County road 0.9 mile east of Vesper, 0.1 mile, grading and bridge. (Federal Funds)

Lincoln-Mitchell-Russell—106 KA-0352-01 — K-18 from the Russell-Lincoln county line east to the Lincoln-Ottawa county line; K-181 from the Russell-Lincoln county line east and north to the Lincoln-Mitchell county line; K-181 from the Lincoln-Mitchell county line west and north to the Mitchell-Osborne county line; K-181 from the junction of K-232 east to the Russell-Lincoln county line, 68.9 miles, seal. (State Funds)

Marshall—C-4055-01 — County road 4 miles south and 3 miles west of Frankfort, bridge replacement. (Federal Funds)

Mitchell—62 C-4011-01 — County road 5 miles south and 1.5 miles west of Glen Elder, then east 5 miles, surfacing. (Federal Funds)

Saline—85 C-3997-01 — County road 1 mile east and 3.2 miles north of Salina, 0.1 mile, grading, bridge and surfacing. (Federal Funds)

Saline—85 C-4074-01 — County road 4 miles east and 1.3 miles north of Salina, 0.1 mile, grading, bridge and surfacing. (Federal Funds)

Saline-Ottawa—81-106 K-9651-01 — U.S.81/K-143 in Saline County and rest area in Ottawa County, lighting. (State Funds)

Washington—101 C-4093-01 — County road 3 miles north and 3.5 miles west of Morrowville, 0.2 mile, grading and bridge. (Federal Funds)

District Three — Northwest

Graham—33 C-3700-01 — County road 5.2 miles north and 1 mile east of Bogue, 0.2 mile, grading and bridge. (Federal Funds)

Logan-Thomas—106 KA-0261-01 — K-25 from the east junction of U.S. 40 north to the Logan-Thomas county line; U.S. 24, 3.9 miles east of the junction of I-70 east to Colby; K-25 from the Logan-Thomas county line north to

0.25 mile north of the south city limits of Colby; K-25, 0.25 miles north of the north city limits of Colby north to the Thomas-Rawlins county line, 33.6 miles, overlay. (State Funds)

Rawlins—117-77 KA-0256-01 — K-117 from the junction of U.S. 36 north to the Kansas-Nebraska state line, 12 miles, overlay. (State Funds)

Thomas—83-97 KA-0255-01 — U.S. 83, from the U.S. 83 and U.S. 24 junction south 8 miles, overlay. (State Funds)

Wallace—100 C-4005-01 — County road 2.8 miles south of Weskan then south 3 miles, grading and surfacing. (Federal Funds)

District Four — Southeast

Cherokee—11 C-3860-01 — West 11th Street over Owl Creek in Galena, 0.2 mile, grading, bridge and surfacing. (Federal Funds)

Labette—50 C-4008-01 — County road 1 mile north and 3.8 miles west of Valeda, 0.2 mile, grading and bridge. (Federal Funds)

Labette—50 C-4056-01 — County road 2.8 miles south and 3 miles west of Valeda, 0.2 mile, grading and culvert. (Federal Funds)

Labette—50 C-4057-01 — County road 4 miles west and 1.7 miles north of Strauss, 0.2 mile, grading, bridge and surfacing. (Federal Funds)

Montgomery—63 C-4098-01 — County road 1.4 miles west of Cherryvale, 0.1 mile, grading, bridge and surfacing. (Federal Funds)

District Five — Southcentral

Barber-Kingman—42-106 KA-0285-01 — K-42 from the Pratt-Barber county line east to the Barber-Kingman county line; K-42 from the Barber-Kingman county line east to the junction of K-14, 28.6 miles, overlay. (State Funds)

Edwards—50-24 KA-0283-01 — U.S. 50, East Milner Street in Kinsley east to the Edward-Stafford county line, 21.6 miles, seal. (State Funds)

Harper—39 C-4044-01 — County road 1 mile west and 1.6 miles south of Danville, 0.2 mile, grading, bridge and surfacing. (Federal Funds)

Kiowa—54-49 KA-0273-01 — U.S. 54 from the east city limits of Greensburg east to the Kiowa-Pratt county line, 14.7 miles, overlay. (State Funds)

Pawnee—73 KA-0287-01 — K-156 from the Hodgeman-Pawnee county line east to the west city limits of Larned; U.S. 183 from the junction of K-156 north to the Pawnee-Rush county line; K-264 from the State Hospital at Larned north to the junction of K-156, 37.4 miles, overlay. (State Funds)

Pratt—76 C-3872-01 — County road 3 miles east and 2.2 miles north of Cullison, 0.3 mile, grading and bridge. (Federal Funds)

Stafford—93 C-4167-01 — Railroad tracks in Macksville north to the Stafford-Pawnee county line, 2.6 miles, surfacing. (Federal Funds)

District Six — Southwest

Haskell—83-41 KA-0236-01 — U.S. 83 from the Seward-Haskell county line north to 1,000 feet south of the junction of U.S. 56, 5.8 miles, seal. (State Funds)

(continued)

Haskell—56-41 M-1957-01 — U.S. 56, KDOT mixing strip, 1 mile west of Satanta, stockpile bituminous material. (State Funds)

Haskell—83-41 KA-0237-01 — U.S. 83 from the north junction of U.S. 160 north to the Haskell-Finney county line, 12 miles, overlay. (State Funds)

Haskell-Seward-Stevens—56-106 KA-0245-01 — U.S. 56 from the Seward-Haskell county line northeast to the junction of U.S. 83; U.S. 56 from the Stevens-Seward county line northeast to the Seward-Haskell county line; U.S. 56 from the west city limits of Hugoton east and northeast to the Stevens-Seward county line, 29.9 miles, overlay. (State Funds)

Meade-Seward—54-106 KA-0243-01 — U.S. 54 from the Edwards-Meade county line east to the south city limits of Plains; U.S. 54 from the Cimarron River bridge east to the Seward-Meade county line, 11.9 miles, overlay. (State Funds)

Morton—56-65 KA-0233-01 — U.S. 56 from the Oklahoma-Kansas state line northeast 14 miles, seal. (State Funds)

Seward—88 C-4078-01 — County road 7.5 miles east of Liberal, 4.8 miles, surfacing. (Federal Funds)

Scott—86 KA-0247-01 — U.S. 83 railroad tracks in Scott City north to the Scott-Logan county line; K-96 from the junction of U.S. 83 east to the Scott-Lane county line, 27.6 miles, seal. (State Funds)

Stevens—56-95 M-1956-01 — U.S. 56, KDOT mixing strip, 0.5 mile south of the north junction of K-25, stockpile bituminous material. (State Funds)

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

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

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

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

Deb Miller
Secretary of Transportation

Doc. No. 032454

State of Kansas

Department of Transportation

Notice of Public Auction

The Kansas Secretary of Transportation will offer for sale at public auction at site at 11 a.m. Friday, November 18, the following tract of land in Kansas City, Kansas:

Tract 2456-19—Land and 1,260 sq. ft., 3-bedroom, 1-bath home (1742 N. 42nd St., Kansas City, Kansas)

Legal Description: Beginning at a point in the East line of Lot 7, in Willow Lane Acres, a subdivision of land in Wyandotte County, Kansas, 10 feet South of the Northeast corner of said Lot 7; thence South along the East line of said Lot 7, 58 feet, thence West to the West line of said Lot; thence North along the West line of said lot, 58 feet to a point 10 feet South of the Northwest corner of said Lot 7; thence East to the place of beginning, less that part taken or used for road purposes.

The appraised value is \$75,000, and the minimum acceptable bid is \$50,000.

An inspection of property will take place at 10:30 a.m. Monday, November 14, and at 10:30 a.m. on the day of the sale.

Terms of Sale:

A cashier's check for \$5,000, representing 10 percent of the minimum acceptable bid, is due at the time of the sale. The balance of the purchase price must be paid by cashier's check on or before December 19, 2005. The successful bidder will receive a bill of sale on the day of the sale and a quit claim deed after the balance is paid. If the balance of the purchase price is not paid on or before December 19, 2005, the down payment will be forfeited to the seller. The seller reserves the right to reject any and all bids and is not responsible for accidents.

Sold Subject to the Following:

The tract will be sold subject to the easement for the right of ingress and egress, reconstruction and maintenance of all existing utilities and appurtenances thereto, as well as the following restrictive covenant: *Grantees, for their heirs and assigns, do hereby covenant and agree, said covenant to run with the land, that the land conveyed herein shall not be used for billboards, signboards or other outdoor advertising purposes.*

The prospective buyer is encouraged to research the chain of title of the tract.

The Kansas Department of Transportation makes no representations concerning the condition, value or suitability of use for this property or the improvements, attachments, fixtures, apparatuses and appliances thereof, if any. The property and said improvements, etc., will be sold in the present "as is" condition, without warranties or guarantees of any kind.

The Kansas Department of Transportation ensures the acceptance of any bid pursuant to this notice will be without discrimination on the grounds of sex, race, color, religion, physical handicap or national origin.

For additional terms and information, contact the Bureau of Right of Way at (877) 461-6817.

Deb Miller
Secretary of Transportation

Doc. No. 032456

State of Kansas

**Kansas Public Employees
Retirement System**

Request for Proposals

The Kansas Public Employees Retirement System is soliciting competitive proposals from qualifying firms with the intent to hire a chief investment officer. Firms should respond to this request for proposals for the purpose of providing services to fill the vacant position of chief investment officer. To receive a copy of the RFP, contact Yolanda Dickinson at (785) 296-6879 or ydickinson@kpers.org.

Proposals should be addressed to Yolanda Dickinson, Human Resources Manager, KPERs, 611 S. Kansas Ave., Suite 100, Topeka, 66603-3803, and must be received in the KPERs office by 5 p.m. October 17.

Glenn Deck
Executive Director

Doc. No. 032476

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:

10/17/2005	08841	Papanicolau Screening
10/18/2005	08850	Aluminum Signing Materials
10/19/2005	08843	Elevator Maintenance — Facilities Operations and Parking
10/19/2005	08852	Excavator, Track Mounted

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:

10/25/2005	A-010149	Counter Remodel — Jardine Hall, Wichita State University
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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. 032479

State of Kansas

**Office of the State Bank Commissioner
Division of Consumer and Mortgage Lending**

**Notice of Hearing on Proposed
Administrative Regulations**

A public hearing will be conducted at 9 a.m. Thursday, December 8, in the conference room of the Office of the State Bank Commissioner (OSCB), Division of Consumer and Mortgage Lending, Suite 300, Jayhawk Tower, 700 S.W. Jackson, Topeka, to consider the adoption of proposed amended regulation K.A.R. 75-6-30. This amended regulation is proposed for adoption on a permanent basis and is proposed pursuant to the Kansas Uniform Consumer Code at K.S.A. 16a-1-101 through 16a-9-102, as amended.

K.A.R. 75-6-30 is proposed to be amended to specify which person seeking a license for supervised loans is required to submit an application for each place of business, pursuant to K.S.A. 16a-2-301 and K.S.A. 2004 Supp. 16a-2-302, as amended. The proposed amended regulation specifies the application requirements for additional places of business and amends the definition of "place of business" to include the amended statutory language in K.S.A. 2004 Supp. 16a-2-302 (7), as amended by 2005 Kansas Session Laws, Ch. 144, § 9(7). Because the OSBC already has infrastructure in place to process branch license applications, the OSBC concludes minimal or no economic impact will be incurred by governmental agencies or units, consumers or the general public by the adoption of this proposed regulation. Applicants and licensees for supervised loans will incur a cost of \$400 for each additional new place of business the applicant or licensee for supervised loans desires to license, and \$300 per year for a renewal of each licensed place of business.

A copy of the proposed regulation and the economic impact statement may be obtained by contacting Brenda Block, Office of the State Bank Commissioner, Suite 300, Jayhawk Tower, 700 S.W. Jackson, Topeka, 66603-3796, (785) 296-2266, fax (785) 296-0168, or the Kansas Relay Center at (800) 766-3777. The standard departmental cost of 50 cents per page for requests over 10 pages will be assessed for any copies requested.

This 60-day notice of the hearing shall constitute a public comment period for the purpose of receiving public comments on the proposed regulation. Written comments should be submitted prior to the hearing to Kevin Glendenning, Administrator of the Kansas Uniform Consumer Credit Code, at the address listed above. Interested persons will be given reasonable opportunity at the hearing to present their views and arguments on the adoption of the proposed regulation; however, presentations should be in writing whenever possible.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulation and economic impact statement in an accessible format. Requests for accommodation should be made at least five working days before the hearing by contacting Brenda Block. For individuals with disabilities, an accessible entrance is on the

(continued)

west side of the building and accessible parking is available on Jackson Street.

Kevin Glendening
Administrator, Kansas Uniform
Consumer Credit Code

Doc. No. 032464

State of Kansas
Office of the State Bank Commissioner
Division of Consumer and Mortgage Lending

**Notice of Hearing on Proposed
Administrative Regulations**

A public hearing will be conducted at 10 a.m. Thursday, December 8, in the conference room of the Office of the State Bank Commissioner (OSCB), Division of Consumer and Mortgage Lending, Suite 300, Jayhawk Tower, 700 S.W. Jackson, Topeka, to consider the adoption of proposed amended regulation K.A.R. 75-6-31. This amended regulation is proposed for adoption on a permanent basis and is proposed pursuant to the Kansas Uniform Consumer Code at K.S.A. 16a-1-101 through 16a-9-102, as amended.

K.A.R. 75-6-31 is proposed to be amended to increase the bond requirements from \$100,000 to \$250,000 for supervised lenders that intend to engage in making loans secured by an interest in real property or contracts for deed, pursuant to K.S.A. 16a-2-301 and K.S.A. 2004 Supp. 16a-2-302, as amended. The proposed amended regulation specifies the additional bond requirements for additional places of business and implements statutory language in K.S.A. 2004 Supp. 16a-2-302 (2)(a), as amended by 2005 Kansas Session Laws, Ch. 144, § 9(2)(a). Because the OSBC already has infrastructure in place to process bond reviews, the OSBC concludes minimal or no economic impact will be incurred by governmental agencies or units, consumers or the general public by the adoption of this proposed regulation. Applicants and licensees for supervised loans will incur an additional cost of \$750 to \$3,000 annually, depending on the surety provider used, to comply with increased \$250,000 bond requirement.

A copy of the proposed regulation and the economic impact statement may be obtained by contacting Brenda Block, Office of the State Bank Commissioner, Suite 300, Jayhawk Tower, 700 S.W. Jackson, Topeka, 66603-3796, (785) 296-2266, fax (785) 296-0168, or the Kansas Relay Center at (800) 766-3777. The standard departmental cost of 50 cents per page for requests over 10 pages will be assessed for any copies requested.

This 60-day notice of the hearing shall constitute a public comment period for the purpose of receiving public comments on the proposed regulation. Written comments should be submitted prior to the hearing to Kevin Glendening, Administrator of the Kansas Uniform Consumer Credit Code, at the address listed above. Interested persons will be given reasonable opportunity at the hearing to present their views and arguments on the adoption of the proposed regulation; however, presentations should be in writing whenever possible.

Any individual with a disability may request accommodation in order to participate in the public hearing and

may request the proposed regulation and economic impact statement in an accessible format. Requests for accommodation should be made at least five working days before the hearing by contacting Brenda Block. For individuals with disabilities, an accessible entrance is on the west side of the building and accessible parking is available on Jackson Street.

Kevin Glendening
Administrator, Kansas Uniform
Consumer Credit Code

Doc. No. 032465

State of Kansas
Office of the State Bank Commissioner
Division of Consumer and Mortgage Lending

**Notice of Hearing on Proposed
Administrative Regulations**

A public hearing will be conducted at 11 a.m. Thursday, December 8, in the conference room of the Office of the State Bank Commissioner (OSCB), Division of Consumer and Mortgage Lending, Suite 300, Jayhawk Tower, 700 S.W. Jackson, Topeka, to consider the adoption of proposed new regulation K.A.R. 75-6-35. This new regulation is proposed for adoption on a permanent basis and is proposed pursuant to the Kansas Uniform Consumer Code at K.S.A. 16a-1-101 through 16a-9-102, as amended.

K.A.R. 75-6-35 is proposed to specify the minimum net worth of \$250,000 required to be maintained by supervised lender applicants or licensees that intend to engage in making loans secured by an interest in real property or contracts for deed. The proposed regulation defines the "\$250,000.00 minimum net worth requirement" to be comprised of at least 20 percent or \$100,000, whichever is less, of liquid assets of the applicable supervised lender applicant or licensee, and specifies the documentation and procedure to provide the agency with evidence of compliance with the net worth requirement. This proposed regulation implements the statutory language pursuant to K.S.A. 2004 Supp. 16a-2-302 (2)(b), as amended by 2005 Kansas Session Laws, Ch. 144, § 9(2)(b). Because the OSBC will use the same infrastructure already in place to process bond reviews to assess compliance with this net worth requirement, the OSBC concludes minimal or no economic impact will be incurred by governmental agencies or units, consumers or the general public by the adoption of this proposed regulation. Applicants and licensees for supervised loans exercising prudent and sound business practices in the mortgage lending industry should already maintain a net worth reserve similar to the proposed regulation's minimum net worth requirement, and therefore the OSBC concludes minimal or no economic impact will be incurred by applicants and licensees for supervised loans.

A copy of the proposed regulation and the economic impact statement may be obtained by contacting Brenda Block, Office of the State Bank Commissioner, Suite 300, Jayhawk Tower, 700 S.W. Jackson, Topeka, 66603-3796, (785) 296-2266, fax (785) 296-0168, or the Kansas Relay Center at (800) 766-3777. The standard departmental cost

of 50 cents per page for requests over 10 pages will be assessed for any copies requested.

This 60-day notice of the hearing shall constitute a public comment period for the purpose of receiving public comments on the proposed regulation. Written comments should be submitted prior to the hearing to Kevin Glendening, Administrator of the Kansas Uniform Consumer Credit Code, at the address listed above. Interested persons will be given reasonable opportunity at the hearing to present their views and arguments on the adoption of the proposed regulation; however, presentations should be in writing whenever possible.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulation and economic impact statement in an accessible format. Requests for accommodation should be made at least five working days before the hearing by contacting Brenda Block. For individuals with disabilities, an accessible entrance is on the west side of the building and accessible parking is available on Jackson Street.

Kevin Glendening
Administrator, Kansas Uniform
Consumer Credit Code

Doc. No. 032466

(Published in the Kansas Register October 6, 2005.)

Summary Notice of Bond Sale
City of Emporia, Kansas
\$3,160,000*
General Obligation Bonds
Series 2005

Details of the Sale

Subject to the terms and requirements of the official notice of bond sale dated October 5, 2005, of the city of Emporia, Kansas, bids to purchase the city's General Obligation Bonds, Series 2005, will be received at the office of the city clerk at City Hall, 522 Mechanic, Emporia, KS 66801, or by telefacsimile at (620) 343-4254 or electronically through the i-DEAL, LLC's BiDCOMP/PARITY electronic bid submission system, until 2 p.m. Wednesday, October 19, 2005. The bids will be considered by the governing body at its meeting at 7 p.m. on the sale date.

No oral or auction bids for the bonds shall be considered, and no bids for less than 100 percent of the total principal amount of the bonds and accrued interest to the date of delivery shall 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 November 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 March 1 and September 1 of each year, beginning March 1, 2006. Principal of the

bonds becomes due on September 1 in the years and amounts as shown below:

Maturity Schedule

Principal Amount*	Maturity Date
\$ 75,000	2006
75,000	2007
75,000	2008
100,000	2009
125,000	2010
150,000	2011
80,000	2012
150,000	2013
150,000	2014
100,000	2015
300,000	2016
900,000	2017
800,000	2018
80,000	2019

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 (DTC).

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 November 1, 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 \$149,411,676. As of November 1, 2005, the city's total outstanding general obligation debt (including the bonds) is \$31,340,000, which excludes temporary notes outstanding in the amount of \$420,000 to be retired with the proceeds of the bonds.

Additional Information

For additional information, contact the city clerk at the address and telephone number shown below or the city's financial advisor, Greg Vahrenberg, Piper Jaffray & Co., 11150 Overbrook Road, Suite 300, Leawood, KS 66211-2298, (913) 345-3274.

City of Emporia, Kansas
By Susan Mendoza
City Clerk
City Hall, 522 Mechanic
Emporia, KS 66801
(620) 342-5105
Fax (620) 343-4254

* Principal amounts subject to change.

Doc. No. 032475

(Published in the Kansas Register October 6, 2005.)

**Summary Notice of Sale
City of Hays, Kansas**

\$1,985,000*

**General Obligation Temporary Notes
Series 2005-1**

\$1,360,000*

**General Obligation Internal Improvement Bonds
Series 2005-A**

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

2009	75,000
2010	80,000
2011	85,000
2012	85,000
2013	90,000
2014	90,000
2015	95,000
2016	100,000
2017	105,000
2018	110,000
2019	110,000
2020	115,000
2021	120,000

Bids

Subject to the notice of sale and preliminary official statement, sealed, facsimile and electronic bids for the purchase of \$1,985,000* principal amount of General Obligation Temporary Notes, Series 2005-1, and \$1,360,000* principal amount of General Obligation Internal Improvement Bonds, Series 2005-A, of the city of Hays, Kansas, will be received (1) in the case of sealed and facsimile bids, by the city clerk at the address and fax number hereinafter set forth, and (2) in the case of electronic bids, through *PARITY* electronic bid submission system, until 1:30 p.m. for the notes and until 2 p.m. for the bonds on Thursday, October 13, 2005, at which time such bids will be publicly read. No bid of less than the 99.50 percent of the principal amount of the notes and accrued interest to the date of delivery and less than 100.00 percent of the principal amount of the bonds and accrued interest thereon to the date of delivery will be considered.

Note Details

The notes will consist of fully registered notes in the denomination of \$5,000 or any integral multiple thereof. The notes will initially be registered in the name of Cede & Co., as nominee of the Depository Trust Company, New York, New York, to which payments of principal of and interest on the notes will be made. Individual purchases of notes will be made in book-entry form only. Purchasers will not receive certificates representing their interest in notes purchased. The notes will be dated October 15, 2005, and will become due on April 1, 2007. The notes will bear interest from the dated date at the rate to be determined when the notes are sold. Interest on the notes will be payable only at maturity on April 1, 2007.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will initially be registered in the name of Cede & Co., as nominee of the Depository Trust Company, New York, New York, to which payments of principal of and interest on the bonds will be made. Individual purchases of bonds will be made in book-entry form only. Purchasers will not receive certificates representing their interest in bonds purchased. The bonds will be dated October 15, 2005, and will become due on September 1 in the years as follows:

Year	Principal Amount*
2007	25,000
2008	75,000

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, 2007.

Redemption Prior to Maturity

The notes and the bonds will be subject to optional and mandatory redemption prior to maturity as provided in the notice of sale and preliminary official statement.

Paying Agent and Registrar

The Kansas State Treasurer, Topeka, Kansas, will be paying agent and registrar for the bonds and the notes.

Good Faith Deposit

Each bid for the notes shall be accompanied by a cashier's or certified check drawn on a bank located in the United States or a financial surety bond in the amount of 1 percent of the principal amount of the notes. Each bid for the bonds shall be accompanied by a cashier's or certified check drawn on a bank located in the United States or a financial surety bond in the amount of 2 percent of the principal amount of the bonds.

Delivery

The city will pay for preparing the notes and bonds. The city will deliver the notes and bonds in book-entry form only through the facilities of the Depository Trust Company, New York, New York, on or about October 26, 2005.

Assessed Valuation and Indebtedness

The total assessed valuation of the taxable tangible property within the city for the computation of bonded debt limitations is \$166,009,328. The total general obligation bonded indebtedness of the city as of the date of the notes and bonds, including the notes and bonds but excluding temporary notes to be retired with proceeds of the notes and bonds, is \$18,085,229.

Approval of Bonds

The notes and the bonds will be sold subject to the legal opinion of Gilmore & Bell, P.C., Kansas City, Missouri, bond counsel, whose approving legal opinion as to the validity of the notes and bonds will be furnished and paid for by the city, will accompany the notes and bonds, and will be delivered to the successful bidder when the notes and bonds are delivered. Reference is made to the preliminary official statement for further discussion of federal and Kansas income tax matters relating to the interest on the notes and bonds.

Additional Information

Additional information regarding the notes and bonds may be obtained from the city clerk, (785) 628-7300, or from the city's financial advisor, George K. Baum & Company, Kansas City, Missouri, (816) 474-1100.

Dated September 22, 2005.

City of Hays, Kansas
 Mark Loughry
 Director of Finance/City Clerk
 1507 Main St.
 Hays, KS 67601
 Fax (785) 628-7323

* Preliminary; subject to change.

Doc. No. 032473

(Published in the Kansas Register October 6, 2005.)

**Summary Notice of Sale
 City of Hutchinson, Kansas
 \$2,300,000*
 General Obligation Bonds, Series 2005-C
 (General obligation bonds payable from
 unlimited ad valorem taxes)**

Bids

Subject to the notice of sale dated October 7, 2005, bids will be received by the city clerk of the city of Hutchinson, Kansas, on behalf of the governing body at City Hall, 125 E. Ave. B, Hutchinson, KS 67501, or, in the case of electronic proposals, via *PARITY* electronic bid submission system, until 10 a.m. October 18, 2005, for the purchase of \$2,300,000* principal amount of General Obligation Bonds, Series 2005-C. No bid of less than the entire par value of the bonds, except a discount of not greater than .50 percent of the par value of the bonds, and accrued interest to the date of delivery will be considered.

Bond Details

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

Maturity October 1	Principal Amount*
2006	\$ 20,000
2007	165,000
2008	170,000
2009	180,000
2010	185,000
2011	190,000
2012	200,000
2013	210,000
2014	215,000
2015	225,000
2016	45,000
2017	45,000
2018	50,000
2019	50,000
2020	50,000
2021	55,000
2022	55,000
2023	60,000

2024	65,000
2025	65,000

The bonds will bear interest from that date at rates to be determined when the bonds are sold as provided, which interest will be payable semiannually on April 1 and October 1 in each year, beginning October 1, 2006. A bidder may elect to have all or a portion of the bonds scheduled to mature in consecutive years issued as term bonds subject to the requirements set forth in the notice of sale.

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States or a financial surety bond in a form that complies with the requirements set forth in the notice of sale in the amount of \$46,000 (2 percent of the principal amount of the bonds).

Delivery

The city will pay for preparation of the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about November 14, 2005, at the offices of the Depository Trust Company, New York, New York.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 2004 is \$220,732,228. The total applicable general obligation indebtedness of the city as of the date of the bonds, including the bonds, is \$29,568,000.

Approval of Bonds

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

Additional Information

Additional information regarding the bonds may be obtained from the city clerk, (620) 694-2618, or from bond counsel, Kutak Rock LLP, 444 W. 47th St., Suite 200, Valencia Place, Kansas City, MO 64112-1914, Attention: Dorothea Riley, (816) 960-0090.

Dated October 6, 2005.

City of Hutchinson, Kansas
 By Gina Rayburn
 City Clerk
 Hutchinson City Hall
 125 E. Ave. B
 Hutchinson, KS 67501

* Subject to change.

Doc. No. 032470

State of Kansas

Kansas Judicial Council

Notice of Meetings

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

Date	Committee	Time	Location
Oct. 7	Legal Forms	9:30 a.m.	Room 259
Oct. 13	HB 2307	9:30 a.m.	Room 259
Oct. 13	Guardianship & Conservatorship	9:30 a.m.	Room 269
Oct. 14	Judicial Performance	9:30 a.m.	Room 259
Oct. 14	Civil Code	9:30 a.m.	Room 269
Oct. 21	Probate Law	9:30 a.m.	Room 259
Oct. 21	Pattern Instruction for Kansas - Criminal	9:30 a.m.	Room 269
Oct. 28	Juvenile Offender/ Child in Need of Care	9:30 a.m.	Room 259
Oct. 28	Appellate Procedure	9:30 a.m.	Room 269
Nov. 4	Legal Forms	9:30 a.m.	Room 269
Nov. 11	HB 2307	9:30 a.m.	TBA
Nov. 17	Guardianship & Conservatorship	9:30 a.m.	Room 259
Nov. 18	Judicial Performance	9:30 a.m.	Room 259
Nov. 18	Pattern Instruction for Kansas - Criminal	9:30 a.m.	Room 269

Hon. Donald L. Allegrucci
Chair

Doc. No. 032455

State of Kansas

Department of Health and Environment

Notice of Hearing

The Kansas Department of Health and Environment has prepared draft Kansas Underground Injection Control (UIC) Permits, KS-01-079-001, for Class V aquifer storage and recovery wells RRW-1, RRW-2, RRW-3, recharge well RW-1 and recharge basins RB-1 and RB-2, located in Harvey County. The draft permits also are public noticed in this edition of the Kansas Register. Based upon significant public interest already shown concerning this project, a public hearing has been scheduled in conjunction with the public notice of the draft permits.

A public hearing on the draft permits will be at 7 p.m. Tuesday, November 8, at the Kansas Learning Center for Health, 505 Main St., Halstead, for the purpose of receiving comments from the public, and will continue until 8 p.m. or until all comments are received and the hearing is closed by the hearing officer. Comments may be provided in oral and written form. All interested parties will be given a reasonable opportunity to present their views orally during the hearing. If necessary, the hearing officer may place a time limit on oral presentations to assure all parties have an opportunity to be heard.

Injection Details:

Injection is into the Equus Beds alluvial aquifer through screens located at the following depths below ground surface: RRW-1 from 60 to 130 feet, RRW-2 from 60 to 255 feet, RRW-3 from 70 to 190 feet, RW-1 from 70 to 260 feet,

RB-1 from 40 to 275 feet, and RB-2 from 50 to 260 feet. The maximum wellhead injection pressure limit for the project is 5 psig. The maximum rate of flow for the project is 70,000,000 gallons per week.

The permittee is authorized to inject groundwater, which has been recovered from bank storage extraction wells located along the Little Arkansas River during periods when the river has above base flow conditions, into the Equus Beds aquifer. The injected water will increase the groundwater in storage in the aquifer forming a hydraulic barrier to a known brine plume and provide groundwater for future recovery.

Facility Location:

Approximately 5 miles west of Halstead in Harvey County. They are all located adjacent to Willow Lake Road, from N.W. 12th Street to 48th Street.

Additional information may be obtained by contacting Kirk Hoeffner, Kansas Department of Health and Environment, Bureau of Water—Geology Section, 1000 S.W. Jackson, Suite 420, Topeka, 66612-1367, (785) 296-1843 or fax (785) 296-5509

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the draft permits in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Kirk Hoeffner.

Roderick L. Bremby
Secretary of Health and Environment

Doc. No. 032478

State of Kansas

Department of Revenue

Request for Bids for Oil and Gas Lease

The Director of Taxation will receive bids for the leasing of oil and gas rights in and to the portion of the Arkansas Riverbed, the property of the state of Kansas, described as follows:

That portion of the Arkansas Riverbed as it meanders through Sections 19, 20 and 29, Township 20 South, Range 10 West, Rice County, Kansas; containing 128.9 acres, more or less.

The bidding shall be considered upon the amount of bonus, annual rental and royalty to be paid. Due to the cost of processing, no bids will be accepted for less than \$100 on small tracts of less than 100 acres.

Bids shall be submitted upon forms obtained from the Director of Taxation, Docking State Office Building, 915 S.W. Harrison, Topeka, 66625.

Lease shall be made on forms provided by the state for a term of five years. The successful bidder pays publication costs in the local paper and the Kansas Register.

Bids shall be opened at the office of the Director of Taxation at 2 p.m. October 24. The Director of Taxation reserves the right to reject any and all bids and to re-advertise.

Steven A. Stotts
Director of Taxation

Doc. No. 032471

State of Kansas

Kansas State University

Notice to Bidders

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

**Monday, October 24, 2005
#6038**

Gas Chromatograph/Mass Spectrometer System

Carla K. Bishop
Director of Purchasing

Doc. No. 032480

State of Kansas

**Department of Health
and Environment**

Request for Comments

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality construction permit. Coffeyville Resources Crude Transportation, LLC - Hooser Station has applied for an air quality construction permit in accordance with the provisions of K.A.R. 28-19-300 to restrict the facility's potential-to-emit (PTE) of an individual hazardous air pollutant (HAP) and combined HAPs below major source thresholds. Emissions of individual and combined HAPs were evaluated during the permit review process.

Coffeyville Resources Crude Transportation, LLC - Hooser Station, Bartlesville, Oklahoma, owns and operates the stationary source located at Section 13, Township 34S, Range 7E, Cowley County, Kansas, at which the PTE of HAPs is to be restricted.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during the permit application review process is available for public review for a period of 30 days from the date of publication during normal business hours at the KDHE, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka; and a copy of the proposed permit can be reviewed at the KDHE South Central District Office. To obtain or review the proposed permit and supporting documentation, contact Rasha Allen, (785) 296-1693, at the KDHE central office; and to review the proposed permit only, contact David Butler, (316) 337-6020, at the KDHE South Central District Office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Rasha Allen, 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 November 7.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall

be in writing and set forth the basis for the request. The written request must be submitted to Christy Thurman, Bureau of Air and Radiation, not later than the close of business November 7 in order for the Secretary of Health and Environment to consider the request.

Roderick L. Bremby
Secretary of Health
and Environment

Doc. No. 032467

State of Kansas

**Department of Health
and Environment**

Request for Comments

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality construction permit. Coffeyville Resources Crude Transportation, LLC - Broome Station has applied for an air quality construction permit in accordance with the provisions of K.A.R. 28-19-300 to restrict the facility's potential-to-emit (PTE) of an individual hazardous air pollutant (HAP) and combined HAPs below major source thresholds. Emissions of individual and combined HAPs were evaluated during the permit review process.

Coffeyville Resources Crude Transportation, LLC - Broome Station, Bartlesville, Oklahoma, owns and operates the stationary source located at Section 4, Township 35S, Range 14E, Montgomery County, Kansas, at which the PTE of HAPs is to be restricted.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during the permit application review process is available for public review for a period of 30 days from the date of publication during normal business hours at the KDHE, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka; and a copy of the proposed permit can be reviewed at the KDHE Southeast District Office. To obtain or review the proposed permit and supporting documentation, contact Rasha Allen, (785) 296-1693, at the KDHE central office; and to review the proposed permit only, contact Doug Cole, (620) 431-2390, at the KDHE Southeast District Office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Rasha Allen, 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 November 7.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Christy Thurman, Bureau of Air and Radiation, not later than the close of business November 7 in order for the Secretary of Health and Environment to consider the request.

Roderick L. Bremby
Secretary of Health
and Environment

Doc. No. 032468

State of Kansas

Department of Health and Environment

Notice Concerning Kansas/Federal Water Pollution Control Permits and Applications

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, various draft water pollution control documents (permits, notices to revoke and reissue, notices to terminate) have been prepared and/or permit applications have been received for discharges to waters of the United States and the state of Kansas for the class of discharges described below.

The proposed actions concerning the draft documents are based on staff review, applying the appropriate standards, regulations and effluent limitations of the state of Kansas and the Environmental Protection Agency. The final action will result in a Federal National Pollutant Discharge Elimination System Authorization and/or a Kansas Water Pollution Control permit being issued, subject to certain conditions, revocation and reissuance of the designated permit or termination of the designated permit.

Public Notice No. KS-AG-05-239/246 Pending Permits for Confined Feeding Facilities

Table with 3 columns: Name and Address of Applicant, Legal Description, Receiving Water. Row 1: H & H Land & Livestock Inc., SE/4 of Section 24, T02S, R06E, Marshall County, Big Blue River Basin.

This is a new permit for an existing permitted swine facility that is adding a second covered concrete manure storage pit and changing from a 36 sow farrowing operation (14.4 animal units) to a 450 head (180 animal units) of swine weighing more than 55 pounds each, nursery-grower operation.

Table with 3 columns: Name and Address of Applicant, Legal Description, Receiving Water. Row 1: H & H Land & Livestock Inc., SW/4 of Section 13, T02S, R06E, Marshall County, Big Blue River Basin.

This is a new permit for an existing permitted facility for 250 head (100 animal units) of swine greater than 55 pounds and 250 head (25 animal units) of swine 55 pounds or less that is adding a second open concrete manure storage pit and modifying the facility operation by eliminating 250 head (25 animal units) of swine 55 pounds or less and adding 250 head (100 animal units) of swine greater than 55 pounds, for a new total of 500 head (200 animal units) of swine greater than 55 pounds.

Table with 3 columns: Name and Address of Applicant, Legal Description, Receiving Water. Row 1: Courtney Clarke, NW/4 of Section 34, T18S, R08W, Rice County, Lower Arkansas River Basin.

This is a renewal permit for an existing facility for 400 head (200 animal units) of cattle 700 pounds or less.

Table with 3 columns: Name and Address of Applicant, Legal Description, Receiving Water. Row 1: Cactus Feeders of Kansas, Inc., All of Section 14, T30S, R37W, Grant County, Cimarron River Basin.

Kansas Permit No. A-CIGT-C003 Federal Permit No. KS0053481 This is a renewal permit for a modification to an exiting facility for 90,000 head [90,000 animal units (a.u.)] of beef cattle. A previously omitted compost area for the disposal of dead animals was added to the permit. The current capacity of the facility is 35,000 head (35,000 a.u.); however, plans for an expansion to the permitted capacity have been previously approved and may be implemented on an, as of yet, undetermined schedule in the future.

Table with 3 columns: Name and Address of Applicant, Legal Description, Receiving Water. Row 1: Dwight E. Regier, SE/4 of Section 06, T23S, R02E, Harvey County, Walnut River Basin.

Kansas Permit No. A-WAHV-S002 This is a renewal permit and increase for an existing facility for 405 head (162 animal units) of swine greater than 55 pounds and 180 head (18 animal units) of swine less than 55 pounds, for a total of 585 head (180 animal units) of swine. The increase is due to a change in the law or method of counting baby pigs and now includes all animals maintained on site not included in the previous permit.

Table with 3 columns: Name and Address of Applicant, Legal Description, Receiving Water. Row 1: LaRosh Dairy, NW/4 of Section 27, T07S, R14W, Osborne County, Solomon River Basin.

Kansas Permit No. A-SOQB-M003 This is a renewal permit for an existing facility for 80 head (112 animal units) of dairy cattle.

Table with 3 columns: Name and Address of Applicant, Legal Description, Receiving Water. Row 1: Charles Regier, SW/4 of Section 6, T23S, R02E, Harvey County, Walnut River Basin.

Kansas Permit No. A-WAHV-S001 This is a renewal permit and increase for an existing facility for 460 head (184 animal units) of swine greater than 55 pounds and 400 head (40 animal units) of swine less than 55 pounds, for a total of 860 head (224 animal units) of swine. The increase is due to a change in the law or method of counting baby pigs and now includes all animals maintained on site not included in the previous permit.

Table with 3 columns: Name and Address of Applicant, Legal Description, Receiving Water. Row 1: Marietta Enterprises, Inc., NE/4 of Section 35, NW/4 of Section 36, T02S, R28W, Decatur County, Upper Republican River Basin.

Kansas Permit No. A-URDC-H003 Federal Permit No. KS0098469 This is a renewal permit for an existing facility for 6,300 head (2,520 animal units) of swine weighing greater than 55 pounds each. The facility was previously permitted for an expansion that never occurred. The expansion plans have been abandoned.

Public Notice No. KS-05-153/164

Table with 3 columns: Name and Address of Applicant, Waterway, Type of Discharge. Row 1: Allan Holthaus, Mission Creek via Allen Branch via Unnamed Tributary, Pit Dewatering and Stormwater Runoff.

Facility Name; Holthaus Trust Quarry

Operator: Higgins Stone

Operator Address: 4826 S.W. Topeka Blvd., Topeka, KS 66609

Facility Description: The proposed action is to issue a new permit for a new facility for the discharge of wastewater during quarry operation. This facility quarries grey and brown limestone rock, which is taken off-site for cutting and sizing. Outfall 001 and 002 consist of stormwater runoff from exposed areas where the soil has been removed to reach the limestone. Contained in the permit is a schedule of compliance requiring the permittee to development and implement a stormwater pollution prevention plan within one year of the effective date of this permit. The proposed permit includes generic water-quality language to protect waters of the state. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

Name and Address of Applicant	Waterway	Type of Discharge
Bayer Construction Co., Inc. P.O. Box 889 Manhattan, KS 66505	Rock Creek via Pleasant Run Creek via Hopkins Creek	Pit Dewatering and Stormwater Runoff

Kansas Permit No. I-KS66-PO02 Federal Permit No. KS0098086

Legal Description: SW¼, S18, T9S, R4E, Pottawatomie County

Facility Name: Ebert Quarry

Facility Description: The proposed action is to issue a new permit for an existing facility for the discharge of wastewater during quarry operation. This facility is a limestone quarrying and crushing operation with no washing. Outfall 001 consists of stormwater runoff. Contained in the permit is a schedule of compliance requiring the permittee to development and implement a stormwater pollution prevention plan within one year of the effective date of this permit. The proposed permit includes generic water-quality language to protect waters of the state. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

Name and Address of Applicant	Waterway	Type of Discharge
Bayer Construction Co., Inc. P.O. Box 889 Manhattan, KS 66505	Republican River via Milford Lake via Mall Creek	Pit Dewatering and Stormwater Runoff

Kansas Permit No. I-LR24-PO03 Federal Permit No. KS0098043

Legal Description: NW¼, S4, T9S, R4E, Clay County

Facility Name: Martin Quarry

Facility Description: The proposed action is to issue a new permit for an existing facility for the discharge of wastewater during quarry operation. This facility is a limestone quarrying and crushing operation with no washing. Outfall 001 consists stormwater runoff. Contained in the permit is a schedule of compliance requiring the permittee to development and implement a stormwater pollution prevention plan within one year of the effective date of this permit. The proposed permit includes generic water-quality language to protect waters of the state. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

Name and Address of Applicant	Waterway	Type of Discharge
Bayer Construction Co., Inc. P.O. Box 889 Manhattan, KS 66505	Kansas River via Deep Creek	Pit Dewatering and Stormwater Runoff

Kansas Permit No. I-KS38-PO08 Federal Permit No. KS0098051

Legal Description: S½, S28, T10S, R9E, Riley County

Facility Name: Moore Quarry

Facility Description: The proposed action is to issue a new permit for an existing facility for the discharge of wastewater during quarry operation. This facility is a limestone quarrying and crushing operation with some rock washing. Washwater is treated by a settling pond and directed to another pond that collects stormwater runoff, before being discharged. The proposed permit includes limits for total suspended solids and pH. The proposed permit also includes generic water-quality language to protect waters of the state. Con-

tained in the permit is a schedule of compliance requiring the permittee to development and implement a stormwater pollution prevention plan within one year of the effective date of this permit. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

Name and Address of Applicant	Waterway	Type of Discharge
Bayer Construction Co., Inc. P.O. Box 889 Manhattan, KS 66505	Tuttle Creek Reservoir via Mill Creek via Unnamed Tributary	Pit Dewatering and Stormwater Runoff

Kansas Permit No. I-BB19-PO04 Federal Permit No. KS0098078

Legal Description: S¼, S3, T9S, R6E, Riley County

Facility Name: Stevens Quarry

Facility Description: The proposed action is to issue a new permit for an existing facility for the discharge of wastewater during quarry operation. This facility is a limestone quarrying and crushing operation with some rock washing. Outfall 001 consists of treated washwater. Outfall 002 consists of pit dewatering and stormwater runoff. The proposed permit includes limits for total suspended solids and pH. The proposed permit also includes generic water-quality language to protect waters of the state. Contained in the permit is a schedule of compliance requiring the permittee to development and implement a stormwater pollution prevention plan within one year of the effective date of this permit. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

Name and Address of Applicant	Waterway	Type of Discharge
Beattie, City of 507 William Beattie, KS 66406	Robidoux Creek via Wolf Creek	Treated Domestic Wastewater

Kansas Permit No. M-BB03-OO01 Federal Permit No. KS0047236

Legal Description: SW¼, SW¼, SW¼, S21, T2S, R9E, Marshall County

Facility Description: The proposed action is to reissue an existing permit for operation of an existing wastewater treatment facility treating primarily domestic wastewater. The proposed permit includes limits for biochemical oxygen demand, total suspended solids and fecal coliform. Monitoring of ammonia and pH also will be required. Included in this permit is a schedule of compliance requiring the permittee to submit an approvable facility plan within three months of the effective date of the permit and to achieve compliance with the permit not later than December 31, 2007. 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
Easton, City of P.O. Box 267 Easton, KS 66020	Stranger Creek	Treated Domestic Wastewater

Kansas Permit No. M-KS13-OO01 Federal Permit No. KS0047261

Legal Description: SE¼, NE¼, NE¼, S19, T8S, R21E,
Leavenworth County

Facility Description: The proposed action is to reissue an existing permit for operation of an existing wastewater treatment facility treating primarily domestic wastewater. The proposed permit includes limits for biochemical oxygen demand, total suspended solids and fecal coliform. Monitoring of ammonia, total recoverable lead, total recoverable copper and pH also will be required. 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. Also included in the schedule of compliance are provisions for planned upgrades to the facility to be completed by December 31, 2006, and full compliance with permit requirements to be achieved by March 31, 2007. The permit requirements are pursuant to the Kansas Surface Water Quality Standards,

(continued)

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
Martin Marietta Materials, Inc. 11252 Aurora Ave. Des Moines, IA 50322	Fall River via Spring Creek via Unnamed Tributary	Process Wastewater & Stormwater Runoff

Kansas Permit No. I-VE16-PO04 Federal Permit No. KS0095311
Legal: NW¼, S13, T26S, R9E, Greenwood County

Facility Name: Eureka Quarry
Facility Description: The proposed action is to reissue an existing permit for an existing quarry for the discharge of wastewater during quarry operation. This facility is a limestone quarry and crushing operation with no washing. The discharge from Outfall 001 consists of pit dewatering and stormwater runoff. The proposed permit includes generic water-quality language to protect waters of the state. Contained in the permit is a schedule of compliance requiring the permittee to development and implement a stormwater pollution prevention plan within one year of the effective date of this permit. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

Name and Address of Applicant	Waterway	Type of Discharge
Midwest Minerals, Inc. P.O. Box 412 Pittsburg, KS 66762	Neosho River via Town Creek via via Unnamed Tributary	Pit Dewatering and Stormwater Runoff

Kansas Permit No. I-NE13-PO04 Federal Permit No. KS0088838
Facility Location: NW¼, S6, T35S, R21E, Labette County

Facility Name: Chetopa Quarry - #40
Facility Description: The proposed action is to reissue an existing permit for an existing quarry for the discharge of wastewater during quarry operation. This facility is a limestone quarry and crushing operation with no washing. Outfall 001 consists of pit dewatering and stormwater runoff. The proposed permit includes generic water-quality language to protect waters of the state. Contained in the permit is a schedule of compliance requiring the permittee to development and implement a stormwater pollution prevention plan within one year of the effective date of this permit. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

Name and Address of Applicant	Waterway	Type of Discharge
Midwest Minerals, Inc. P.O. Box 412 Pittsburg, KS 66762	Neosho River via Rock Creek via Unnamed Tributary	Pit Dewatering and Stormwater Runoff

Kansas Permit No. I-NE25-PO01 Federal Permit No. KS0088889
Facility Location: NW¼, NE¼, SE¼, S9, T29S, R19E, Neosho County

Facility Name: Erie Quarry - #7
Facility Description: The proposed action is to reissue an existing permit for an existing quarry for the discharge of wastewater during quarry operation. This facility is a limestone quarry and crushing operation with no washing. Outfall 001 consists of pit dewatering and stormwater runoff. The proposed permit includes generic water-quality language to protect waters of the state. Contained in the permit is a schedule of compliance requiring the permittee to development and implement a stormwater pollution prevention plan within one year of the effective date of this permit. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

Name and Address of Applicant	Waterway	Type of Discharge
Midwest Minerals, Inc. P.O. Box 412 Pittsburg, KS 66762	Lightning Creek via Limestone Creek via Unnamed Tributary	Pit Dewatering and Stormwater Runoff

Kansas Permit No. I-NE57-PO11 Federal Permit No. KS0088862
Facility Location: SE¼, NE¼, S30, T30S, R24E, Crawford County
Facility Name: Pittsburg Quarry #5

Facility Description: The proposed action is to reissue an existing permit for an existing quarry for the discharge of wastewater during quarry operation. This facility is a limestone quarry and crushing operation with no washing. The only discharge is quarry pit dewatering and stormwater runoff. The proposed permit includes generic water-quality language to protect waters of the state. Contained in the permit is a schedule of compliance requiring the permittee to development and implement a stormwater pollution prevention plan within one year of the effective date of this permit. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria and are water-quality based.

Name and Address of Applicant	Waterway	Type of Discharge
Westar Energy, Inc. 818 Kansas Ave. Topeka, KS 66612	Kansas River via Tecumseh Creek	Process Wastewater

Kansas Permit No. I-KS72-BO01 Federal Permit No. KS0079731
Legal Description: NW¼, S31, T11S, R17E, Shawnee County

Facility Name: Tecumseh Energy Center
Facility Address: 2nd and Dupont Road, Tecumseh, KS 66542

Facility Description: The proposed action is to reissue an existing permit for operation of an existing wastewater treatment facility. This facility generates electric power with high pressure steam produced by fossil fuel combustion. Rural water, treated with filters, reverse osmosis (RO) and de-ionizer, is used as boiler feed water. Filter backwash and RO concentrate is directed to a pre-settling basin. Kansas River water, treated in settling basins, is used as makeup water in cooling towers. Domestic wastewater is treated with a package sewage treatment plant and discharged to the cinder pit. Boiler blowdown, floor and roof drains, de-ionizer overflow and boiler ash sluice water are directed to the cinder pit. Settling basin blowdown, bottom ash and cinder pit discharge are directed to north, south and final bottom ash ponds. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, oil and grease, fecal coliform, free available and total residual oxidant, and pH. Monitoring of sulfate, chloride, temperature and effluent flow also will be required. The permittee shall be required to perform a whole effluent toxicity test on Outfalls 002 and 005 as well as a priority pollutant scan once during the term of the permit. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

Public Notice No. KS-ND-05-035

Name and Address of Applicant	Legal Location	Type of Discharge
APAC - Kansas Inc., Shears Division L.P. P.O. Box 1605 Hutchinson, KS 67501	NE¼, S25, T27S, R3E, Butler County	Nonoverflowing

Kansas Permit No. I-WA03-NP01
Facility Name: Augusta Asphalt Plant #917
Facility Address: 11221 S.W. Highway 54, Augusta, KS 67010

Facility Description: The proposed action consists of reissuance of an existing Kansas water pollution control permit for an existing facility. This facility is engaged in an asphalt production operation. A concrete-lined settling pit collects wastewater originating from the wet washer at the asphalt plant. Wastewater from the settling pits is recycled as makeup water for the wet washer or sprayed on roads for dust control. Well water is used as the water supply on site, and a septic tank and lateral field are used to treat domestic wastes. 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-05-019

Name and Address of Applicant	Receiving Facility	Type of Discharge
AmeriCast Technologies, Inc. P.O. Box 188 Atchison, KS 66002-0188 Kansas Permit No. P-MO01-IO01	Atchison WWTP	Process Wastewater

Facility Name: Atchison Steel Casting and Machining
Facility Address: 400 S. Fourth, Atchison, KS 66002

Facility Description: The proposed action is to reissue an existing pretreatment permit for this facility. This facility is a heavy steel foundry that casts parts for diesel locomotives and other large industrial equipment. A portion of the ferrous castings are quenched with water, and this water is discharged to the city sanitary sewer. Permit limitations are based on an average production amount of 500,000 lbs of steel poured per day. The proposed permit includes limits for total toxic organics, copper, lead, oil and grease, zinc and pH. The monitoring of flow also will be required. The permit limits are pursuant to state and federal pretreatment requirements.

# RRW-2	NE $\frac{1}{4}$, NE $\frac{1}{4}$, NE $\frac{1}{4}$, Section 23, Township 23, Range 3W, Harvey County
# RRW-3	SW $\frac{1}{4}$, SW $\frac{1}{4}$, SW $\frac{1}{4}$, Section 24, Township 23, Range 3W, Harvey County
# RW-1	NW $\frac{1}{4}$, NW $\frac{1}{4}$, NW $\frac{1}{4}$, Section 36, Township 23, Range 3W, Harvey County
# RB-1	NW $\frac{1}{4}$, NW $\frac{1}{4}$, NW $\frac{1}{4}$, Section 2, Township 24, Range 3W, Harvey County
# RB-2	NW $\frac{1}{4}$, NW $\frac{1}{4}$, NW $\frac{1}{4}$, Section 11, Township 24, Range 3W, Harvey County

Facility Description: The proposed action is to issue a new permit for Class V injection wells. Injection is into the Equus Beds alluvial aquifer through screens located at the following depths below ground surface: RRW-1 from 60 to 130 feet, RRW-2 from 60 to 255 feet, RRW-3 from 70 to 190 feet, RW-1 from 70 to 260 feet, RB-1 from 40 to 275 feet, and RB-2 from 50 to 260 feet. The permittee is authorized to inject groundwater, which has been recovered from bank storage extraction wells located along the Little Arkansas River during periods when the river has above base flow conditions, into the Equus Beds aquifer. The injected water will increase the groundwater in storage in the aquifer forming a hydraulic barrier to a known brine plume and provide groundwater for future recovery. The proposed permits contain provisions for the permittee to comply with the following: (1) the construction, monitoring and operation of the injection wells will meet requirements that apply to Class V injection wells under K.A.R. 28-46-1 through 28-46-42 and K.A.R. 28-30-1 through K.A.R. 28-30-10; (2) a groundwater monitoring plan that requires comparison between pre-injection and post-injection conditions for the Equus Beds aquifer, and monitoring of conditions during the injection has been developed and must be implemented prior to operation of the recharge/recovery wells and recharge basins. In anticipation of public interest and a desire to comment, the agency has allowed 30 days from the date of the public notice to submit comments. A public hearing also has been scheduled at 7 p.m. November 8 at the Kansas Learning Center for Health, 505 Main St., Halstead, to receive comments.

Public Notice No. KS-EG-05-012/013

In accordance with K.A.R. 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 for the use of the well(s) described below within the state of Kansas:

Name and Address of Applicant

Basic Chemicals Company, LLC
5005 LBJ Freeway
Dallas, TX 75244
Facility Address: 6200 S. Ridge Road, Wichita, KS 67205

Well and Permit Number	Location
#10	SE $\frac{1}{4}$, SE $\frac{1}{4}$, NW $\frac{1}{4}$, Section 27, Township 28S, Range 1W, Sedgwick County; more particularly described as 2150 feet east from the west line and 220 feet south from the north line of Section 27.
KS-01-173-010	

Facility Description: The proposed action is to reissue an existing permit of a Class I hazardous waste disposal well. The permittee is restricted to the injection of nonhazardous wastewater until it receives authorization from the EPA to inject hazardous wastewaters. Injection into the well will be made into the Arbuckle and Simpson formations through an open hole from a depth of 4700 feet to a top depth of approximately 3830 feet below ground surface. Disposal will be by means of gravity flow. Wellhead pump pressure will not be allowed. The maximum rate of injection will be 864,000 gallons per day. Fluids to be injected are described as stormwater runoff, contaminated groundwater and process wastewater originating from the facility. The wastewater consists primarily of sodium, calcium and magnesium chloride brines that vary in pH. The acidic wastes are primarily hydrochloric acid with some sulfuric acid and the basic wastes are primarily sodium hydroxide. All construction, monitoring and operation of these wells will meet the requirements that apply to Class I hazardous waste injection wells under the Kansas underground injection control regulations, K.A.R. 28-46-1 through 28-46-44.

Name and Address of Applicant

City of Wichita
455 N. Main St.
Wichita, KS 67202
Kansas Permit No. KS-05-079-001
Facility Location: Approximately five miles west of Halstead, in Harvey County. They are all located adjacent to Willow Lake Road, from N.W. 12th Street to 48th Street.

Well Number	Location
# RRW-1	SW $\frac{1}{4}$, SW $\frac{1}{4}$, SW $\frac{1}{4}$, Section 12, Township 23, Range 3W, Harvey County

Persons wishing to comment on the draft documents 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 considered in the decision making process. Comments should be submitted to the attention of the Livestock Waste Management Section for agricultural-related draft documents or applications, or to the Technical Services Section 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 documents or application notices received on or before November 5 will be considered in the formulation of the final determinations regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-05-239/246, KS-05-153/164, KS-ND-05-035, KS-PT-05-019, KS-EG-05-012/013) and name of the applicant/permittee when preparing comments.

After review of any comments received during the public notice period, the Secretary of Health and Environment will issue a determination regarding final agency action on each draft document/application. If response to any draft document/application indicates significant public interest, a public hearing may be held in conformance with K.A.R. 28-16-61 (28-46-21 for UIC).

All draft documents/applications and the supporting information including any comments received are on file and may be inspected at the offices of the Kansas Department of Health and Environment, Bureau of Water.

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These documents are available upon request at the copying cost assessed by KDHE. Application information and components of plans and specifications for all new and expanding swine facilities are available on the Internet at <http://www.kdhe.state.ks.us/feedlots>. Division of Environment offices are open from 8 a.m. to 5 p.m., Monday through Friday, excluding holidays.

Roderick L. Bremby
Secretary of Health
and Environment

Doc. No. 032477

State of Kansas

Department of Health and Environment

Request for Comments

The Kansas Department of Health and Environment received a request to modify the Resource Conservation Recovery Act, Post-Closure Care Plan (PCP) for the closed regulated unit (RU) at the closed Sinclair Oil Refinery at 3401 Fairbanks Ave., Kansas City, Kansas. The facility requests a change in groundwater monitoring frequency from quarterly to semiannual, and to narrow the list of contaminants analyzed at the RU to those detected in earlier sampling events.

The RU soil is contaminated with petroleum constituents, lead, pesticides and solvents. Contaminated soils were stabilized and solidified, then placed in the RU in a lined cell to prevent leaching to groundwater.

A copy of the fact sheet, revised Sampling and Analysis Plan, and PCP is available for public review at the following locations:

Kansas Public Library
Argentine Branch
2800 Metropolitan
Kansas City, KS 66106

Kansas Department of Health and Environment
Bureau of Waste Management
1000 S.W. Jackson, Suite 320
Topeka, 66612-1366
Contact: Mostafa Kamal

The public comment period begins October 10 and ends November 11. Anyone wishing to comment or to request a hearing should submit written comments to Mostafa Kamal postmarked not later than November 11. For more information, contact Mostafa Kamal at (785) 296-1609 or e-mail at mkamal@kdhe.state.ks.us.

Roderick L. Bremby
Secretary of Health
and Environment

Doc. No. 032462

State of Kansas

State Fair Board

Notice of Meeting

The Kansas State Fair Board will meet via conference call at 9 a.m. Monday, October 10, in Hutchinson. For more information, call Denny Stoecklein at (620) 669-3600.

Robba Moran
President

Doc. No. 032469

State of Kansas

State Conservation Commission

Notice to Contractors

Sealed bids for the construction of a 68,950 cubic yard detention dam, Site 19 in Brown County, will be received by the Pony Creek Watershed Joint District No. 78 at King & Associates Engineering, 307 Montana, Holton, 66436, until 5 p.m. November 1. Bids will be opened at 7 p.m. November 1 at the Community Building, Morrill (no telephone available). Bids may be hand delivered prior to bid opening. A copy of the invitation for bids and the plans and specifications may be reviewed at or obtained from the King & Associates Engineering office, (785) 364-4312. A \$25 nonrefundable deposit will be required for each set of plans requested.

Greg A. Foley
Executive Director

Doc. No. 032474

State of Kansas

Governmental Ethics Commission

Opinion No. 2005-14

Written September 29, 2005, to George S. Webb, Executive Director, Kansas Commission on Veterans' Affairs, Topeka.

This opinion is in response to your letter dated August 8, 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 question 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 Executive Director of the Kansas Commission on Veterans' Affairs (KCVA). You have provided a Memorandum of Agreement signed in August 1998 between the KCVA and the American Legion (AL) and the Veterans of Foreign Wars (VFW). The AL and VFW are veteran service organizations (VSOs). The Memorandum of Agreement provides that KCVA veteran service representatives located at certain "joint offices" are full-time employees of the State of Kansas and are also employed by one or both VSOs. You have explained that all KCVA veteran service represen-

tatives receive full-time compensation from the KCVA for a 40-hour work week. Additionally, the KCVA veteran service representatives who perform services for both the KCVA and the VSOs under the Memorandum of Agreement receive a monthly stipend from the VSOs in addition to their KCVA compensation. The Memorandum of Agreement states that “[a]ll state employees will be paid salaries and benefits concomitant with their state rating. Individual employees may receive supplementary remuneration from the VSOs.” The employees who perform duties for the VSOs do so during the hours that they are being compensated by KCVA for their KCVA duties.

You question whether the joint employment arrangement complies with state conflict of interest laws. You ask seven questions regarding compensation and other matters raised by the joint employment arrangement. Each question will be addressed separately.

Questions

1. Because all KCVA veteran service representatives are bound by a 40-hour work week whether they perform services only for KCVA or for the VSOs in addition to the KCVA, is it permissible for the KCVA veteran service representatives who perform services for the VSOs to receive a monthly stipend for representing the VSOs in addition to their full-time compensation from KCVA?

2. Are there potential legal problems with the U.S. Department of Labor regarding the application of the Fair Labor Standards Act to the joint employment arrangement?

3. If the joint employment arrangement was severed, what duties and boundaries should be considered if the VSOs wish to pay selected KCVA veteran service representatives a stipend or wage for work done purely on behalf of the VSOs? Would any statutory changes be required?

4. Can the Commission suggest the best ways, from a state governmental ethics standpoint, that the joint employment arrangement could be modified, if it should be?

5. If the VSOs were willing to send funds for stipends directly to the KCVA, could the KCVA then use those funds to cover overtime for certain KCVA veteran service representatives when they are working on behalf of the VSOs?

6. May state employee administrative assistants who work in joint KCVA/VSO offices receive annual, periodic, or holiday bonuses for representing the VSOs during the employee’s 40-hour work week?

7. Is it a violation of state conflict of interest laws when the VSOs pay for travel expenses, including transportation, lodging and meals, for KCVA veteran service representatives who also perform services for the VSOs?

Opinion

In response to your first question regarding a monthly stipend for joint employees, K.S.A. 46-235 imposes restrictions on state employee compensation as follows:

No state officer or employee shall accept compensation for performance of official duties, other than that to which such person is entitled for such performance. No person shall pay or offer to pay any state officer or employee any compensation for performance of official duties, except a state officer or employee performing official duties in

making payments to state officers and employees. The receipt of wages or salary from an individual’s non-state employer during a period of service as a state officer or employee shall not be construed as compensation for performance of official duties.

K.S.A. 46-216 defines “compensation” as “any money, thing of value, or economic benefit conferred on, or received by, any person in return for services rendered, or to be rendered, by such person or another.”

In applying these statutes to your first question, the KCVA veteran service representatives may not receive compensation from anyone other than the KCVA for performing their official state duties. Therefore, KCVA employees may not receive a stipend or supplementary remuneration from the VSOs for performing the same duties for the VSOs that they perform for the KCVA. KCVA employees may be hired and paid by the VSOs to perform duties that are different from the employees’ state duties if the VSO work is performed outside of the employee’s state work hours. Although the state conflict of interest laws do not address the issue of the KCVA paying employees for full-time compensation when those employees are performing services for non-state entities, there may be other statutes or regulations outside the Commission’s jurisdiction that would apply.

There are no statutes under the jurisdiction of this Commission that involve the application of the Fair Labor Standards Act to state employees. Therefore, we cannot respond to your second question.

Regarding your third question, there are several statutes that may apply if the joint employment agreement were severed and the VSOs wished to pay selected KCVA service representatives for work done solely on behalf of the VSOs. As noted above, K.S.A. 46-235 would not prohibit KCVA employees from being hired and paid by the VSOs to perform work on behalf of the VSOs as long as the VSO work duties are different from the work duties performed by those employees on behalf of the state, and the VSO work is performed outside of the employees’ state work hours.

There are two other statutes that would apply to KCVA employees who are employed by the VSOs while also working for the KCVA. K.S.A. 2004 Supp. 46-233 restricts a state employee from participating in the making of a negotiated contract on behalf of the state with any person or business by which such employee is employed. Thus, a KCVA employee could not participate in making a negotiated contract between the state and a VSO for which the employee works. Additionally, the statute prohibits any state employee from accepting employment with a person or business if the employee has been involved on behalf of the state in making a negotiated contract with that person or business until two years after performance of the contract is completed or until two years after the employee terminates employment with the state, whichever is sooner. “Person” is defined in K.S.A. 46-223 as “an individual, proprietorship, partnership, . . . association, trust, . . . group, or corporation, whether or not operated for profit, or a governmental agency unit or subdivision.”

Finally, K.S.A. 46-241 prohibits disclosure or use of confidential information acquired in the course of state

(continued)

employment to further the economic interest of the state employee or any other person. A state employee may not share confidential information acquired in their state job for the economic benefit of another employer.

Regarding your fourth question, other than those statutes discussed above, the state employee ethics laws do not provide further guidance on the best ways to modify employment relationships between the KCVA and the VSOs.

In reference to your fifth question, there are no statutes under this Commission’s jurisdiction, other than those discussed above, that address the way compensation is paid by KCVA to its employees. However, there may be other state or federal statutes, regulations or procedures that address this question.

K.S.A. 2004 Supp. 46-235, discussed above in response to your first question, applies to your sixth question regarding employee bonuses. The same considerations and restrictions discussed in our response to your first question concerning stipends and supplementary remuneration would apply to the receipt of bonuses.

Your seventh question involves the payment of travel expenses by the VSOs for joint KCVA/VSO employees. K.S.A. 2004 Supp. 46-237a sets forth restrictions on meals, gifts and travel expenses provided to state employees of the executive branch. Subsection (d) applies to travel and lodging expenses. It states in pertinent part:

(d) No person subject to the provisions of this section shall solicit or accept free or special discount travel or related expenses from a source outside of state government, except:

...

(2) when the person’s presence at a meeting, seminar or event serves a legitimate state purpose or interest and the person’s agency authorizes or would authorize payment for such travel and expenses.

This statute would allow the VSOs to pay for transportation and lodging expenses for any KCVA employee as long as the KCVA determines that the travel serves a legitimate state purpose or interest and the KCVA would pay for those expenses if it had the funds to do so. This statute is designed to allow state employees to attend meetings and events that would benefit the state when attendance would not otherwise be possible due to limited state agency budgets. If the travel does not serve a legitimate state purpose, but rather a purpose solely beneficial to the VSOs, a KCVA employee could not accept the free travel and expenses unless the employee was also an employee of the VSO and was attending in their capacity as a VSO employee outside of their state work time.

It should be noted that K.S.A. 2004 Supp. 46-237a (c) prohibits a state employee from accepting a free or discounted meal provided by a source outside of state government. Therefore, meals are not considered travel expenses under subsection (d) quoted above, and cannot be accepted by a state employee unless one of the following exceptions applies:

(1) Meals, the provision of which is motivated by a personal or family relationship or provided at events that are widely attended. An occasion is “widely attended” when

it is obvious to the person accepting the meal that the reason for providing the meal is not a pretext for exclusive or nearly exclusive access to the person;

(2) meals provided at public events in which the person is attending in an official capacity;

(3) meals provided to a person subject to this act when it is obvious such meals are not being provided because of the person’s official position; and

(4) food such as soft drinks, coffee or snack foods not offered as part of a meal.

We have previously opined that meals paid for as part of a conference or meeting registration fee are not free or discounted meals, and may be accepted even if the registration fee is paid for by an entity outside of state government. (Opinion 2000-40).

K.S.A. 2004 Supp. 46-237a (b) would apply to the payment for training or a conference registration fee by someone outside of the employee’s agency. It states in pertinent part:

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

...

(3) anything of value received by the person on behalf of the state that inures to the benefit of the state or that becomes the property of the state

We have previously determined that if a state employee’s attendance at a conference or training benefits the state, the payment of the cost of that training or conference registration fee is a gift that inures to the benefit of the state, and, thus, may be accepted under K.S.A. 2004 Supp. 46-237a (b)(3). (Opinion 2000-10).

In summary, KCVA employees may not receive a stipend, supplementary remuneration or bonus from the VSOs for performing the same duties they perform on behalf of the KCVA. KCVA employees may be hired and paid by the VSOs to perform duties that are different from the employees’ state duties if the VSO work is performed outside of the employee’s state work hours. A KCVA employee may not participate in making a negotiated contract between the state and a VSO for which the employee works. If a KCVA employee has been involved on behalf of the state in making a negotiated contract with a VSO, that employee may not accept employment with that VSO until two years after the performance of the contract is completed or until two years after the employee terminates employment with the KCVA, whichever is sooner. VSOs may pay for transportation and lodging expenses for a KCVA employee as long as the KCVA determines that the travel serves a legitimate state purpose and the KCVA would pay for those expenses if it had funds to do so. Finally, VSOs may not provide a free meal or a gift to a KCVA employee unless the meal or gift falls within one of the statutory exceptions.

Opinion No. 2005-15

Written September 29, 2005, to Richard A. Euson, Sedgwick County Counselor, Wichita.

This opinion is in response to your letter of August 22, 2005, requesting an opinion from the Kansas Govern-

mental Ethics Commission concerning local government conflict of interest laws, K.S.A. 75-4301 *et seq.* We note at the outset that the Commission's jurisdiction concerning your question is limited to the application of K.S.A. 75-4301 *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 Sedgwick County Counselor. Your questions concern two Sedgwick County Commissioners and their relationships with the Wichita Area Technical College (WATC). Commission Chairman David M. Unruh is a member of the governing board of WATC, and Commissioner Thomas G. Winters' wife is employed by WATC. You question whether these Commissioners have a substantial interest in WATC under the local conflict of interest laws.

You explain that WATC was converted from an area vocational school to a technical college pursuant to K.S.A. 72-4468 *et seq.* Those statutes provided that the governing body of a technical college would be the board of the former area vocational school, and that the technical colleges would be under the general supervision of the State Board of Regents. In 2003, the law was amended to require all technical college boards to develop and present to the State Board of Regents a plan to replace the governing body with a new governing board to operate, control and manage the technical college. The statute requires the new board to be separate and independent of any board of education. You have enclosed a copy of the transition plan for replacing the original governing board of WATC. The Board of Regents approved the plan on February 18, 2004. The plan calls for an initial new governing board with members appointed by the Sedgwick County Commission, Wichita City Council, Unified School District 259 (USD 259), WATC General Advisory Board, Wichita State University, Wichita Chamber of Commerce and Wichita Independent Business Association. Sedgwick County Commissioner David M. Unruh was appointed to this initial new governing board by the Sedgwick County Commission on February 25, 2004. The plan calls for this initial board to be replaced by another board to be named the Sedgwick County Technical and Training Authority with seven members appointed by the Sedgwick County Manager, the Board of County Commissioners of Sedgwick County, and the City Council of Wichita. Commissioner Unruh remains on the governing board as an appointee of the Board of County Commissioners of Sedgwick County.

Questions

1. Does County Commission Chairman David M. Unruh have a substantial interest in a business pursuant to K.S.A. 75-4301a because of his role as a member of the governing board of WATC?
2. Does County Commissioner Thomas G. Winters have a substantial interest in a business pursuant to K.S.A. 75-4301a because of his wife's employment at WATC?

Opinion

K.S.A.75-4301a applies to local governmental officers and employees. It defines "substantial interest" in pertinent part as follows:

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

...

(2) If an individual or an individual's spouse, either individually or collectively, has received during the preceding calendar year compensation which is or will be required to be included as taxable income on federal income tax returns of the individual and spouse in an aggregate amount of \$2,000 from any *business or combination of businesses*, the individual has a substantial interest in that business or combination of businesses.

...

(4) If an individual or an individual's spouse holds the position of officer, director, associate, partner or proprietor of any *business*, other than an organization exempt from federal taxation of corporations . . . , the individual has a substantial interest in that *business*, irrespective of the amount of compensation received by the individual or individual's spouse. . . . (Emphasis added.)

It should be noted that this statute limits "substantial interest" to an interest held by an individual or individual's spouse in a business. K.S.A. 75-4301a defines "business" as follows:

(b) "Business" means any corporation, association, partnership, proprietorship, trust, joint venture, and every other business interest, including ownership or use of land for income.

The response to both of your questions depends on whether WATC falls within this definition of "business." This Commission has consistently held that governmental entities, including community colleges, school districts and rural water districts, are not included in the term "business" under K.S.A. 75-4301a. (See Opinions 1975-64; 1980-10; 1990-21; 1996-6; 1997-37).

WATC is a technical college established under K.S.A. 72-4468 *et seq.* It is under the general supervision of the Kansas Board of Regents, with an independent governing board. Employees of WATC remain eligible for the Kansas Public Employees Retirement System and are subject to the Public Employer Employees Relations Act regarding collective bargaining. Additionally, WATC receives grant money from the state general fund.

It is our opinion that WATC is not a business under K.S.A. 75-4301a (b). Thus, under the local government conflict of interest laws, Sedgwick County Commission Chairman David M. Unruh does not have a substantial interest in a business because of his membership on the governing board of WATC, and Sedgwick County Commissioner Thomas G. Winters does not have a substantial interest in a business because of his wife's employment with WATC.

Daniel Severt
Chairman

Doc. No. 032481

State of Kansas
Kansas Development Finance Authority

Notice of Hearing

A public hearing will be conducted at 9 a.m. Thursday, October 20, in the offices of the Kansas Development Finance Authority, 555 S. Kansas Ave., Suite 202, Topeka, on the proposal for the KDFA to issue its Agricultural Development Revenue Bond for the projects numbered below in the respective maximum principal amount. The bond will be issued to assist the respective borrower named below (who will be the owner and operator of the project) to finance the cost in the amount of the bond of acquiring the project or for the purpose of refunding a bond previously issued to finance the project. The projects shall be located as shown:

Project No. 000643—Maximum Principal Amount: \$159,390.86. Owner/Operator: Monty L. and Jane L. Peterson. Description: Acquisition of 157 acres of agricultural land and related improvements and equipment to be used by the owner/operator for farming purposes. The project is located at Section 10, Township 11, Wabaunsee County, Kansas, approximately 5 miles south of Wamego on Highway 99.

Project No. 000644—Maximum Principal Amount: \$250,000. Owner/Operator: Jason W. Schotte. Description: Acquisition of 190 acres of agricultural land and related improvements and equipment to be used by the owner/operator for farming purposes. The project is located at

Section 21, Township 1, Range 6, Marshall County, Kansas, approximately 12 miles northwest of Marysville.

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

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

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

Stephen R. Weatherford
President

Doc. No. 032482

State of Kansas

Office of Judicial Administration
Court of Appeals Docket

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

Before Buser, P.J.; Caplinger, J.; and Knudson, S.J.

Tuesday, October 18, 2005

1:30 p.m.

Case No. / Case Name

Attorneys

Jurisdiction

93,056
Eusebio Ponce, Appellant
v.
State of Kansas, Appellee

Patrick H. Dunn, Asst. A.D.
Attorney General
Constance M. Alvey, Asst. D.A.

Wyandotte

92,122
State of Kansas, Appellee
v.
John M. Register, Appellant

Attorney General
Michael Grear, Asst. C.A.
Randall L. Hodgkinson, Deputy A.D.

Miami

93,052
Marshall Tillman, Appellant
v.
State of Kansas, Appellee

Korey A. Kaul, Asst. A.D.
Attorney General
Frank E. Kohl, C.A.

Leavenworth

93,529
Check Electric, Appellant
v.

Timothy A. Toth
Randall J. Forbes

Leavenworth

McPherson Contractors, Inc., Appellee, and Unified School District No. 207, Defendant

92,378
 State of Kansas, Appellee
 v.
 Kenneth E. Waddell, Appellant

Attorney General
 Marc Goodman, C.A.
 Sarah Ellen Johnson, Asst. A.D.

Lyon

Wednesday, October 19, 2005

9:00 a.m.

Case No. / Case Name

Attorneys

Jurisdiction

92,256/92,774/93,098
 Rachel Victoria Hagen, By and Through her
 Mother and Next Friend, Linda Hagen, and
 Linda Hagen, Appellees
 v.
 Stuart Perry, Appellant

Joseph W. Booth
 David K. Martin

Johnson

91,203
 Danny Smith, Appellant
 v.
 State of Kansas, Appellee

B. Joyce Yeager
 Attorney General
 Michael A. Russell, Chief Deputy D.A.

Wyandotte

92,506
 State of Kansas, Appellee
 v.
 Pat Brake, Appellant

Attorney General
 John J. Bryant, Asst. D.A.
 B. Joyce Yeager

Wyandotte

93,696
 In the Matter of the Marriage of
 Patricia A. Ames, Appellee
 and
 Randall D. Ames, Appellant

Christopher M. Reecht
 Allan E. Coon
 Joan Hawkins

Johnson

92,173
 Sean R. Shobe, Appellant
 v.
 State of Kansas, Appellee

Stephen B. Chapman
 Sean R. Shobe, #60226, Pro Se
 Attorney General
 Steven J. Obermeier, Asst. D.A.

Johnson

1:30 p.m.

93,087
 State of Kansas, Appellant
 v.
 Daniel William Doyle, Appellee

Attorney General
 Steven J. Obermeier, Asst. D.A.
 Thomas J. Bath Jr.

Johnson

93,108
 State of Kansas, Appellee
 v.
 Thomas O'Neill, Appellant

Attorney General
 Kristen Chowning Martin, Asst. D.A.
 Thomas J. Bath
 Tricia A. Tenpenny

Wyandotte

92,435
 Darryl A. Payton, Appellant
 v.
 State of Kansas, Appellee

Stephen B. Chapman
 Attorney General
 Christopher L. Schneider, Asst. D.A.

Wyandotte

94,233
 In the Matter of the Marriage of
 Andrea D. Kipke, Appellee
 and
 A. Karl Kipke, Appellant

J. Bradley Short
 Ronald W. Nelson

Johnson

92,878
 Community National Bank,
 Tonganoxie, Kansas, Appellee
 v.
 Nemo Development, Inc., a Kansas Corporation;
 Nemo Development, Inc., a Missouri Corporation;
 and Mark Klinginsmith, Appellants

David W. Hauber
 William W. Hutton
 Ann L. Hoover
 Mark V. Bodine

Wyandotte

(continued)

Summary Calendar — No Oral Argument

(These cases shall be deemed submitted without oral argument, and an opinion may be released prior to the regularly scheduled docket without further notice. The cases will receive full consideration by the assigned panel of Judges.)

Case No. / Case Name	Attorneys	Jurisdiction
93,466 Nancy A. Johnson, Appellee v. Johnson County, Appellant	Michael H. Stang Douglas M. Greenwald Eric T. Lanham	Work Comp.
92,815 State of Kansas, Appellee v. Morgan King Shirk, Appellant	Attorney General Steven J. Obermeier, Asst. D.A. B. Joyce Yeager	Johnson
94,240 Ronald Rhodes, #34538, Appellant v. David R. McKune, et al., Appellees	Charles J. Cavenee Libby K. Snider, Special Asst. A.G.	Leavenworth
93,392 Dustin Logan, Appellant v. State of Kansas, Appellee	Matthew J. Edge, Asst. A.D. Attorney General Jess W. Hoeme, C.A.	Mitchell
93,844 State of Kansas, Appellee v. Michael Anthony Finch, Appellant	Attorney General Debra S. Byrd Peterson, Asst. D.A. J. Patrick Lawless, A.D.	Sedgwick
93,719 Dr. J. T. Garner, Appellant v. State of Kansas, Appellee	J. T. Garner, #41207, Pro Se Attorney General Kim W. Cudney, C.A.	Washington
93,244 State of Kansas, Appellee v. Brandon Johnson, Appellant	Attorney General Steven J. Obermeier, Asst. D.A. Shawn E. Minihan, Asst. A.D.	Johnson
93,384 State of Kansas, Appellee v. Jeremy Lane Hermreck, Appellant	Attorney General Frederick B. Campbell, C.A. Shawn Minihan, Asst. A.D.	Anderson
91,863 Andrey G. Rudoy, Appellant v. State of Kansas, Appellee	Rick Kittel, Asst. A.D. Attorney General Steven J. Obermeier, Asst. D.A.	Johnson
93,425 State of Kansas, Appellee v. Jonathan K. Rupp, Appellant	Attorney General Glenn R. Braun Michael S. Holland II	Ellis
93,687 State of Kansas, Appellant v. Garland John White, Appellee	Attorney General Steven J. Obermeier, Asst. D.A.	Johnson
94,149 Chad D. Ridnour, Appellee v. Kenneth R. Johnson, Inc. and General Casualty, Appellants	J. Scott Gordon Timothy G. Lutz	Work Comp.
93,799 Wahid Ash-Shahid, f/n/a James Nance, Appellant v. State of Kansas, Appellee	B. Joyce Yeager Attorney General Rex L. Lane, Special Prosecutor	Atchison

<p>93,832 State of Kansas, Appellee v. Jess Michael McCarrick, Jr., Appellant</p>	<p>Attorney General Steven J. Obermeier, Asst. D.A. Randall L. Hodgkinson, Deputy A.D.</p>	<p>Johnson</p>
<p>93,906 State of Kansas, Appellee v. Michael E. Clark, Appellant</p>	<p>Attorney General Daryl E. Hawkins, Asst. C.A. Virginia A. Girard-Brady, Asst. A.D.</p>	<p>Dickinson</p>

**Kansas Court of Appeals
Washburn University School of Law
Robinson Courtroom, Main Floor
1700 College Ave.
Topeka, Kansas**

Before Rulon, C.J.; Pierron and Hill, JJ.

Tuesday, October 25, 2005

9:00 a.m.

Case No. / Case Name	Attorneys	Jurisdiction
<p>93,533 Don Kern and Taylor Johnson, Appellants v. Maurice Blick and Keith Stelting, Appellees</p>	<p>Thomas Odell Rost Luke A. Sobba Richard F. Hayse Vernon L. Jarboe</p>	<p>Shawnee</p>
<p>92,769 State of Kansas, Appellee v. Todd Vincent Biehler, Appellant</p>	<p>Attorney General Daryl E. Hawkins, Asst. C.A. Julie McKenna</p>	<p>Dickinson</p>
<p>93,731 Dodson Aviation, Inc., Appellant v. Raytheon Aircraft Company and Raytheon Aircraft Services, Inc., Appellees</p>	<p>Jill Iiams Michael G. Jones</p>	<p>Franklin</p>
<p>94,103 Mowery Clinic, L.L.C., Appellant v. Carolyn A. Hofer, M.D., Appellee</p>	<p>David D. Moshier Larry G. Michel</p>	<p>Saline</p>
<p>93,730 In the Matter of the Marriage of Mary C. Diesel, Appellee and Michael E. Diesel, Appellant</p>	<p>J. Richard Lake Alan F. Alderson</p>	<p>Shawnee</p>
1:30 p.m.		
<p>93,514 Nicomedes Barahona, Appellant v. State of Kansas, Appellee</p>	<p>Heather Cessna, Asst. A.D. Attorney General Bryant T. Barton, Asst. C.A.</p>	<p>Riley</p>
<p>93,049 State of Kansas, Appellee v. Jerry Gavin, Appellant</p>	<p>Attorney General Larissa Payne, Deputy C.A. Korey A. Kaul, Asst. A.D.</p>	<p>Riley</p>
<p>93,019 Ronald V. Odette Family Limited Partnership, Appellant v. AGCO Finance, LLC, d/b/a Agricredit Acceptance Company and Sweetland-Hinson Equipment, Inc., Appellees</p>	<p>Kenneth W. Wasserman Elizabeth A. Carson</p>	<p>Chautauqua</p>
<p>93,460 State of Kansas, Appellee v. Kristene Long, Appellant</p>	<p>Attorney General Brenda J. Clary, Asst. D.A. Bob L. Thomas</p>	<p>Douglas</p>

(continued)

<p>94,270 In the Matter of the Marriage of Lisa A. Nelson, Appellee and Glenn L. Nelson, Jr., Appellant</p>	<p>Richard E. James David P. Troup</p>	<p>Clay</p>
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Wednesday, October 26, 2005**9:00 a.m.**

Case No. / Case Name	Attorneys	Jurisdiction
<p>93,455 City of Topeka, Appellee v. Othel L. Jones, Appellant</p>	<p>Sherrri Price, Asst. City Atty Michael M. Jackson</p>	<p>Shawnee</p>
<p>93,984 Alejandro Casco, Appellant v. Armour Swift-Eckrich, Appellee</p>	<p>Jeff K. Cooper Mark E. Kolich</p>	<p>Work Comp.</p>
<p>92,886 State of Kansas, Appellee v. Scott G. Lafleur, Appellant</p>	<p>Attorney General Ellen H. Mitchell, C.A. Patrick H. Dunn, Asst. A.D.</p>	<p>Saline</p>
<p>93,195 Ronnie Dale Branning, Appellant v. State of Kansas, et al., Appellees</p>	<p>Michael S. Holland Attorney General Jon P. Whitton, Asst. C.A.</p>	<p>Saline</p>

Summary Calendar — No Oral Argument

(These cases shall be deemed submitted without oral argument, and an opinion may be released prior to the regularly scheduled docket without further notice. The cases will receive full consideration by the assigned panel of Judges.)

Case No. / Case Name	Attorneys	Jurisdiction
<p>93,618 Floyd C. Wims, Jr., Claimant v. Goodyear Tire & Rubber Co. and Travelers Insurance Co., Appellees Workers Compensation Fund, Appellant</p>	<p>John A. Bausch Jeff K. Cooper</p>	<p>Work Comp.</p>
<p>91,903 State of Kansas, Appellee v. Theodore L. Eichem, Appellant</p>	<p>Attorney General Sherrri Schuck, C.A. Jeff Elder</p>	<p>Pottawatomie</p>
<p>93,428 Steve T. Perry, Appellant v. State of Kansas, Appellee</p>	<p>Melissa Kasprzyk Attorney General Robert D. Hecht, D.A.</p>	<p>Shawnee</p>
<p>93,988 In the Interest of: P.K., DOB: 06-01-01 F.K., DOB: 11-30-99 S.D.K., DOB: 02-08-03</p>	<p>Patricia Aylward Kalb Sheryl A. Bussell, Asst. D.A.</p>	<p>Wyandotte</p>
<p>93,374 State of Kansas, Appellee v. John R. Band, Appellant</p>	<p>Attorney General David E. Yoder, C.A. Michael P. Whalen</p>	<p>Harvey</p>
<p>94,092 Lucy Cutler, Appellant v. Richard Sosinski, M.D., Appellee</p>	<p>Lucy Cutler, Pro Se Sean T. McGrevey</p>	<p>Douglas</p>

93,187 State of Kansas, Appellee v. Charles A. Mincks, Appellant	Attorney General John S. Sutherland, C.A. Heather Cessna, Asst. A.D.	Linn
93,582 James Brent Watts, Appellant v. State of Kansas, Appellee	B. Joyce Yeager Attorney General William T. North, C.A.	Chase
93,892 Antonio Smith, Appellant v. Dollar General Stores, a Missouri Corporation, Appellee	Antonio Smith, Pro Se Michaela M. Warden	Shawnee
93,163 State of Kansas, Appellee v. John J. Price, Appellant	Attorney General Daryl E. Hawkins, Asst. C.A. John C. Johnson	Dickinson
94,000 State of Kansas, Appellee v. Herbert Wesley Spencer, Appellant	Attorney General Eric Godderz, C.A. Randall L. Hodgkinson, Deputy A.D.	Osage
93,126 State of Kansas, Appellee v. Brody Franklin Miller, Appellant	Attorney General Ernest H. Richardson, C.A. Randall L. Hodgkinson, Deputy A.D.	Pratt
94,548 In the Matter of A.L.	Robert D. Campbell Gerald R. Kuckelman, C.A.	Atchison
93,518 State of Kansas, Appellee v. David W. Chapman, Appellant	Attorney General Gerald R. Kuckelman, C.A. B. Joyce Yeager	Atchison
93,220 State of Kansas, Appellee v. Terry R. Jones, Appellant	Attorney General Robert D. Hecht, D.A. William K. Rork	Shawnee
93,507 State of Kansas, Appellee v. Tracy J. Graves, Appellant	Attorney General Kim W. Cudney, C.A. Randall L. Hodgkinson, Deputy A.D.	Washington

**Kansas Court of Appeals
U.S. Courthouse
Courtroom 408
401 N. Market
Wichita, Kansas**

Before McAnany, P.J.; Green and Marquardt, JJ.

Tuesday, October 25, 2005

1:30 p.m.

Case No. / Case Name	Attorneys	Jurisdiction
93,174 State of Kansas, Appellee v. Priscilla Rodriguez, Appellant	Attorney General Lois K. Malin, Asst. C.A. J. Patrick Lawless, Jr., A.D.	Finney
92,919 State of Kansas, Appellee v. Fernando S. Agee	Attorney General Debra S. Byrd Peterson, Asst. D.A. Justin R. Edwards, Asst. D.A. Rick Kittel, Asst. A.D.	Sedgwick

(continued)

92,895 State of Kansas, Appellee v. Johnathan E. Fuller, Appellant	Attorney General Debra S. Byrd Peterson, Asst. D.A. Elizabeth A. Srp, Asst. D.A. Rick Kittel, Asst. A.D.	Sedgwick
92,987 State of Kansas, Appellee v. Donald Calhoun, Appellant	Attorney General Tamara S. Hicks, Asst. C.A. Virginia A. Girard-Brady, Asst. A.D.	Finney

Wednesday, October 26, 2005**9:00 a.m.**

Case No. / Case Name	Attorneys	Jurisdiction
93,762 Willie McIntosh, Appellant v. Sedgwick County, Appellee	Steven R. Wilson John L. Carmichael Richard J. Liby Robert G. Martin	Work Comp.
93,814 Thomas R. DeBerry, Appellant v. Kansas State Board of Accountancy, Appellee	Michael L. Jones Stephen O. Phillips, Asst. A.G.	Sedgwick
92,957 State of Kansas, Appellee v. Carol D. Dickerson, Appellant	Attorney General Debra S. Byrd Peterson, Asst. D.A. Matt J. Maloney, Asst. D.A. Nathan B. Webb, Asst. A.D.	Sedgwick
92,354 State of Kansas, Appellee v. Michael Lee Webb, Appellant	Attorney General Shawn R. DeJarnett, C.A. Patrick H. Dunn, Asst. A.D.	Sumner
92,725 Craig M. Bryant, Appellant v. State of Kansas, Appellee	Roger L. Falk Attorney General Debra S. Byrd Peterson, Asst. D.A. Charles L. Rutter, Asst. D.A.	Sedgwick
91,708 State of Kansas, Appellee v. Michael R. Chubb, Appellant	Attorney General Debra S. Byrd Peterson, Asst. D.A. Boyd K. Isherwood, Asst. D.A. Carl Maughan	Sedgwick
92,477 State of Kansas, Appellee v. Jon K. Neth, Appellant	Attorney General Debra S. Byrd Peterson, Asst. D.A. Marc Bennett, Asst. D.A. Carl Maughan	Sedgwick

1:30 p.m.**Summary Calendar — No Oral Argument**

(These cases shall be deemed submitted without oral argument, and an opinion may be released prior to the regularly scheduled docket without further notice. The cases will receive full consideration by the assigned panel of Judges.)

Case No. / Case Name	Attorneys	Jurisdiction
93,983 John Skelton, #8047, Appellant v. Louis Bruce, Appellee	John A. Skelton, #8047, Pro Se Jon D. Graves	Reno

94,195 Wilbur A. Schwatken, Trustee of the Wilbur A. Schwatken Revocable Trust; and Veva D. Schwatken, Trustee of the Veva D. Schwatken Revocable Trust, Appellants v. Explorer Resources, Inc., Devon SPS Operating, Inc., Devon Energy Production Company, L.P., and Quest Cherokee, L.L.C., Appellees	W. J. Fitzpatrick David E. Bengtson	Montgomery
93,572 State of Kansas, Appellant v. Michael Herbison, Appellee	Attorney General Thomas R. Stanton, Deputy D.A. Sam S. Kepfield	Reno
91,994 State of Kansas, Appellee v. Ronnie L. Taylor, Appellant	Attorney General Thomas R. Stanton, Deputy D.A. James Thomas Mamalis	Reno
93,524 State of Kansas, Appellee v. Mervin E. Bush, Jr., Appellant	Attorney General Debra S. Byrd Peterson, Asst. D.A. Boyd K. Isherwood, Asst. D.A. Michael P. Whalen	Sedgwick
92,863/92,864/92,865/92,866 State of Kansas, Appellee v. Tracy Wayne Sewell, Appellant	Attorney General Ernest H. Richardson, C.A. Matthew J. Edge, Asst. A.D.	Pratt
94,308 L. Wayne Davis and Davis Farms, LLC, Appellant v. Key Gas Corp. and United Energy, Inc., Appellees	Alan C. Goering Gordon B. Stull	Barber
94,374 Sherman L. Galloway, Appellant v. Jay Shelton, as Warden of Norton Correctional Facility, Appellee	Sherman L. Galloway, #34138, Pro Se Robert Wassinger	Norton
93,070 Gaylen D. Clark, Appellant v. State of Kansas, Appellee	Sandra Carr, Asst. A.D. Attorney General Debra S. Byrd Peterson, Asst. D.A. Matt J. Maloney, Asst. D.A.	Sedgwick
93,525 Anthony E. Kelley, Appellant v. State of Kansas, Appellee	Michael P. Whalen Attorney General Debra S. Byrd Peterson, Asst. D.A. Charles L. Rutter, Asst. D.A.	Sedgwick
92,992 State of Kansas, Appellee v. Brion E. Little, Appellant	Attorney General James R. Watts, Asst. C.A. Cory D. Riddle, Asst. A.D.	Butler
93,544 State of Kansas, Appellee v. Paul J. Luttig, Jr., Appellant	Attorney General Ty Kaufman, C.A. Shawn E. Minihan, Asst. A.D.	McPherson
93,404 Randall C. Rains, Appellant v. State of Kansas, Appellee	Michael P. Whalen Attorney General Debra S. Byrd Peterson, Asst. D.A. Boyd K. Isherwood, Asst. D.A.	Sedgwick
93,346 State of Kansas, Appellee v. Michael O'Neill, Appellant	Attorney General Karen S. Smart, Asst. D.A. Sarah Ellen Johnson, Asst. A.D.	Reno

(continued)

93,237 Alvino Torrez, Appellant v. Kansas Department of Revenue, Division of Vehicles, Appellee	Leslie A. Hess John D. Shultz	Ford
93,303 State of Kansas, Appellant v. Marsha K. Hartwell, a/k/a Marsha K. Linnell, a/k/a Marsha Holliday, Appellee	Attorney General Charles A. Peckham, C.A. Virginia A. Girard-Brady, Asst. A.D.	Rawlins
93,727 In the Matter of the Marriage of Kimberley Rae Gurganus, Appellee v. Alton O. Gurganus, Appellant	Tad D. Wagner Arlene M. Burrow	Butler
93,685 State of Kansas, Appellee v. Phillip C. Smotherman, Appellant	Attorney General Steven J. Obermeier, Asst. D.A. Bob L. Thomas	Johnson
93,097 State of Kansas, Appellee v. Peggy Ann Kelley, Appellant	Attorney General Douglas P. Witteman, C.A. Randall L. Hodgkinson, Deputy A.D.	Coffey

**Kansas Court of Appeals
Old Sedgwick County Courthouse
510 N. Main, 3rd Floor
Wichita, Kansas**

Before Greene, P.J.; Johnson and Malone, JJ.

Tuesday, October 25, 2005

1:30 p.m.

Case No. / Case Name	Attorneys	Jurisdiction
93,315 William D. Anderson, Appellant v. State of Kansas, Appellee	Michelle Davis, Asst. A.D. Attorney General Ty Kaufman, C.A.	McPherson
92,564 State of Kansas, Appellee v. Kevin Ray Dyer, Appellant	Attorney General Ty Kaufman, C.A. Patrick H. Dunn, Asst. A.D.	McPherson
93,094 State of Kansas, Appellee v. Michael Dennis Fittro, Appellant	Attorney General Ernest H. Richardson, C.A. Sandra Carr, Asst. A.D.	Pratt
93,008 State of Kansas, Appellee v. Darryl Bradley, Appellant	Attorney General Thomas R. Stanton, Deputy D.A. Nathan B. Webb, Asst. A.D.	Reno
92,306 Herbert E. Downey, #60396, Appellee v. State of Kansas, Appellant	Cory D. Riddle, Deputy A.D. John K. Bork, Asst. A.G.	Reno

Wednesday, October 26, 2005

9:00 a.m.

Case No. / Case Name	Attorneys	Jurisdiction
92,106 State of Kansas, Appellee v. Adam M. Bartling, Appellant	Attorney General Debra S. Byrd Peterson, Asst. D.A. Kristi L. Barton, Asst. D.A. Carl Maughan	Sedgwick

<p>92,898 State of Kansas, Appellee v. Jeramie J. Lamm, Appellant</p>	<p>Attorney General Debra S. Byrd Peterson, Asst. D.A. Matt J. Maloney, Asst. D.A. Roger L. Falk</p>	<p>Sedgwick</p>
<p>93,153 State of Kansas, Appellee v. Eric Bell, Appellant</p>	<p>Attorney General Debra S. Byrd Peterson, Asst. D.A. Charles L. Rutter, Asst. D.A. Korey A. Kaul, Asst. A.D.</p>	<p>Sedgwick</p>
<p>92,946 Michelle Sweat, Appellant v. State of Kansas, Appellee</p>	<p>Sam S. Kepfield Attorney General Keith E. Schroeder, D.A.</p>	<p>Reno</p>
<p>93,009 State of Kansas, Appellee v. Michael Ramirez, Appellant</p>	<p>Attorney General Benjamin J. Fisher, Asst. D.A. Michael P. Whalen</p>	<p>Reno</p>
1:30 p.m.		
<p>91,884/91,885 Juan Angel Munoz, Appellant v. State of Kansas, Appellee</p>	<p>Douglas C. Spencer Attorney General Tamara S. Hicks, Asst. C.A.</p>	<p>Finney</p>
<p>93,793 Marva Jean Boyd, Appellant v. Smith County State Bank and Trust Company, Defendant Cecil Thomas, Bob Hoffman, Virginia Bushnell, Nicki Price, and Christina M. Gantenbein, Barbara Hoffman, Willie L. Bushnell, Clella L. Thomas and Bradley Gantenbein, Appellees</p>	<p>Daniel C. Walter Richard E. Dietz R. Douglas Sebelius</p>	<p>Phillips</p>

Summary Calendar — No Oral Argument

(These cases shall be deemed submitted without oral argument, and an opinion may be released prior to the regularly scheduled docket without further notice. The cases will receive full consideration by the assigned panel of Judges.)

Case No. / Case Name	Attorneys	Jurisdiction
<p>93,781 In the Matter of the Application of World Impact, Inc. for Exemption from Ad Valorem Taxation in Sedgwick County, Kansas</p>	<p>Jeffrey B. Hurt</p>	<p>Tax Appeal</p>
<p>93,898 State of Kansas and the Pratt Police Department, Appellant v. \$7317.00 U.S. Currency, Defendant</p>	<p>Ernest H. Richardson, C.A.</p>	<p>Pratt</p>
<p>93,742 State of Kansas, Appellee v. Steven C. Anderson, Appellant</p>	<p>Attorney General Joe Shepack, C.A. Michael S. Holland II</p>	<p>Ellsworth</p>
<p>93,802 State of Kansas, Appellee v. Martin D. Sheridan, Appellant</p>	<p>Attorney General Chris Oakley, C.A. Patrick H. Dunn, Asst. A.D.</p>	<p>Rice</p>
<p>94,320 In the Interest of R.C., Jr., R.C., Children in Need of Care, Date of Birth: 10/07/93, 07/24/92</p>	<p>Dexter D. Eggers Mary B. Thrower, Asst. C.A.</p>	<p>Saline</p>

(continued)

93,508 State of Kansas, Appellee v. Jesse Coy Kelley, Appellant	Attorney General Douglas P. Witteman, C.A. Randall L. Hodgkinson, Deputy A.D.	Coffey
93,750 In the Matter of the Marriage of Michael Fellows, Appellant and Pamela Fellows, Appellee	Michael Fellows, Pro Se Richard Buck	Ellis
93,619 Tony Martinez, Appellant v. Wally Auto Sales, Inc., et al., Appellees	Judith A. Taylor William Cather	Sedgwick
93,722 Mary S. Sprenkel, Appellant v. Kansas Department of Revenue, Appellee	Michael S. Holland II James G. Keller	Ellis
92,757 State of Kansas, Appellee v. Scott D. Dwyer, Appellant	Attorney General R. Matthew Lane, Special Prosecutor Virginia A. Girard-Brady, Asst. A.D.	Sumner
93,159 Charles Hodge, Appellant v. State of Kansas, Appellee	Michael P. Whalen Attorney General Debra S. Byrd Peterson, Asst. D.A. Matt J. Maloney, Asst. D.A.	Sedgwick
92,952 State of Kansas, Appellee v. Hector R. Mosqueda, Jr., Appellant	Attorney General Michael X. Llamas, Asst. C.A. Randall L. Hodgkinson, Deputy A.D.	Harvey
91,882 State of Kansas, Appellee v. Matt Schroeder, Appellant	Attorney General Jesse W. Hoeme, C.A. Matt Schroeder, Pro Se	Mitchell
93,253 State of Kansas, Appellee v. Miguel J. Lopez, Appellant	Attorney General Debra S. Byrd Peterson, Asst. D.A. Lesley A. Isherwood, Asst. D.A. Heather Cessna, Asst. A.D.	Sedgwick
92,283 State of Kansas, Appellant v. Robyn Ramsey, Appellee	Attorney General Thomas R. Stanton, Deputy D.A. Randall L. Hodgkinson, Deputy A.D.	Reno
93,459 In the Interest of: L.M., DOB: 07/16/98 T.M., DOB: 05/12/02 J.D.R., DOB: 05/02/03 Persons Under Eighteen (18) Years of Age	Roger Batt Debra S. Byrd Peterson, Asst. D.A. Boyd K. Isherwood, Asst. D.A.	Sedgwick
92,177 State of Kansas, Appellee v. John T. Baker, Appellant	Attorney General Debra S. Byrd Peterson, Asst. D.A. Boyd K. Isherwood, Asst. D.A. Matthew J. Edge, Asst. A.D.	Sedgwick
92,869 State of Kansas, Appellee v. Rusty S. Weers, Appellant	Attorney General Debra S. Byrd Peterson, Asst. D.A. Boyd K. Isherwood, Asst. D.A. Michael P. Whalen	Sedgwick

Carol G. Green
Clerk of the Appellate Courts

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

1-45-19	Amended (T)	V. 23, p. 424
1-45-19	Amended	V. 23, p. 1044
1-45-20	Amended (T)	V. 23, p. 424
1-45-20	Amended	V. 23, p. 1045
1-45-23	Amended (T)	V. 23, p. 425
1-45-23	Amended	V. 23, p. 1045
1-45-24	Amended (T)	V. 23, p. 425
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
4-8-27	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
7-41-1	Amended	V. 24, p. 1244
7-41-14	through	
7-41-33	New	V. 24, p. 1245-1249
7-42-1	through	
7-42-5	New	V. 24, p. 1469, 1470

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
9-18-1	Amended	V. 24, p. 1372

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 26: DEPARTMENT ON AGING

Reg. No.	Action	Register
26-39-438	through	
26-39-441	New	V. 24, p. 1243

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

(continued)

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
28-4-700		
through		
28-4-705	New	V. 23, p. 1265, 1266
28-4-1400	New (T)	V. 24, p. 1142
28-4-1400	New	V. 24, p. 1531
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-530		
through		
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
28-19-22	Revoked	V. 24, p. 1437
28-19-202	Amended	V. 23, p. 70
28-19-517	Amended	V. 24, p. 1437
28-19-542	Amended	v. 24, p. 1438
28-19-546	Amended	V. 24, p. 1438
28-19-561	Amended	V. 24, p. 1438
28-19-562	Amended	v. 24, p. 1439
28-19-563	Amended	v. 24, p. 1440
28-19-575		
through		
28-19-578	Revoked	V. 24, p. 1440
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
28-30-200		
through		
28-30-207	New	V. 24, p. 1470-1474
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
28-61-1	Amended	V. 24, p. 1242
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
40-3-13	Amended	V. 24, p. 1371
40-3-18	Amended	V. 24, p. 1371
40-3-20	Revoked	V. 23, p. 693
40-3-24	Amended	V. 24, p. 1371
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
40-4-35	Amended	V. 24, p. 1264
40-7-22	Amended	V. 24, p. 1371
40-7-23	Amended	V. 24, p. 1371

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
 68-5-16 New (T) V. 24, p. 1377
 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 81: OFFICE OF THE SECURITIES COMMISSIONER

Reg. No. Action Register
 81-4-4 New (T) V. 24, p. 1372
 81-5-15 New (T) V. 24, p. 1372

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 99: DEPARTMENT OF AGRICULTURE—DIVISION OF WEIGHTS AND MEASURES

Reg. No. Action Register
 99-25-1 Amended V. 24, p. 1264
 99-25-9 Amended V. 24, p. 1265
 99-25-10 New V. 24, p. 1265

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
 100-25-1 through
 100-25-5 New (T) V. 24, p. 1373-1376
 100-26-1 Amended (T) V. 24, p. 1376
 100-26-2 New (T) V. 24, p. 1376
 100-26-3 New (T) V. 24, p. 1376
 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
 100-54-1 Amended V. 24, p. 1441
 100-54-4 Amended (T) V. 23, p. 383
 100-54-4 Amended V. 23, p. 1042
 100-54-6 Amended V. 24, p. 1441
 100-54-8 Amended V. 24, p. 1441
 100-54-10 New V. 24, p. 1442
 100-54-11 New V. 24, p. 1442
 100-55-4 Amended (T) V. 23, p. 383
 100-55-4 Amended V. 23, p. 1042
 100-69-1 Amended V. 24, p. 1346
 100-69-2 Amended V. 24, p. 1347
 100-69-3 Amended V. 24, p. 1347
 100-69-4 Revoked V. 24, p. 1347
 100-69-5 Amended V. 23, p. 1558
 100-69-6 Amended V. 24, p. 1347
 100-69-7 Amended V. 24, p. 1347
 100-69-8 Revoked V. 24, p. 1347
 100-69-9 Amended V. 24, p. 1347
 100-69-10 Amended V. 24, p. 1348
 100-69-11 Amended V. 24, p. 1349
 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

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100-73-1 through 100-73-6 New V. 24, p. 1443, 1444

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
102-3-4a	Amended	V. 24, p. 1211
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
110-13-1 through 110-13-10	New	V. 24, p. 1209-1211

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
111-2-177	New	V. 24, p. 1265
111-2-178	New	V. 24, p. 1265
111-2-179 through 111-2-183	New	V. 24, p. 1496, 1497
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
111-4-2293 through 111-4-2306	New	V. 24, p. 1266-1275
111-4-2307 through 111-4-2317	New	V. 24, p. 1497-1506

111-5-23 through 111-5-28	Amended	V. 24, p. 1276-1278
111-5-96	Amended	V. 23, p. 101
111-5-111 through 111-5-115	New	V. 23, p. 245, 246
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