

Kansas Register

Ron Thornburgh, Secretary of State

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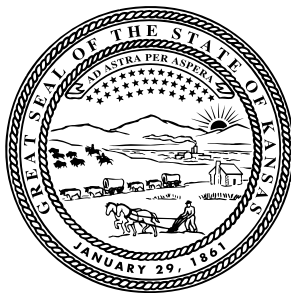
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Ron Thornburgh
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 www.kssos.org



Register Office:
 1st Floor, Memorial Hall
 (785) 296-3489
 Fax (785) 368-8024
 kansasregister@kssos.org

State of Kansas

Kansas Insurance Department

Notice of Hearing on Proposed Administrative Regulations

A public hearing will be conducted at 1:30 p.m. Wednesday, April 25, in the third floor conference room, Kansas Insurance Department, 420 S.W. 9th, Topeka, to consider the adoption of proposed changes in an existing rule and regulation.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed rule and regulation. All interested parties may submit written comments prior to the hearing to Deletria Nash, Kansas Insurance Department, 420 S.W. 9th, Topeka, 66612-1678, via facsimile at (785) 291-3673 or via e-mail at dnash@ksinsurance.org. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed amendments to the regulation during the hearing.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulation and the economic impact statement in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Deletria Nash at (785) 296-4140 or via e-mail at dnash@ksinsurance.org.

A copy of the regulation and/or the policy and procedure that is being adopted by reference, if applicable, may be obtained from the department's Web site, www.ksinsurance.org (under the Legal Issues link), or by contacting Deletria Nash. The charge for copies is 50 cents per page. A summary of the regulation and its economic impact follows:

K.A.R. 40-7-19. Agents; individual records; fees. This regulation outlines fees to obtain individual records for agents. Currently, there is a fee charged for any individual agent records obtained from the Kansas Insurance Department. The proposed language eliminates this fee if the agent obtains the records online through the department's Web site. Only requests for paper copies of these documents would be charged a fee. The current fees charged depend on the type of record that has been requested. The proposed language would make fees the same regardless of the type of record that is requested if a paper copy is requested. The remaining changes to the proposed regulation are technical only.

There will be a positive economic impact on consumers, agents, agencies, insurance companies, the Kansas Insurance Department and other governmental agencies given that information pertaining to individual records is readily available online at no charge.

Sandy Praeger
Kansas Insurance Commissioner

Doc. No. 034120

State of Kansas

Pooled Money Investment Board

Notice of Investment Rates

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

Effective 2-19-07 through 2-25-07

Term	Rate
1-89 days	5.26%
3 months	5.07%
6 months	5.09%
1 year	4.99%
18 months	4.88%
2 years	4.79%

Derl S. Treff
Director of Investments

Doc. No. 034117

State of Kansas

Department of Transportation

Request for Comments

The Kansas Department of Transportation requests comments on the amendment of the Statewide Transportation Improvement Program (STIP) FY 2007-2010 by adding the following projects:

Project X-2662-01, Flashing Light Signal Straight Post Type with Gates, Union Pacific Railroad Crossing and Walnut Street, Labette, Labette County

Project X-2663-01, Flashing Light Signal Straight Post Type with Gates, Union Pacific Railroad Crossing and 6th Street, Labette, Labette County

Project X-2664-01, Flashing Light Signal Straight Post Type with Gates, Union Pacific Railroad Crossing and Trego Road southeast of Labette, Labette County

Project X-2670-01, Lens and Circuitry Upgrade, Burlington Northern and Santa Fe Railroad Crossings from Ottawa to Olivet

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

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

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

Deb Miller
Secretary of Transportation

Doc. No. 034139

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 Eisenhower State Office Building, fourth floor west wing, 700 S.W. Harrison, Topeka, until 1 p.m. March 21 and then publicly opened:

District One — Northeast

Johnson—69-46 KA-0825-01 — U.S. 69 bridges, 0.5 mile, 1 mile and 8 miles north of the Miami-Johnson county line, bridge overlay. (State Funds)

Lyon—35-56 KA-0133-01 — I-35 eastbound exit ramp at Industrial Road, 0.5 mile, grading and surfacing. (State Funds)

Nemaha—66 C-3920-01 — County road 2.8 miles north and 2 miles east of Berwick, 0.2 mile, grading, bridge and surfacing. (Federal Funds)

Nemaha—63-66 KA-0821-01 — K-63 from the Nemaha-Pottawatomie county line north to the U.S. 36 junction, 19.2 miles, crack repair. (State Funds)

Shawnee—89 U-1880-01 — Willow Street bridge over Ward Creek in Topeka, grading, bridge and surfacing. (Federal Funds)

Wabaunsee—4-99 K-9630-01 — K-4 Mission Creek drainage, 2.9 miles west of the Wabaunsee-Shawnee county line, culvert construction. (State Funds)

Wabaunsee—99-99 K-9633-01 — K-99 South Branch Mill Creek drainage, 1.7 miles north of K-4, culvert construction. (State Funds)

Wyandotte—73-105 KA-0486-01 — U.S. 73, 1.8 miles north of the junction of U.S. 24, bridge repair. (State Funds)

Wyandotte—635-105 KA-0819-01 — Northwest corner of I-635 and Strong Avenue, grading. (State Funds)

Wyandotte—70-105 KA-0820-01 — Eastbound I-70 near the Kansas-Missouri state line, repair and replace storm drainage. (State Funds)

District Two — Northcentral

McPherson—59 C-3898-01 — County road 7 miles east and 1.8 miles south of Moundridge, 0.3 mile, grading, bridge and surfacing. (Federal Funds)

McPherson—135-59 KA-0753-01 — I-135 exit No. 65, lighting. (Federal Funds)

Washington—15-101 KA-0208-01 — K-15 culvert 4.5 miles south of the Kansas-Nebraska state line, culvert repair. (State Funds)

District Three — Northwest

Ellis—183-26 KA-0536-01 — U.S. 183 bridge 2 miles south of I-70, bridge overlay. (State Funds)

District Four — Southeast

Coffey—16 C-4328-01 — County road 6.2 miles north of Leroy, 0.2 mile, grading, bridge and surfacing. (Federal Funds)

Coffey—75-16 K-9793-01 — U.S. 75 from Neosho Street north to Arrowhead Drive in New Strawn, 0.3 mile, grading and surfacing. (State Funds)

Greenwood—37 C-3957-01 — County road 3 miles south and 0.3 mile east of Lapland, 0.2 mile, grading, bridge and surfacing. (Federal Funds)

District Five — Southcentral

Barber—2-4 K-9642-01 — K-2, Mule Creek drainage, culvert construction. (State Funds)

Butler—8 C-4112-01 — County road 4.5 miles east and 4.7 miles north of Douglass, 0.3 mile, grading and bridge. (Federal Funds)

Pawnee—156-73 K-9661-01 — K-156 bridges 6 miles and 7.6 miles east of the Pawnee-Hodgeman county line, bridge replacement. (Federal Funds)

Pawnee—56-73 KA-0547-01 — U.S. 56 bridge over the Pawnee River in Larned, overlay. (State Funds)

Reno—96-78 KA-0549-01 — K-96 over the Burlington Northern Santa Fe Railway, bridge repair. (State Funds)

Sedgwick—235-87 K-9901-01 — I-235 ramps at Central, Kellogg, McArthur, and K-42, pavement patching. (State Funds)

Sumner—81-96 K-9183-01 — U.S. 81/K-49 from Avenue A south to 1st Avenue in Caldwell, 0.1 mile, grading and surfacing. (State Funds)

Sedgwick—235-87 KA-0800-01 — I-235 interchange at U.S. 54, bridge repair. (State Funds)

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

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

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

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

Deb Miller
Secretary of Transportation

Doc. No. 034140

**State of Kansas
Criminal Justice Coordinating Council**

Notice of Available Grant Funding

Grant funds are available from the Kansas Criminal Justice Coordinating Council (KCJCC) for the Federal Edward Byrne Memorial Justice Assistance Grant (JAG) for fiscal year 2008. The KCJCC and the Federal JAG Program Guidelines establish eligibility criteria that must be met by all organizations that receive JAG funds. Eligible applicants are units of state and local government, Native American tribes, and not-for-profit, community- and faith-based organizations. Applicants that apply for JAG funds directly from the Federal Bureau of Justice Assistance also are eligible to apply for the state JAG program.

The KCJCC developed the following priorities for the Kansas JAG Strategy. The primary intended use of JAG is to support these purpose areas: (1) law enforcement programs; (2) prosecution and court programs; (3) prevention and education programs; (4) corrections and community corrections programs; (5) drug treatment programs; and (6) planning, evaluation and technology improvement programs.

A printed copy of the grant application may be accessed via the Internet at <http://www.governor.ks.gov/grants/default.htm> or by calling the Governor's Grants Program at (785) 291-3205.

All grant applications must be received in the Governor's Office by mail and via the Grant Portal (see instructions) not later than 5 p.m. April 3.

Julienne Maska
Governor's Grants Program Administrator

Doc. No. 034121

**State of Kansas
Board of Examiners in the Fitting and
Dispensing of Hearing Instruments**

**Notice of Hearing on Proposed
Administrative Regulations**

A public hearing will be conducted at 3:30 p.m. Monday, April 23, at 216 E. 1st, Wichita, to consider the adoption of proposed rules and regulations of the Kansas Board of Examiners in the Fitting and Dispensing of Hearing Instruments.

This 60-day notice of public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed rules and regulations. All interested parties may submit written comments prior to the hearing to the Board of Examiners in the Fitting and Dispensing of Hearing Instruments, P.O. Box 252, Wichita, 67201, or by e-mail to KBHAE@mid-stateslabs.com. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulations during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request that each participant limit any oral presentation to five minutes.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulations and economic im-

pact statements in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Barbara Steuber at (316) 263-0774.

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

K.A.R. 67-3-5. Supervising sponsor. This regulation will define a supervising sponsor and requirements that the supervising sponsor must meet to qualify to sponsor an applicant while on a temporary license prior to examination.

The economic impact to the agency will be insignificant, involving only verification of the length of licensure and verification that the license of the person requesting sponsorship rights is in good standing.

K.A.R. 67-5-3. Permanent license renewal fee; responsibility of licensee. This regulation will be revoked. The fee will be included in a new regulation (K.A.R. 67-5-5, fees) that will list all fees set by the board.

K.A.R. 67-5-4. Permanent license renewals and reinstatement. This amended regulation defines the requirements for annual renewal of a permanent license, delinquent license and requirements for reinstatement of a license.

K.A. R. 67-5-5. Fees. The regulation will set or revise board fees. This new regulation will incorporate all fees into one.

There will be no economic impact for K.A.R. 67-3-5, K.A.R. 67-5-3 and K.A.R. 67-5-4, or if any, it will be addressed with the economic impact statement for K.A.R. 67-5-5.

K.A.R. 67-5-5 is a regulation that will combine all board fees through revisions to fees and implementation of new fees and will generate an increase in the board's operating income in order to maintain adequate funds for operation.

The proposed regulation is not mandated by federal law.

There will be no cost to the agency proposing the regulation. The agency will see an increase in licensure funds necessary to maintain a fiscally sound budgetary level.

There should be no economic impact to other governmental agencies or units or to the general public or consumers of hearing instruments or hearing instrument services.

Persons subject to the regulation will see a one-time increase at initial licensure ranging from \$75 to \$235. All licensees will see an increase of \$25 in the annual renewal fee. Fees will remain lower than surrounding states.

Copies of the regulations and the economic impact statement may be obtained by contacting the Board of Examiners in the Fitting and Dispensing of Hearing Instruments at (316) 263-0774 or at KBHAE@mid-stateslabs.com.

Sherry R. DuPerier
Executive Officer

Doc. No. 034131

State of Kansas

**Department of Revenue
Division of Taxation**

Request for Bids for Oil and Gas Lease

By order of the Director of Taxation of the State Department of Revenue, for the state of Kansas, 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 29, 30, 31, 32, 33, 34 and 35, Township 27 South, Range 22 West; Section 25, Township 27 South, Range 23 West; and Sections 3 and 4, Township 28 South, Range 22 West; Ford County, Kansas, containing 405.09 acres more or less.

The bidding shall be considered upon the amount of bonus, annual rental and royalty to be paid. No bid will be accepted for less than \$10.00 per acre annual rental.

Bids shall be submitted upon forms obtained from the Director of Taxation, Kansas Department of Revenue, 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 newspaper and the Kansas Register.

Bids shall be opened at the office of the Director of Taxation at 2 p.m. March 22.

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. 034119

State of Kansas

Attorney General

Opinion 2006-28

State Boards, Commissions and Authorities—Parimutuel Racing—Breakage; Application of K.A.R. 112-13-2. Stephen L. Martino, Executive Director, Kansas Racing and Gaming Commission, Topeka, December 14, 2006.

Funds collected pursuant to K.S.A. 2005 Supp. 74-8821 may only be distributed in accordance with the terms set forth in that statute. K.S.A. 2005 Supp. 74-8821(c)(1) and (2) provide that 50% of the breakage funds shall be paid to supplement open stakes races and the other 50% shall be paid as purses directly to the breeders of Kansas-whelped greyhounds, pursuant to rules and regulations of the Racing and Gaming Commission. The Commission's regulations, particularly K.A.R. 112-13-21(c), do not (and cannot be interpreted to) provide for payment of K.S.A. 2005 Supp. 74-8821(c)(2) monies other than to the breeders of Kansas-whelped greyhounds. Cited herein: K.S.A. 74-8804; K.S.A. 2005 Supp. 74-8821; 74-8831; K.S.A. 74-8832; 74-8833; 77-201; K.A.R. 112-13-2; 112-13-3; 112-13-4; 112-13-5. TMB

Opinion 2006-29

Schools—Transportation of Students—School Bus Use

for Purposes Other than Pupil Transportation; Policy for Provision Authorized. John D. Gatz, Counsel, Unified School District No. 315, Colby, December 15, 2006.

When adopting policies pertaining to use of district-owned or leased school buses, when those buses are not being used for regularly required school purposes, school districts are constrained by K.S.A. 2005 Supp. 72-8316 to use such buses only for the purposes identified by that statute. K.S.A. 2005 Supp. 72-8316; Kan. Const., Art. 6, §§ 1 and 5. CN

Opinion 2006-30

Cities and Municipalities—Buildings, Structures and Grounds; Development and Redevelopment of Areas In and Around Cities—Purpose of Act; Redevelopment Project Costs; Infrastructure Outside Redevelopment District. Dorothea K. Riley, Bond Counsel, City of Ottawa, Kansas City, Missouri, December 14, 2006.

Redevelopment project costs that are payable from bonds issued pursuant to the Tax Increment Finance Act are for projects that are located within the boundaries of a redevelopment district. The Legislature has not authorized the payment of costs associated with the construction of infrastructure improvements located outside the boundaries of a redevelopment district even though such infrastructure may be necessary to the redevelopment of the district. Cited herein: K.S.A. 12-1770; K.S.A. 2005 Supp. 12-1770a; 12-1771; 12-1772; 12-1773, as amended by L. 2006, Ch. 201, § 5; 12-1777; 12-17,140; 12-17,141. RDS

Opinion 2007-1

Taxation—Miscellaneous Provisions—Rate of Interest on Delinquent or Unpaid Taxes and Overpayments of Taxes.

Contracts and Promises—Interest and Charges—Interest on Judgments. Representative Don Hill, 60th District, Emporia, January 29, 2007.

K.S.A. 2005 Supp. 79-2004(d) requires use of K.S.A. 79-2968 rates in determining the interest owed on debts arising out of unpaid delinquent real estate taxes until those debts are paid or until the real property is sold in foreclosure, whichever occurs first. Cited herein: K.S.A. 2005 Supp. 16-204; K.S.A. 72-8204a; 79-408; 79-1412; K.S.A. 2005 Supp. 79-1801; K.S.A. 79-1804; 79-1805; K.S.A. 2005 Supp. 79-1945; K.S.A. 79-2001; K.S.A. 2005 Supp. 79-2004; 79-2004a; 79-2101; K.S.A. 79-2301; 79-2302; 79-2303; 79-2306; 79-2322; 79-2401; K.S.A. 2005 Supp. 79-2041a; 79-2801; K.S.A. 79-2803; K.S.A. 2005 Supp. 79-2804; 79-2804g; 79-2804h; 79-2926; 79-2927; 79-2968. TMB

Opinion 2007-2

Counties and County Officers—County Appraiser—County Appraiser; Appointment, Term and Qualifications; Meaning of "Full Time"; Appraisal Districts. Richard Boeckman, Barton County Counselor/Administrator, Great Bend, January 29, 2007.

K.S.A. 2005 Supp. 19-430 requires that county appraisers for counties having a population of 25,000 or more devote full time to such work. However, K.S.A. 19-428 allows any county to join with others in order to jointly hire a district appraiser. K.S.A. 19-428 does not prohibit

counties with populations of more than 25,000 from hiring a district appraiser. Reading the two statutes *in pari materia*, it is our opinion that the “full time” criteria in K.S.A. 2005 Supp. 19-430 does not *per se* require exclusivity as to one county if the county joins with one or more other counties to hire a district appraiser pursuant to K.S.A. 19-428. The phrase “full time” as used in K.S.A. 2005 Supp. 19-430 means that the county appraiser must devote the hours normally identified by the county or counties hiring such appraiser as deemed necessary to satisfy all the duties and responsibilities of that office. Cited herein: K.S.A. 2005 Supp. 19-101a, as amended by L. 2006, Ch. 192, § 4 and Ch. 207, § 4; K.S.A. 19-425; 19-428; K.S.A. 2005 Supp 19-430; 44-511; K.S.A. 58-103; 79-1412a. TMB

Opinion 2007-3

Intoxicating Liquors and Beverages—Certain Prohibited Acts and Penalties—Consumption of Alcoholic Liquor Prohibited in Certain Places; Exemptions.

Intoxicating Liquors and Beverages—Licensure and Regulation of Sale of Liquor by the Drink—Temporary Permit. Thomas W. Groneman, Director, Alcoholic Beverage Control Division, Kansas Department of Revenue, Topeka, January 29, 2007.

A “sale” of alcoholic liquor occurs where a ticket, entry fee or cover charge is imposed on those seeking entry to an event and alcoholic liquor is then served to attendees of the event. Sales of alcoholic liquor by the drink without a license or temporary permit violate the Club and Drinking Establishment Act. Therefore, fund-raising events that require a ticket be purchased or entry fee or cover charge be paid by attendees who are then served alcoholic liquor must be held on licensed premises. Cited herein: K.S.A. 41-101; 41-102; 41-104; K.S.A. 2005 Supp. 41-719, as amended by L. 2006, Ch. 206, § 1; K.S.A. 41-803; 41-2601; 41-2620; 41-2637; 41-2640; 41-2641; 41-2643; 41-2645; 41-2701. LMG

Opinion 2007-4

Cities and Municipalities—General Provisions—Countywide and City Retailers’ Sales Taxes—Procedure for Implementation; Purpose of Sales Tax; Modifying Purpose of Sales Tax. Glenn I. Kerbs, Ford County Counselor, Dodge City, January 29, 2007.

There is no statutory mechanism whereby the electorate or a local governing body can modify the purpose of a local retailers’ sales tax that was previously adopted by the electorate and is in effect. A petition requesting an election to do so is not legally binding or effective. Cited herein: K.S.A. 2006 Supp. 12-187. MF

Opinion 2007-5

Cities and Municipalities—Buildings, Structures and Grounds—Definitions; Permissible Use of STAR Bonds; Theme Park Amenities, Amusement Park Rides, Shelters, Multi-Story Parking Decks and Below Grade Sports Stadium to be Owned by or Leased to Developer. Gary A. Anderson, City of Olathe Bond Counsel, Kansas City, Missouri, January 29, 2007.

The limitation against using TIF/STAR bond proceeds for “costs incurred in connection with the construction of buildings or other structures to be owned by or leased to a developer” should be read broadly to prohibit use of such proceeds for financing property commonly thought of as a structure. Thus, while TIF/STAR bond proceeds may be used for many public improvements, including buildings and other structures, they may not be used to finance construction of such buildings or structures if they are to be owned by or leased to a developer. Cited herein: K.S.A. 3-701; K.S.A. 2005 Supp. 12-1750; K.S.A. 12-1770; K.S.A. 2005 Supp. 12-1770a; 12-1773, as amended by L. 2006, Ch. 192, § 3 and Ch. 201, § 5; 12-1774; K.S.A. 12-1794; 12-17,104; 68-1101; K.S.A. 2005 Supp. 77-201; K.S.A. 84-2-105; L. 2005, Ch. 132, § 1; L. 2004, Ch. 183, § 4; L. 2001, Ch. 103, § 2; L. 1998, Ch. 17, § 5(b); L. 1997, Ch. 93, § 1; L. 1993, Ch. 213, § 2; L. 1988, Ch. 78, § 4(b); L.1988, Ch. 79, §§ 1, 6; L. 1980, Ch. 68, § 3; L. 1979, Ch. 52, § 4; L.1976, Ch. 69, § 4. JLM

Opinion 2007-6

Schools—School Unification Acts—Board Member District Boundaries; Adjustment; Compact and Equal In Population; Five Percent Variance.

Schools—Boards of Education—Change of Method of Election—Right to Change Voting Plan or Method; Plan of Change When District Method Proposed; Requirements of Method District; Contiguous Compact Area; Equal Population. Kerry M. Gasper, Counsel, Unified School District No. 505 (Chetopa), Topeka, February 8, 2007.

While the Legislature has conferred upon boards of education and the electors of unified school districts the opportunity to determine in part how board members are to be elected, K.S.A. 72-8001 *et seq.*, a constitutional right to make such a selection does not exist. The provisions of K.S.A. 2006 Supp. 72-6769 and K.S.A. 72-8001 *et seq.* are to be construed together. A board of education is required when establishing member districts to draw the member districts such that: the member districts are as compact and equal in population as possible; each member district be comprised of one contiguous area; the member district boundaries include whole voting precincts, unless there is a finding by the board that whole voting precincts cannot be included, in which case whole census blocks are to be included; and the population in each member district be not greater than 5% above nor 5% below the mean population of all board member districts within the school district. Cited herein: K.S.A. 25-2001; 25-2005; K.S.A. 2006 Supp. 72-6624a; 72-6625a; 72-6769; K.S.A. 72-7108; 72-8001; 72-8003; 72-8004; 72-8008; 72-8009; 72-8703; 72-8704; 72-8705; Kan. Const., Art. 2, § 18; Kan. Const., Art. 5, § 1; Kan. Const., Art. 6, § 5; Kan. Const., Art. 15, § 1; U.S. Const., Amend. XIV; L. 2006, Ch. 188, § 1; L. 1968, Ch. 59, § 16. RDS

Paul J. Morrison
Attorney General

Doc. No. 034122

(Published in the Kansas Register February 22, 2007.)

City of Lenexa, Kansas

Notice to Bidders

Sealed bids for 87th Street Parkway (Pflumm Road to Renner Blvd.) Fiberoptic Communication Project will be accepted by the city of Lenexa, Kansas, at the Planning Department, Lenexa City Hall, 12350 W. 87th St. Parkway, Lenexa, 66215, until 10 a.m. March 6, 2007, at which time bids will be publicly opened and read aloud at the Lenexa City Hall. Any bid received after the designated closing time will not be considered and will be returned unopened.

All bids shall be submitted to the Planning Department's customer service staff (main level) in sealed envelopes addressed to the city of Lenexa, Kansas, attention: city clerk, and marked "Bid for: 87th Street Parkway (Pflumm Road to Renner Blvd.) Fiberoptic Communication Project."

Copies of plans, specifications, bidding documents and other contract documents are on file at the Public Works Department (lower level), Lenexa City Hall. Bidders desiring contract documents for use in preparing bids may obtain a set of such documents at the address above upon payment of \$100, which amount is nonrefundable.

Plans and specifications may be downloaded free of charge from the Lenexa Public Works Web site at http://www.ci.lenexa.ks.us/publicworks/CurrentBid-Documents.html.

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

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

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

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

- a. Bid form;
b. Required contract provisions with contractor information included; and
c. 5% bid security—bid bond, cashier's check or certified check (see below).

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

cates and other required documents shall have been furnished and the contract documents have been executed by the successful bidder.

In the event the low bidder is unable to execute the contract, for whatever reason, within the time provided in the notice of award, the city may annul the notice of award and the bid deposit may be forfeited, and the city shall exercise its legal prerogatives, including, but not limited to, enforcement of its rights as to the bid security or specific performance.

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

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

A pre-bid conference will be held at 9:30 a.m. February 27 in the Public Works conference room, lower level, Lenexa City Hall.

Mary Sue Fry, City Clerk
City of Lenexa, Kansas

Doc. No. 034070

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:

- 03/05/2007 10171 DNA Collection Kits
03/07/2007 10178 Furniture, Lounge Type
03/07/2007 10184 Furnish and Install Metal Building
03/07/2007 10185 Construction of Pedestrian Bridge
03/07/2007 10188 Emergency Power Generator
03/07/2007 10201 Pre-Engineered Metal Building
03/09/2007 10186 Clothing, Caps and Hats
03/12/2007 10197 Long-Term Care Benefit Plan
03/13/2007 10191 Bituminous Plant Mixture (Hot Mix-Cold Lay), District #4
03/13/2007 10192 Ready Mix Concrete and Flowable Fill (RL, PT, WY, LV Counties)
03/13/2007 10194 WIA Program, Outreach and Recruitment
03/13/2007 10195 Agricultural Services (Cattle Grazing at Bolton Wildlife Area)
03/14/2007 10206 Banking Services — Wichita State University
03/15/2007 10176 Software, Project Portfolio Management
03/15/2007 10196 Survey Services—Judicial Performance
03/16/2007 10209 Aggregate (District #4)
03/15/2007 10199 Agricultural Services (Cattle Grazing at Mined-Land Wildlife Area)
03/19/2007 10189 Energy Service Companies
03/19/2007 10200 Data Analytic Interface
03/21/2007 10172 Initiation Assistance for Medicaid Information Technology Architecture (MITA) Framework 2.0

03/30/2007 10121 Sex Offender Treatment Services

(Published in the Kansas Register February 22, 2007.)

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

<http://www.da.ks.gov/purch/>

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 project listed below must be prequalified. Information regarding prequalification, projects and bid documents can be obtained by calling (785) 296-8899 or by visiting www.da.ks.gov/fp/.

03/20/2007 A-010357 Metal Roof Retrofit X Dorm,
Lansing Correctional Facility

Chris Howe
Director of Purchases

Doc. No. 034137

**State of Kansas
State Corporation Commission**

Notice of Hearing

The State Corporation Commission, pursuant to K.S.A. 55-703, has directed that an investigation be instituted to determine the reasonable market demand for gas produced from the fields listed below for the period extending from April 1, 2007 through September 30, 2007, both inclusive; to determine the deliverability and acreage attributable to each of the wells therein; and to fix gas production percentages, quotas and allowables for wells within said fields for said proration period:

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

A hearing will be conducted, if necessary under the terms of the commission's order dated December 4, 2006, at 10 a.m. Thursday, March 15, at the State Corporation Commission's office, Room 2078, Finney State Office Building, 130 S. Market, Wichita.

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

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

Susan K. Duffy
Executive Director

Doc. No. 034123

City of Hays, Kansas

Notice of Proposed DBE Program

The city of Hays has established a Disadvantaged Business Enterprise (DBE) Program in accordance with regulations of the U.S. Department of Transportation, 49 CFR Part 26, for the Hays Regional Airport. The city anticipates receiving federal financial assistance from the Department of Transportation, and, as a condition of receiving this assistance, the city will sign an assurance that it will comply with 49 CFR Part 26.

The city's project-specific goal for FY 2007 is 5.8 percent of the federal financial assistance.

The proposed DBE Program is available for public inspection and comment at the office of the city clerk at the Hays City Hall. The city will accept comments on the goals for 45 days from the date of this notice. Comments can be sent to Terry Urban, Airport Manager, 16th and Main, Hays, 67601.

Doris A. Wing
Deputy City Clerk

Doc. No. 034127

**State of Kansas
Board of Veterinary Examiners**

**Notice of Hearing on Proposed
Administrative Regulations**

A public hearing will be conducted at 9 a.m. Monday, April 23, in the agency's conference room, 1003 Lincoln St., Wamego, to consider the adoption of a proposed change in an existing rule and regulation of the Kansas Board of Veterinary Examiners. The regulation is proposed for adoption on a permanent basis.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed rule and regulation. All interested parties may submit written comments prior to the hearing to the agency director, P.O. Box 242, Wamego, 66547, or e-mail to vetboard@wamego.net.

All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulation during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request that each participant limit any oral presentation to five minutes.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulation and economic impact statement in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting the agency director at (785) 456-8781. Handicapped parking is located at the south end of the office building.

Copies of the regulation and the economic impact statement may be obtained by contacting the Kansas Board of Veterinary Examiners. A summary of the proposed regulation and economic impact follows:

(continued)

K.A.R. 70-5-1. Amount of fees. Amendments to this regulation increase the fees paid by veterinary licensees. Other governmental units, private citizens and consumers will not be affected by this change. There is no significant economic impact to other state agencies, employees or the general public.

Dirk Hanson, DVM
Director

Doc. No. 034141

(Published in the Kansas Register February 22, 2007.)

City of Overland Park, Kansas

Notice to Bidders

Sealed bids for **Metcalf Avenue (US-169) Widening & Resurfacing (I-435 to 99th Street) KDOT Project No. 169-46 N-0314-01** will be received by the city of Overland Park, Kansas, at the office of the city clerk, City Hall, 8500 Santa Fe Drive, Overland Park, 66212, until 2 p.m. local time on Tuesday, March 27, 2007. At that time, all sealed bids will be transferred to the City Council Chamber, City Hall, where they will be publicly opened and read aloud. Any bid received after the designated closing time will be returned unopened.

All bids shall be submitted in sealed envelopes addressed to the city clerk of Overland Park, Kansas, and marked "Bid For: Metcalf Avenue (US-169) Widening & Resurfacing (I-435 to 99th Street) KDOT Project No. 169-46 N-0314-01." Copies of plans, specifications, bid documents and other contract documents can be seen or purchased online at www.kellyimaging.net in their eDistribution plan room; additional assistance is available at distribution@kellyimaging.net. At the Web site, information regarding this project can be found in the "Public Jobs" link. Contractors desiring the contract documents for use in preparing bids also may obtain a set of such documents from Kelly Imaging, 10840 W. 86th St., Lenexa, 66214, (913) 341-2333, upon payment of \$ 250, which amount is not refundable. Checks shall be made payable to Affinis Corp. Any questions regarding the project, plans, specifications or bid documents should be directed to Affinis Corp. at (913) 239-1100.

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

Should a bidder find "defects" as defined in paragraph GC-3 of the General Conditions, it shall follow the procedures outlined in paragraph GC-3 to bring same to the attention of the city. Changes necessitated thereby shall be in the form of addenda issued by the consulting engineer.

All bidders shall verify that they have considered all written addenda. Neither the city nor the consulting engineer shall be responsible for oral instructions.

Any written addenda issued during the time of bidding shall be covered and included in the bid. There will be

no clarifications or exceptions allowed on the bid. Bids are for a total bid package, total contract price.

Bids shall be made upon the form provided in ink or typewritten. Numbers shall be stated both in writing and in figures; the signature shall be long hand; and the complete form shall be without alteration or erasure. On alternate items for which a bid is not submitted, a written indication of "no bid" on the bid form is required.

No oral, telegraphic, facsimile or telephonic bids or alterations will be considered.

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

- a. Bid
- b. 5% Bid security — bid bond, cashier's check or certified check (see below)
- c. Signed documents (KDOT Certifications)
 - Certification — Noncollusion & History of Debarment
 - Certification — Federal Funds for Lobbying
 - Required Contract Provision — Certification — Contractual Services with Current Legislator or Legislator's Firm
 - Required Contract Provision — DBE Goals

Each bidder shall file with its bid a bid bond, a cashier's check or a certified check drawn on any acceptable bank, made payable to the city of Overland Park, Kansas, in an amount of not less than 5 percent of the total bid, which shall be retained by the city of Overland Park until a contract for the project has been executed. Bid bonds will be returned to the unsuccessful bidders, with the exception of the second qualifying bidder, at such time as their bids are rejected. The bid deposit of the successful bidder and the second qualifying bidder will be returned when satisfactory bonds in an amount equal to 100 percent of the contract amount, required insurance certificates and other required documents shall have been furnished and the contract documents have been executed.

In the event the successful bidder is unable to execute the contract, for whatever reason, the city may exercise its legal prerogatives, including, but not limited to, enforcement of its rights as to the bid security.

The city reserves the right to accept or reject any and all bids and to waive any technicalities or irregularities therein. Bids may be modified or withdrawn by written request of the bidder received in the office of the city clerk prior to the time and date for bid opening, provided, however, that no bidder may withdraw its bid for a period of 30 days from the date set for the opening thereof. All bidders agree that rejection shall create no liability on the part of the city because of such rejection. It is understood by all bidders that an unsuccessful bidder has no cause of action against the city for bid preparation costs. The filing of any bid in response to this invitation shall constitute an agreement of the bidder to these conditions.

A pre-bid conference will be held at 10 a.m. March 14 in Conference Room 1, Overland Park City Hall, 8500 Santa Fe Drive, Overland Park.

Mary Lou McCann
Contract Specialist
Public Works Department
City of Overland Park, Kansas

Doc. No. 034130

State of Kansas

Legislature

Legislative Bills and Resolutions Introduced

The following numbers and titles of bills and resolutions were introduced February 8-14 by the 2007 Kansas Legislature. Copies of bills and resolutions are available free of charge from the Legislative Document Room, 145-N, State Capitol, 300 S.W. 10th Ave., Topeka, 66612, (785) 296-4096. Full texts of bills, bill tracking and other information may be accessed at www.kslegislature.org.

House Bills

HB 2477, An act concerning family support; relating to setoff; amending K.S.A. 75-6201 and 75-6204 and K.S.A. 2006 Supp. 23-9,607 and repealing the existing sections, by Committee on Federal and State Affairs.

HB 2478, An act concerning the problem gambling grant fund; amending K.S.A. 2006 Supp. 79-4806 and repealing the existing section, by Committee on Federal and State Affairs.

HB 2479, An act concerning electric public utilities; establishing a renewable portfolio standard, by Committee on Energy and Utilities.

HB 2480, An act concerning electric utilities; relating to electricity generated from renewable resources or technologies, by Committee on Energy and Utilities.

HB 2481, An act concerning adoptions; relating to persons authorized to make assessments; amending K.S.A. 2006 Supp. 59-2132 and repealing the existing section, by Committee on Health and Human Services.

HB 2482, An act concerning coroners; relating to the investigations of certain deaths; amending K.S.A. 2006 Supp. 22a-231 and 22a-232 and repealing the existing sections, by Committee on Health and Human Services.

HB 2483, An act concerning physical therapy; amending K.S.A. 2006 Supp. 65-2901 and repealing the existing section, by Committee on Health and Human Services.

HB 2484, An act concerning public utilities; relating to rate-making principles; amending K.S.A. 2006 Supp. 66-1239 and repealing the existing section, by Committee on Energy and Utilities.

HB 2485, An act concerning energy conservation; prescribing design standards for certain buildings; requiring use of certain lighting in traffic signals; amending K.S.A. 2006 Supp. 72-6415b and repealing the existing section, by Committee on Energy and Utilities.

HB 2486, An act relating to fire departments; concerning certain powers; amending K.S.A. 31-145 and repealing the existing section, by Committee on Appropriations.

HB 2487, An act concerning fertilizers; relating to regulation of ammonium nitrate dealers; amending K.S.A. 2006 Supp. 2-1201 and repealing the existing section, by Committee on Agriculture and Natural Resources.

HB 2488, An act concerning state agencies, political and taxing subdivisions; relating to regulations effecting a taking of property; creating a civil cause of action, by Committee on Federal and State Affairs.

HB 2489, An act relating to restrictions on internet access to pornography by minors; relating to public schools and public libraries, by Committee on Federal and State Affairs.

HB 2490, An act concerning crimes and punishment; amending K.S.A. 21-3603 and repealing the existing section, by Committee on Federal and State Affairs.

HB 2491, An act concerning the transfer of certain balances in the motor carrier license fees fund to the state highway fund; amending K.S.A. 66-1,142 and repealing the existing section, by Committee on Appropriations.

HB 2492, An act concerning counties; relating to approval of wind power generation facilities; amending K.S.A. 2006 Supp. 19-101a and repealing the existing section also repealing K.S.A. 2006 Supp. 19-1011 and K.S.A. 2005 Supp. 19-101a, as amended by section 4 of chapter 92 of the 2006 Session Laws of Kansas, by Committee on Energy and Utilities.

HB 2493, An act concerning public information; establishing training programs under the open records and open meetings acts, by Committee on Elections and Governmental Organization.

HB 2494, An act concerning dates of certain elections; amending K.S.A. 25-1115, 25-2006, 25-2007, 25-2010, 25-2018, 25-2102, 25-2107, 25-2108a, 25-2109, 25-2311 and 25-2502 and K.S.A. 2006 Supp. 25-1122 and

repealing the existing sections, by Committee on Elections and Governmental Organization.

HB 2495, An act concerning income taxation; relating to corporations; surtax; amending K.S.A. 2006 Supp. 79-32,110 and repealing the existing section, by Committee on Taxation.

HB 2496, An act concerning taxation; relating to credits; enacting the Kansas investment credit act and the Kansas jobs credit act; relating to qualifications and procedures; eliminating certain existing credits related thereto; amending K.S.A. 40-253a and 74-8945 and K.S.A. 2006 Supp. 79-32,111, 79-32,243 and 79-3606 and repealing the existing sections; also repealing K.S.A. 74-50,113, 74-50,116, 74-50,117, 74-50,118, 74-50,119, 74-50,135, 74-50,135a, 79-32,155, 79-32,156, 79-32,157, 79-32,158, 79-32,159, 79-32,159a, 79-32,159b, 79-32,159c, 79-32,160, 79-32,160b and 79-32,160c and K.S.A. 2006 Supp. 74-50,114, 74-50,115, 74-50,131, 74-50,132, 74-50,133, 74-50,134, 79-32,153, 79-32,154 and 79-32,160a, by Committee on Economic Development and Tourism.

HB 2497, An act concerning the Kansas public employees retirement system; relating to investment standards; prohibited investments; divestment, conditions and procedures, by Committee on Commerce and Labor.

HB 2498, An act concerning the secretary of wildlife and parks; relating to fees for resident and nonresident deer permits; feed the hungry fund; amending K.S.A. 2006 Supp. 32-988 and repealing the existing section, by Committee on Appropriations.

HB 2499, An act establishing the memorial war on terrorism bridge program, by Committee on Federal and State Affairs.

HB 2500, An act concerning property taxation; relating to exemptions; certain housing; amending K.S.A. 2006 Supp. 79-201b and repealing the existing section, by Committee on Taxation.

HB 2501, An act concerning sales taxation; relating to exemptions; certain sales of school supplies, computers and clothing; amending K.S.A. 2006 Supp. 79-3606 and repealing the existing section, by Committee on Taxation.

HB 2502, An act concerning district court judges and district magistrates; relating to the nonpartisan election thereof; amending K.S.A. 20-336 and 25-212 and K.S.A. 2006 Supp. 25-205, 25-206, 25-213 and 25-303 and repealing the existing sections, by Committee on Federal and State Affairs.

HB 2503, An act concerning child support enforcement; relating to payments under an insurance policy and workers compensation; perfection of a lien; unlawful acts; amending K.S.A. 39-759, 39-7,138, 39-7,140, 39-7,141, 39-7,147, 39-7,148 and 39-7,150 and K.S.A. 2006 Supp. 23-4,146 and repealing the existing sections, by Committee on Appropriations.

HB 2504, An act concerning membership on the joint committee on economic development; amending K.S.A. 46-1604 and repealing the existing section, by Committee on Calendar and Printing.

HB 2505, An act concerning insurance; providing reimbursement for certain services; amending K.S.A. 40-2,114 and repealing the existing section, by Committee on Appropriations.

HB 2506, An act relating to vehicles; concerning the maximum length; amending K.S.A. 2006 Supp. 8-1904 and repealing the existing section, by Committee on Appropriations.

HB 2507, An act concerning the Kansas sports hall of fame; relating to funding thereof; providing for the use of certain lottery revenues therefore; amending K.S.A. 2006 Supp. 74-8711 and repealing the existing section, by Committee on Appropriations.

HB 2508, An act concerning the legislature; providing for economic impact statements for certain bills and other matters under consideration, by Committee on Appropriations.

HB 2509, An act concerning wards and guardians; relating to the duties and powers of guardians; amending K.S.A. 59-3068, 59-3075 and 59-3078 and repealing the existing sections, by Committee on Appropriations.

HB 2510, An act concerning abolition of the death penalty; amending K.S.A. 21-4634, 22-3705 and 22-4210 and K.S.A. 2006 Supp. 21-3105, 21-4619, 21-4635, 21-4706, 22-3405, 22-3717, 22-4505, 22-4506, 22-4902, 38-2255, 38-2271, 38-2312, 38-2365, 39-970, 65-5117 and 75-52,148 and repealing the existing sections; also repealing K.S.A. 21-3439, 21-4627, 21-4629, 21-4630, 21-4631 and 22-3704 and K.S.A. 2006 Supp. 21-4619c, 21-4622, 21-4623 and 21-4624, by Committee on Appropriations.

HB 2511, An act concerning sales taxation; relating to bad debts; deductions or refunds; requirements and procedures therefor; amending

(continued)

K.S.A. 2006 Supp. 79-3674 and repealing the existing section, by Committee on Taxation.

HB 2512, An act concerning taxation; relating to certain tobacco products; computation of tax; amending K.S.A. 79-3371 and K.S.A. 2006 Supp. 79-3301 and repealing the existing sections, by Committee on Taxation.

HB 2513, An act concerning sales taxation; relating to direct mail; amending K.S.A. 2006 Supp. 79-3602 and repealing the existing section, by Committee on Taxation.

HB 2514, An act concerning income taxation; relating to credits; income tax paid to another state; amending K.S.A. 2006 Supp. 79-32,111 and repealing the existing section, by Committee on Taxation.

HB 2515, An act concerning income taxation; relating to municipal bonds and obligations; interest paid thereon; amending K.S.A. 2006 Supp. 79-32,117 and repealing the existing section; also repealing K.S.A. 2006 Supp. 79-32,117, by Committee on Taxation.

HB 2516, An act concerning property taxation; relating to fair market value; amending K.S.A. 2006 Supp. 79-503a and repealing the existing section, by Committee on Taxation.

HB 2517, An act concerning sales taxation; relating to exemptions; certain books and electronic or print instructional media; amending K.S.A. 2006 Supp. 79-3606 and repealing the existing section, by Committee on Taxation.

HB 2518, An act concerning sales taxation; relating to exemptions; golden belt community concert association; amending K.S.A. 2006 Supp. 79-3606 and repealing the existing section, by Committee on Taxation.

HB 2519, An act concerning sales taxation; relating to countywide retailers' sales tax in Wabaunsee county; amending K.S.A. 2006 Supp. 12-187, 12-189 and 12-192 and repealing the existing sections; also repealing K.S.A. 2006 Supp. 12-187b and 12-189f, by Committee on Taxation.

HB 2520, An act concerning real property; relating to conversion of convertible lands; liability for real property taxes and other expenses; amending K.S.A. 58-3115a and repealing the existing section, by Committee on Taxation.

HB 2521, An act concerning the state treasurer; relating to unclaimed property fees, by Committee on Appropriations.

HB 2522, An act concerning public utility reporting of certain security expenditures; amending K.S.A. 2006 Supp. 66-1233 and repealing the existing section, by Committee on Appropriations.

HB 2523, An act concerning counties and certain political and taxing subdivisions; amending K.S.A. 2006 Supp. 19-270 and repealing the existing section, by Committee on Taxation.

HB 2524, An act concerning sales taxation; relating to exemptions; Kansas herpetological society; amending K.S.A. 2006 Supp. 79-3606 and repealing the existing section, by Committee on Taxation.

HB 2525, An act concerning sales taxation; relating to exemptions; center for North American herpetology; amending K.S.A. 2006 Supp. 79-3606 and repealing the existing section, by Committee on Taxation.

HB 2526, An act concerning monitoring and analysis of mercury deposition in Kansas, by Committee on Federal and State Affairs.

HB 2527, An act concerning children in need of care; relating to access of records; amending K.S.A. 2006 Supp. 38-2212 and 38-2213 and repealing the existing sections, by Committee on Federal and State Affairs.

HB 2528, An act concerning firearms; amending K.S.A. 59-2979 and 59-29b79 and K.S.A. 2006 Supp. 12-16,124, 75-7c04, 75-7c10, 75-7c11, 75-7c17 and 75-7c25 and repealing the existing sections, by Committee on Federal and State Affairs.

House Concurrent Resolutions

HCR 5015, A proposition to amend section 1 of article 11 of the constitution of the state of Kansas, relating to the classification and taxation of watercraft.

HCR 5016, A concurrent resolution directing the State Board of Education to monitor the re-authorization of the Elementary and Secondary Education Act especially in relation to the provisions of that act known as the No Child Left Behind Act.

House Resolutions

HR 6008, A resolution urging the United States Senate to fulfill the requirements of the 2005 BRAC Commission and the United States Military by restoring federal funds for military construction in the Federal Continuing Resolution to the funding levels agreed upon in the FY 2007 Defense Authorization Bill.

HR 6009, A resolution calling on the state bank commissioner to educate Kansas state chartered banks under the jurisdiction of the commissioner about the use of health savings accounts.

Senate Bills

SB 338, An act concerning the Kansas state schools for the blind and the deaf; relating to the rates of compensation for teachers employed thereby, by Committee on Ways and Means.

SB 339, An act concerning retirement and pensions; relating to the Kansas public employees retirement system; affiliation by county for county detention officers; normal retirement date; costs, by Committee on Ways and Means.

SB 340, An act concerning personal property taxation; relating to motor vehicles; computation of amount of tax; amending K.S.A. 79-5105 and repealing the existing section, by Committee on Assessment and Taxation.

SB 341, An act concerning business entities; relating to the franchise tax; annual report fees; amending K.S.A. 56-1a606, 56-1a607, 56-1a608, 56a-1201, 56a-1202 and 56a-1203 and K.S.A. 2006 Supp. 17-1513, 17-1618, 17-2036, 17-2037, 17-2718, 17-4634, 17-4677, 17-7002, 17-7503, 17-7504, 17-7505, 17-7507, 17-7509, 17-7510, 17-7512, 17-76,125, 17-76,139 and 79-5401 and repealing the existing sections; also repealing K.S.A. 2006 Supp. 17-6806 and 75-446, by Committee on Assessment and Taxation.

SB 342, An act concerning taxation; relating to credits; enacting the Kansas investment credit act and the Kansas jobs credit act; relating to qualifications and procedures; eliminating certain existing credits related thereto; amending K.S.A. 40-253a and 74-8945 and K.S.A. 2006 Supp. 79-32,111, 79-32,243 and 79-3606 and repealing the existing sections; also repealing K.S.A. 74-50,113, 74-50,116, 74-50,117, 74-50,118, 74-50,119, 74-50,135, 74-50,135a, 79-32,155, 79-32,156, 79-32,157, 79-32,158, 79-32,159, 79-32,159a, 79-32,159b, 79-32,159c, 79-32,160, 79-32,160b and 79-32,160c and K.S.A. 2006 Supp. 74-50,114, 74-50,115, 74-50,131, 74-50,132, 74-50,133, 74-50,134, 79-3269, 79-32,153, 79-32,154 and 79-32,160a, by Committee on Commerce.

SB 343, An act concerning campaign finance; pertaining to certain daily reports of contributions, by Committee on Elections and Local Government.

SB 344, An act concerning income taxation; relating to deductions; contributions to a family postsecondary education savings account or a qualified tuition program; amending K.S.A. 2006 Supp. 79-32,117 and repealing the existing section; also repealing K.S.A. 2006 Supp. 79-32,117, by Committee on Education.

SB 345, An act concerning school districts; relating to school finance; amending K.S.A. 2006 Supp. 72-6407 and repealing the existing section, by Committee on Ways and Means.

SB 346, An act creating the Kansas long-term care bill of rights, by Committee on Ways and Means.

SB 347, An act concerning income tax; relating to withholding; annual statement, electronic filing; amending K.S.A. 2006 Supp. 79-3299 and repealing the existing section, by Committee on Federal and State Affairs.

SB 348, An act relating to merchants; prohibiting certain changes by credit or debit card issuers, by Committee on Federal and State Affairs.

SB 349, An act relating to merchants; prohibiting transaction charges on credit or debit cards, by Committee on Federal and State Affairs.

SB 350, An act relating to merchants; providing for access to certain credit and debit card rate information, by Committee on Federal and State Affairs.

SB 351, An act concerning the office of the state bank commissioner; relating to the office of administrative hearings; exception; amending K.S.A. 2006 Supp. 75-37,121 and repealing the existing section, by Committee on Federal and State Affairs.

Senate Resolutions

SR 1816, A resolution congratulating and commending the 2007 Horizon Award Program educators.

SR 1817, A resolution urging the United States Senate to fulfill the requirements of the 2005 BRAC Commission and the United States Military by restoring federal funds for military construction in the Federal Continuing Resolution to the funding levels agreed upon in the FY 2007 Defense Authorization Bill.

SR 1818, A resolution congratulating and commending Paul Buckner upon his retirement after 60 years of public service in the fire department of Baxter Springs, Kansas.

Doc. No. 034118

State of Kansas

Office of Judicial Administration
Supreme Court Docket

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

Monday, March 12, 2007

9:00 a.m.

Case No. / Case Name	Attorneys	Jurisdiction
95,723 State of Kansas, Appellee, v. Errik A. Harris, Appellant.	Paul J. Morrison, Atty. Gen. Jerome A. Gorman, Dist. Atty. Debra J. Wilson, Capital Appellate Defender	Wyandotte
95,339 State of Kansas, Appellee, v. Peter J. Davis, Appellant.	Paul J. Morrison, Atty. Gen. Jerome A. Gorman, Dist. Atty. Patrick D. Quirk	Wyandotte
96,461 Gary and Tiffany Ninemire, Appellants, v. Kansas Dept. of S.R.S., Appellee.	J. Eugene Balloun Paula B. Hurt	Johnson
96,203 Linda Edwards, et al., Appellees, v. Anderson Engineering, Inc., Appellant.	Fred Spigarelli James D. Oliver	Crawford

1:30 p.m.

92,956 State of Kansas, Appellee, v. Ronald Johnson, Appellant.	Paul J. Morrison, Atty. Gen. Jerome A. Gorman, Dist. Atty. Sarah Ellen Johnson, Capital Appellate Defender	Wyandotte
96,391 Owen Lumber Company, Appellee, v. Arthur Chartrand and Carol Chartrand, Appellants.	Michael P. Bandre Arthur Chartrand	Johnson

Tuesday, March 13, 2007

9:00 a.m.

Case No. / Case Name	Attorneys	Jurisdiction
96,772 Iron Horse Auto, Inc., Appellee, v. Lititz Mutual Insurance Co., Appellant.	Todd A. Luckman James P. Nordstrom	Shawnee
95,495 State of Kansas, Appellee, v. Dale M.L. Denney, Appellant.	Paul J. Morrison, Atty. Gen. Jeffrey E. Evans, Asst. District Atty. Carl F.A. Maughan	Sedgwick
95,138 State of Kansas, Appellee, v. Vaccaro M. Stano, Appellant.	Paul J. Morrison, Atty. Gen. Robert D. Hecht, District Atty. Reid T. Nelson, Capital Appellate Defender	Shawnee
96,986 In the Matter of the Appeal of the Director of Property Valuation, from an Order of the Board of Tax Appeals Exempting Stored Natural Gas from Property Taxation.	William E. Waters C. Michael Lennen	Tax Appeal

(continued)

1:30 p.m.

95,202 Rene Thomas, et al., Appellees, v. Benchmark Insurance Co., Appellant.	Mark Beam-Ward J. Franklin Hummer	Wyandotte Petition for Review
93,751 State of Kansas, Appellee, v. Ian Woolverton, Appellant.	Paul J. Morrison, Atty. Gen. Phillip D. Kline, District Atty. Patrick H. Dunn, Kansas Appellate Defender	Johnson Petition for Review
94,879 Celesta C. Baska, Appellant, v. Harry Scherzer, Jr. and Calvin Madrigal, Appellees.	James M. Sheeley James H. Ensz Jeffrey S. Nichols	Wyandotte Petition for Review

Wednesday, March 14, 2007

9:00 a.m.

Case No. / Case Name	Attorneys	Jurisdiction
94,893 City of Arkansas City, Appellee, v. Ronald and Rebecca Bruton, Appellants.	Alvin D. Herrington Robert D. Wilson	Cowley Petition for Review
95,610 In the Interest of J.D.C.	Richard W. Benson Robert D. Hecht, District Atty.	Shawnee Petition for Review
96,003 In the Matter of the Adoption of X.J.A.	J. Scott Koksall Glenn I. Kerbs	Ford Petition for Review
95,348 State of Kansas, Appellant, v. Daniel Lee, Appellee.	Paul J. Morrison, Atty. Gen. Ellen H. Mitchell, County Atty. Pamela Sullivan	Saline Petition for Review

1:30 p.m.

94,224 Jeremiah 29:11, Inc., Appellee, v. Earnest Douglas Seifert and Leslie Seifert, Appellants.	Bradley A. Stout Daryl D. Ahlquist	Montgomery Petition for Review
94,322 State of Kansas, Appellee, v. Gary W. Harp, Sr., Appellant.	Paul J. Morrison, Atty. Gen. D. Christopher Oakley, County Atty. Kent A. Roth	Rice Petition for Review
95,733 State of Kansas, Appellee, v. John Aaron Thomas, Appellant.	Paul J. Morrison, Atty. Gen. Ty Kaufman, County Atty. Michelle A. Davis, Kansas Appellate Defender	McPherson Petition for Review

Thursday, March 15, 2007

9:00 a.m.

Case No. / Case Name	Attorneys	Jurisdiction
97,287 In the Matter of C. Richard Comfort, Respondent.	Janith A. Davis, Deputy Discip. Admin. Ronald D. Smith C. Richard Comfort, Pro Se	Original
97,896 In the Matter of Tommy Lewis Green, Respondent.	Stanton A. Hazlett, Discip. Admin. John J. Ambrosio Tommy Lewis Green, Pro Se	Original
97,406 In the Matter of Thomas V. Black, Respondent.	Alexander M. Walczak, Deputy Discip. Admin. Jack Focht Thomas V. Black, Pro Se	Original

<p>97,691 In the Matter of Barry L. Arbuckle, Respondent.</p>	<p>Alexander M. Walczak, Deputy Discip. Admin. Gregory A. Lee Barry L. Arbuckle, Pro Se</p>	<p>Original</p>
<p>97,220 In the Matter of Paul Arabia, Respondent.</p>	<p>Alexander M. Walczak, Deputy Discip. Admin. Paul Arabia, Pro Se</p>	<p>Original</p>
<p>97,590 In the Matter of Troy W. Purinton, Respondent.</p>	<p>Frank D. Diehl, Deputy Discip. Admin. Troy W. Purinton, Pro Se</p>	<p>Original</p>

**Summary Disposition of Sentencing Appeals — No Oral Argument
Pursuant to Supreme Court Rule 7.041(a)**

96,643	State v. Carlos Gonzalez	96,780	State v. Luis Holguin, Jr.	96,891	State v. Andrew L. Mullens
96,668	State v. Chuck Best	96,782	State v. Shawn M. Smith	96,910	State v. Melvin Miller
96,689	State v. Jason D. Marks	96,801	State v. Rolando R. Nesler	96,911	State v. Robert Blanchette
96,733	State v. Steven J. Denson	96,833	State v. Alexander Ludlow	96,946	State v. Jason M. Lucas

Carol G. Green
Clerk of the Appellate Courts

Doc. No. 034116

**State of Kansas
Board of Technical Professions**

**Notice of Hearing on Proposed
Administrative Regulations**

A public hearing will be conducted at 11 a.m. Thursday, May 24, in Suite 507, Landon State Office Building, 900 S.W. Jackson, Topeka, to consider the adoption of proposed rules and regulations of the Board of Technical Professions.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving public comments on the proposed regulations. All interested parties may submit written comments prior to the hearing to the Board of Technical Professions, Suite 507, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612, or by e-mail at ksbtp5@ink.org. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulations during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request each participant to limit any oral presentation to five minutes.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulations and economic impact statement in an accessible format. Requests for accommodation should be made at least 10 working days in advance of the hearing by contacting Betty L. Rose at (785) 296-3053 or by e-mail at ksbtp5@ink.org.

There is no anticipated economic impact on the Board of Technical Professions or other governmental agencies (see fiscal impact statement for economic impact on the public).

The following is a brief summary of the substance of the proposed regulations:

K.A.R. 66-9-5. Surveying curriculum approved by the board. The board is proposing a revision of this regula-

tion to include a new land surveying education curriculum consisting of 60 post-secondary credit hours.

K.A.R. 66-10-10a. Surveying experience required of an applicant who is a graduate of an approved land surveying curriculum. This regulation is being revised to include the new surveying curriculum added to K.A.R. 66-9-5.

K.A.R. 66-11-5. Admission requirements for fundamentals of surveying examination. This regulation is being revised to include the new surveying curriculum added to K.A.R. 66-9-5.

Other various changes, which are grammatical, appropriate to format or updated to the most current form of the statute, have been made.

The fiscal impact for K.A.R. 66-9-5, K.A.R. 66-10-10a and K.A.R. 66-11-5 is as follows:

1. The proposed regulations are not mandated by federal law as a requirement for participating in or implementing a federally subsidized or assisted program.
2. The individuals acquiring the education in proposed regulation K.A.R. 66-9-5 will be impacted by the cost of the coursework. The cost is not known and will vary depending upon where the coursework is completed. There should be no individuals economically affected by proposed regulations K.A.R. 66-10-10a and K.A.R. 66-11-5.
3. There were no less costly or less intrusive methods considered for achieving the stated purpose of the regulation, and there were no methods rejected in favor of the proposed regulations.

Copies of the full text of the regulations and the fiscal impact statement may be obtained via the board's Web site at www.kansas.gov/ksbtp/, by writing to the Board of Technical Professions at the address above, by e-mail request to ksbtp5@ink.org or by calling (785) 296-3053.

Betty L. Rose
Executive Director

Doc. No. 034129

State of Kansas

Secretary of State

Notice of Corporations Forfeited

In accordance with K.S.A. 17-7510, the articles of incorporation of the following corporations organized under the laws of Kansas and the authority of the following foreign corporations authorized to do business in Kansas were forfeited during the month of January 2007 for failure to timely file an annual report and pay the annual report fee as required by the Kansas general corporation code:

Domestic Corporations

A.V.L. Enterprises, Inc., Olathe, KS.
 Acme Radio Supply, Inc., Topeka, KS.
 Agape Mortgage Partners Corporation, Overland Park, KS.
 All Star Construction, Inc., Silver Lake, KS.
 All Star Gas Inc. of Arma, Lebanon, MO.
 Animal Playworks Inc., Wichita, KS.
 Audio Electronics, Inc., Hutchinson, KS.
 Aunt Pearl's Attic, Inc., Atchison KS.
 Auto Parts of Fort Scott, Inc., Fort Scott, KS.
 Ballard's Sporting Goods, Inc., Manhattan, KS.
 Booth Enterprises, Inc., Burlington, KS.
 Brainchild Intellectual Property Incorporated, Wichita, KS.
 Brickshire Co., Ltd., Olathe, KS.
 Business-Taxpros, Inc., Wichita, KS.
 Candletree Condominiums Owners Association, Inc.,
 Dodge City, KS.
 Casteel Enterprises, Inc., Topeka, KS.
 CC of Wanamaker Inc., Topeka, KS.
 Century Labs, Inc., Kansas City, KS.
 Chanute Communications, Inc., Chanute, KS.
 China, Inc., Hutchinson, KS.
 Clyde Mercer, Inc., Denver, CO.
 Corinth Cemetery Corporation, Leawood, KS.
 Crop Insurance Professionals Association, L.L.C.,
 Manhattan, KS.
 Daren Wilson Enterprises Inc., Leawood, KS.
 DD Trim Line, Inc., Olathe, KS.
 Dickinson of San Antonio, Inc., San Antonio, TX.
 Dynamic Alternatives Corporation, Wichita, KS.
 Ebaugh's Gifts, Inc., McPherson, KS.
 Economy Mfg. Co., Inc., Sedan, KS.
 Empire Underground Storage, Inc., Lebanon, MO.
 First Church of God, Elkhart, KS.
 Free Forklifts, Inc., Wichita, KS.
 G. E. Tolman & Co., Overland Park, KS.
 GCF International Inc., Olathe, KS.
 Great Bend Jaycees, Inc., Great Bend, KS.
 Hageman Bros., Inc., Natoma, KS.
 Hamilton Trenching, Inc., Parsons, KS.
 Hammond's, Inc., Wichita, KS.
 Haskins Oil Company, Inc., Osage City, KS.
 Hays Church of the Nazarene, Inc., Hays, KS.
 Heble, Inc., Lawrence, KS.
 Herb's Studio, Inc., Lawrence, KS.
 Herbb, Inc., Mulvane, KS.
 Huff's Painting, Inc., Overland Park, KS.
 ICAK, Inc., Overland Park, KS.
 J & J Walker Farms, Inc., Goodland, KS.
 J & R Industries, Inc., Merriam, KS.
 Janzen Oil, Inc., Hays, KS.
 JHL Inc., of Overland Park, Overland Park, KS.
 Johnston Enterprises, Inc., Lenexa, KS.

K.W.D., Limited, Wichita, KS.
 Kaw Valley View Neighborhood Association, Inc.,
 Lawrence, KS.
 KC Hoops Factory Association, Olathe, KS.
 KJRG, Inc., Newton, KS.
 Lady Fitness and Aerobics of Kansas, Inc.,
 Shawnee Mission, KS.
 Lamb and Sons, Incorporated, Macksville, KS.
 Lauer Funeral Home, Inc., Seneca, KS.
 Living Water Church of Lawrence, Inc., Lawrence, KS.
 LL Jayhawk Co., Inc., Lawrence, KS.
 Locke Equipment Sales Co., Inc., Shawnee Mission, KS.
 M & M Supply Company, Inc., Wichita, KS.
 M.J. Enterprises of K.C., Inc., Kansas City, MO.
 Mad Hatter & White Rabbit Inc., Overland Park, KS.
 Mann Investments, Inc., Lawrence, KS.
 Mason Oil, Inc., Arkansas City, KS.
 McKee Pool & Landscape, Inc., Lawrence, KS.
 McLisa Enterprises, Inc., Olathe, KS.
 Meade County Council on Aging, Inc., Fowler, KS.
 Mimi's Things, Inc., Overland Park, KS.
 Mitchell Veterinary Supply, Inc., Wichita, KS.
 Monsour's Inc., Frontenac, KS.
 MQFS66047, LLC, Lawrence, KS.
 Murray Construction, Inc., Overland Park, KS.
 Paulson Enterprise Inc., Lawrence, KS.
 Peete Web Marketing and Equipment, Inc., Leawood, KS.
 Personal Development Group, Inc., Blue Springs, MO.
 Pistol Pete's Nuts & Bolts, Inc., Great Bend, KS.
 Pushwater Enterprises, Inc., Olathe, KS.
 Raynor Door Company, Inc., Topeka, KS.
 Rescue Funding, Inc., Wichita, KS.
 Riley's Jewelry, Inc., Mission, KS.
 Riverside Bowl, Inc., Hutchinson, KS.
 Roselawn Memorial Gardens, Inc., Ottawa, KS.
 Sandifer Motors, Inc., Kansas City, KS.
 Scott Barrel Company, Inc., Kansas City, KS.
 Star Hair, Inc., Wichita, KS.
 Superior Service Co., Inc., Wichita, KS.
 Techserv, Inc., Baldwin City, KS.
 The Garden City Piano Teachers League, Inc.,
 Garden City, KS.
 The L.C. Fields Florist Company, Kansas City, KS.
 The Phoenix Company of Kansas, Inc., Manhattan, KS.
 Total Management, Inc., Lenexa, KS.
 Trinity Blue Corporation, Spanish Fork, UT.
 Unruh Fabricators, Inc., Enid, OK.
 USA Latinos Unidos, Inc., Overland Park, KS.
 Venner, Inc., Larned, KS.
 W.R. King Contracting Inc., Overland Park, KS.
 Wichita Lodge No. 138, Loyal Order of Moose, Incorporated,
 Wichita, KS.
 Young World, Inc., Wichita, KS.

Foreign Corporations

Affiliated Computer Services, Inc., Dallas, TX.
 American Family Satellite, LLC, Winnfield, LA.
 Apartment Personnel of Colorado, Inc., Irving, TX.
 Armour Roofing, L.L.C., Kansas City, MO.
 B & D Industrial Construction, Inc., Raytown, MO.
 Bosworth Steel Erectors, Inc., Dallas, TX.
 Brambles Industries, Inc., Norcross, GA.
 Brambles North America Incorporated, Norcross, GA.
 Canadex Resources Inc., Fort Worth, TX.
 Charles Hampton's A-1 Signs, Inc., Dickson, TN.
 Community Care Alliance, Inc., Kasnas City, MO.
 Coty Prestige LLC, New York, NY.
 Dominion Oil USA Corp., Spring, TX.

Elk Composite Building Products, Inc., Dallas, TX.
 Ellex, Inc., Eden Prairie, MN.
 FEI Company, Shelby Township, MI.
 FFP Advisory Services, Inc., Chesterfield, MO.
 Fort Worth Design & Build, Inc., Fort Worth TX.
 General Elevator and Hydraulics, Inc., Lee's Summit, MO.
 Gines Trucking Company, Inc., High Point, NC.
 Hitech Automation, Inc., Fenton, MO.
 Hollander, Inc., Roseland, NJ.
 Jack Henry & Associates, Inc., Monett, MO.
 Kasbohm Custom Drilling, Inc., Savanna, IL.
 KBC, Inc., Savanna, IL.
 Kelly Aerospace Turbine Rotables, Inc., Wichita, KS.
 Netiq Corporation, San Jose, CA.
 Oilwell Fracturing Services, Inc., Cushing, OK.
 Peerless Mfg. Co., Dallas, TX.
 Petrochem Insulation, Inc., Vallejo, CA.
 Phipps-Murphy Enterprises, Inc., Kiowa, OK.
 Pond & Associates, Inc., Atlanta, GA.
 Premier Bathrooms USA, Inc., Kent, WA.
 PV Holding Corp., Parsippany, NJ.
 Recall Secure Destruction Services, Inc., Norcross, GA.
 Recall Total Information Management, Inc., Norcross, GA.
 Red Apple Morley, LLC, Clinton Township, MI.
 Retaining Wall Design, Inc., Kansas City, MO.
 Rubinbrown LLP, St. Louis, MO.
 Savi Mortgage Acceptance Corporation, Yorba Linda, CA.
 Stanley Jones Corporation, South Fulton, TN.
 Sukup Manufacturing Co, Sheffield, IA.
 Sun Microsystems Federal, Inc., Santa Clara, CA.
 Sutherland Global Services Inc., Pittsford, NY.
 T.C. Dance Club International, Inc., Kansas City, MO.
 Tom Terrono, Inc., Overland Park, KS.
 Transamerica Corporation, Cedar Rapids, IA.
 Webroot Software, Inc., Boulder, CO.
 Western States Fire Protection Company, Centennial, CO.
 Zion I, Oakley, KS.

Ron Thornburgh
 Secretary of State

Doc. No. 034107

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-07-062
 Application(s) for New or Expansion of Existing
 Swine Facilities

Name and Address of Applicant	Owner of Property Where Facility Will Be Located
Tom Schultejeans 1230 M4 Road Goff, KS 66428	Tom Schultejeans 1230 M4 Road Goff, KS 66428
Legal Description	Receiving Water
SE/4 of Section 06, T04S, R13E, Nemaha County Kansas Permit No. A-MONM-S030	Missouri River Basin

This is an application for a permit for the expansion of an existing swine facility. If the application meets statutory and regulatory animal waste management requirements, an additional building for up to 600 additional swine will be built at the existing swine facility. The expansion will bring the number and type of animals at the site to 900 (360 animal units) of swine weighing greater than 55 pounds, 10 head (10 animal units) of cattle weighing more than 700 pounds and 50 head (25 animal units) of cattle weighing 700 pounds or less. Swine wastes will be managed in concrete pits located below the floor of each building. A final decision as to whether or not a permit will be issued will not be made without additional public notice and request for comments.

Public Notice No. KS-AG-07-063/075
 Pending Permits for Confined Feeding Facilities

Name and Address of Applicant	Legal Description	Receiving Water
Thielen Beef Joseph P. & Susan M. Thielen Living Trust P.O. Box 112 Dorrance, KS 67634	SE/4 of Section 30, T13S, R12W, Russell County	Smoky Hill River Basin

Kansas Permit No. A-SHRS-C001 Federal Permit No. KS0099082
 This is a new permit for an existing facility feeding 600 head (600 animal units) of beef cattle weighing more than 700 pounds and 600 head (300 animal units) of beef cattle weighing less than 700 pounds, for a total of 1,200 head (900 animal units). Wastewater control structures will be constructed.

Name and Address of Applicant	Legal Description	Receiving Water
Silver Creek Dairy, Inc. Charles Magathan Route 1, Box 20 Cedar Point, KS 66843	S/2 of Section 11, T20S, R06E, Chase County	Neosho River Basin

Kansas Permit No. A-NECS-M002
 This is a new permit for an expanding, modified facility for 260 head (364 animal units) of mature dairy cattle. A new waste management system for the facility will be built to contain wastewater from the milking parlor and freestall barns. The proposed waste management system will include approximately 0.7 acres of extraneous area, two freestall barns, an earthen waste storage pond, a concrete solids storage structure, a sand trap and the existing milking parlor.

Name and Address of Applicant	Legal Description	Receiving Water
Meyer Land & Cattle Co. P.O. Box 395 Sylvan Grove, KS 67481	SW/4 of Section 16 & NW/4 of Section 21, T12S, R10W, Lincoln County	Saline River Basin

Kansas Permit No. A-SALC-C001 Federal Permit No. KS0085278
 This is a renewal permit for an existing facility for 4,950 head (4,950 animal units) of cattle weighing greater than 700 pounds.

(continued)

Name and Address of Applicant	Legal Description	Receiving Water
Losey Land and Cattle Roger & Mark Losey 1752 E. 1100 Road Agra, KS 67621	W/2 of Section 34, T02S, R16W, Phillips County	Solomon River Basin

Kansas Permit No. A-SOPL-B002

This is a renewal permit for an existing facility for 980 head (490 animal units) of cattle weighing 700 pounds or less each.

Name and Address of Applicant	Legal Description	Receiving Water
N & B Pork Inc. Neal Hammes 2143 J Road Seneca, KS 66538	SE/4 of Section 21, T02S, R12E, Nemaha County	Missouri River Basin

Kansas Permit No. A-MONM-S023

This is a renewal permit with an increase in animal units for an existing facility with a maximum of 2,101 head (840.4 animal units) of swine weighing greater than 55 pounds and 1,560 head (156 animal units) of swine weighing 55 pounds or less, for a total of 996.4 animal units of swine. The increase in animal units is due to a change in law or method of counting baby pigs and results in an increase of 16.8 animal units of swine.

Name and Address of Applicant	Legal Description	Receiving Water
Dan Ochs Route 2, Box 25 Grainfield, KS 67737	SE/4 of Section 30, T09S, R28W, Sheridan County	Saline River Basin

Kansas Permit No. A-SASD-B007

This is a renewal permit for an existing facility for 999 head (999 animal units) of cattle weighing greater than 700 pounds each.

Name and Address of Applicant	Legal Description	Receiving Water
Benoit Feeders Tom & Don Benoit Box 56 Damar, KS 67632	NE/4 of Section 32, T08S, R20W, Rooks County	Solomon River Basin

Kansas Permit No. A-SORO-B002

This is a renewal permit for an existing facility having the maximum capacity for 475 head [475 animal units(AU)] of beef cattle weighing greater than 700 pounds each and 475 head (237.5 AU) of beef cattle weighing 700 pounds or less each.

Name and Address of Applicant	Legal Description	Receiving Water
Daryl Benteman 146 Cyclone Lane Waterville, KS 66548	SE/4 of Section 23, T05S, R05E, Washington County	Big Blue River Basin

Kansas Permit No. A-BBWS-S051

This is a renewal permit for an existing facility with a maximum capacity for 602 head [240.8 animal units (AU)] of swine greater than 55 pounds each and 530 head (53 AU) of swine less than 55 pounds each, for a total of 1,132 head (293.8 AU) of swine.

Name and Address of Applicant	Legal Description	Receiving Water
Nelson Farms Glen Nelson 2074 Stafford Road Ottawa, KS 66067	NE/4 of Section 32 & SW/4 of Section 29, T15S, R19E, Franklin County	Marias des Cygnes

Kansas Permit No. A-MCFR-S024

This is a renewal permit with a decrease in animal units for an existing facility with a maximum of 654 head (261.6 animal units) of swine weighing greater than 55 pounds and 240 head (24 animal units) of swine 55 pounds or less, for a total of 285.6 animal units. This is a decrease from the previous permitted capacity of 332 animal units.

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

Kansas Permit No. A-BBWS-S022

This is a renewal permit for an existing facility for 1,400 head (560 animal units) of swine weighing greater than 55 pounds.

Name and Address of Applicant	Legal Description	Receiving Water
Rocking Q Farms, Inc. Allen Quenzer 3440 Road 66 Brewster, KS 67732	SE/4 of Section 10, T08S, R37W, Sherman County	Upper Republican River Basin

Kansas Permit No. A-URSH-B005

This is a renewal permit for an existing facility for 900 head (900 animal units) of cattle weighing greater than 700 pounds.

Name and Address of Applicant	Legal Description	Receiving Water
Alvin Selland 1695 2nd Ave. West Horton, KS 66439	NW/4 of Section 05, T05S, R18E, Atchison County	Kansas River Basin

Kansas Permit No. A-KSAT-S005

This is a renewal permit for an existing facility with a maximum capacity of 470 head (188 animal units) of swine weighing greater than 55 pounds and 200 head (20 animal units) of swine 55 pounds or less, for a total of 208 animal units of swine.

Name and Address of Applicant	Legal Description	Receiving Water
Larry & Betty Olberding 732 176 Road Seneca, KS 66538	SW/4 of Section 07 & NW/4 of Section 18, T02S, R12E, Nemaha County	Missouri River Basin

Kansas Permit No. A-MONM-M004

This is a modification and permit renewal for an existing facility expanding to 480 head (672 animal units) of mature dairy cattle, 160 head (160 animal units) of heifers weighing more than 700 pounds and 167 head (83.5 animal units) of calves weighing less than 700 pounds, for a total of 807 head (915.5 animal units). Proposed is the addition of a concrete manure pit, the reconfiguration of some open lot feeding areas, and the reshaping and reseeding of grass buffers to serve the reconfigured open lots. Included in the total animal units are mature dairy cows, heifers and calves that were inadvertently omitted from the previous permit along with some of the open lot feeding areas located in Section 18. Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided that meets or exceeds KDHE minimum requirements

Public Notice No. KS-ND-07-008

Name and Address of Applicant	Legal Location	Type of Discharge
Northcrest Inc. 1530 Moehlman Road Manhattan, KS 66502	SW ¹ / ₄ , NE ¹ / ₄ , NW ¹ / ₄ , S30, T10S, R8E, Riley County, KS	Nonoverflowing

Kansas Permit No. C-KS38-NO08 Federal Tracking No. KSJ000575

Facility Name: North Crest Mobile Home Court #1

Facility Address: 1726 S. Manhattan Ave., Manhattan, KS 66502

Facility Description: The proposed action is to reissue an existing permit for operation of an existing nonoverflowing lagoon wastewater treatment facility. The draft permit contains supplemental conditions for irrigation of wastewater and requirements on the irrigated water to assure proper operation of the treatment system. Discharge of wastewater from this treatment facility to surface waters of the state of Kansas is prohibited by this permit.

Public Notice No. KS-EG-07-002/004

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

Tyson Fresh Meats, Inc.
800 Stevens Port Drive
Dakota Dunes, SD 57049

Facility Location: West Highway 50, Holcomb, KS 67851

Well and Permit Number	Location
#2 KS-01-055-002	3254 feet from south line and 4841 feet from east line of SE Corner of Section 2-Township 24S-Range 34W, Finney County, KS (SW, SW, NW)

Facility Description: The proposed action is to reissue an existing permit for a Class I nonhazardous waste injection well at the location described above. The fluids to be injected are nonhazardous liquid waste consisting of waste brines from the curing of cattle hides, wastewater from the hide tanning process and brine wastewater from water softeners. Injection is to be made into the Arbuckle formation and Granite Wash (Pre-Cambrian) through open-hole from a depth of 5760 feet to 6500 feet. Disposal will be by means of gravity flow; wellhead pressure will not be allowed. The maximum rate of injection will be 100,000 gallons per day. All construction, monitoring and operation of this well will meet the requirements that apply to Class I injection wells under the Kansas Underground Injection Control Regulations, K.A.R. 28-46-1 through 28-46-44.

Name and Address of Applicant

Mid-Continent Fractionation and Storage
1372 7th Ave.
McPherson, KS 67460

Facility Name: Conway East Facility

Facility Location: Conway, Kansas

Well and Permit Number	Location
Riddle #1 KS-01-113-003	123 feet from south line and 4158 feet from east line of SE Corner of Section 28-Township 19S-Range 4W, McPherson County, KS (SE, SW, SW)
Riddle #2 KS-01-113-004	425 feet from the south line and 4450 feet from the east line of SE Corner of Section 28, Township 19S, Range 4W, McPherson County, KS (SE, SW, SW)

Facility Description: The proposed action is to reissue existing permits for Class I nonhazardous waste injection wells at the locations described above. The fluids to be injected are nonhazardous liquid waste consisting of near saturated waste brines from the underground hydrocarbon storage operation. Injection is to be made into the Arbuckle formation through open-hole from a depth of 3974 feet to 4380 feet in well #1 and from a depth of 3975 feet to 4371 feet in well #2. Disposal will be by means of gravity flow; wellhead pressure will not be allowed. The maximum rate of injection will be 1,000,000 gallons per day for well #1 and 450,000 gallons per day for well #2. All construction, monitoring and operation of this well will meet the requirements that apply to Class I injection wells under the Kansas Underground Injection Control Regulations, K.A.R. 28-46-1 through 28-46-44.

Name and Address of Applicant

Cargill, Inc.
P.O. Box 1403
Hutchinson, KS 67504
Facility Location: Hutchinson, Kansas

Well and Permit Number	Location
I-3 KS-03-155-085	1646 feet from south line and 3776 feet from east line of Section 19-23-5W, Reno County, KS (SW,NE,SW)
I-6 KS-03-155-150	1404 feet from south line and 4027 feet from east line of Section 19-23-5W, Reno County (SE NW SW)

Facility Description: The proposed action is to reissue the permits for Class III salt solution mining wells at the locations described above. The fluids to be injected consist of fresh water only. Injection is to be made into the Hutchinson Salt member of the Wellington formation. Cavity development shall not extend into the upper 40 feet of the salt member. The maximum operational injection pressure is not to exceed 150 pounds per square inch at the wellhead. The monitoring and operation of these wells shall meet the requirements that apply to Class III injection wells under K.A.R. 28-43-1 through 28-43-11 and the Kansas Underground Injection Control Regulations, K.A.R. 28-46-1 through 28-46-44.

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 March 24 will be considered in the formulation of the final determinations regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-07-062/075, KS-ND-07-008, KS-EG-07-002/004) 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. 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. 034124

State of Kansas

Department of Health
and Environment

Request for Comments

The Kansas Department of Health and Environment is soliciting comments regarding two proposed air quality permits. Midwest Energy, Inc. has applied for a construction permit in accordance with the provisions of K.A.R. 28-19-300 and a Class II operating permit in accordance with the provisions of K.A.R. 28-19-540. Emissions of nitrogen oxides (NO_x), carbon monoxide (CO), sulfur oxides (SO_x), particulate matter (PM), particulate matter with an aerodynamic diameter less than or equal to 10 microns (PM₁₀), volatile organic compounds (VOCs) and hazardous air pollutants (HAPs) were evaluated during the permit review process. The purpose of a Class II permit is to limit the potential-to-emit for these pollutants to below major source thresholds.

Midwest Energy, Inc., 1330 Canterbury Road, P.O. Box 898, Hays, proposes to own and operate an electrical power generation facility located at 1713 230th Ave., Hays. The facility will consist of nine natural gas fueled internal combustion engines, each rated to generate 8,439 kilowatts of electricity. The facility is designed to operate as a "peaking facility" and will be operated mainly during the summer high-power-load months.

A copy of the proposed permits, permit applications, 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. To obtain or review the proposed permits and supporting documentation, contact Terry Tavener, (785) 296-1581, at the KDHE central office; and to review the proposed permit only, contact Richard Robinson, (785) 625-5663, at the KDHE Northwest District Office. The standard departmental cost will be assessed for any copies requested.

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

Any member of the public may request to hold a public hearing to provide comments on the proposed issuance of the draft air quality permits. Written requests to hold a public hearing should be sent to the attention of Sherry Walker at the address listed above or by fax to (785) 291-3953 and must be received by noon March 26. If a request is received, a public hearing is tentatively scheduled by the Kansas Department of Health and Environment at 7 p.m. March 27 at the City Hall, City Commission Chambers Room, Hays. If no requests to hold the public hearing are received by this date and time, the public hearing will be cancelled.

Roderick L. Bremby
Secretary of Health
and Environment

Doc. No. 034126

State of Kansas

Department of Health
and Environment

Request for Comments

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

Northern Natural Gas Company, 1111 S. 103rd St., Omaha, Nebraska, owns and operates Stevens Company #6 Compressor Station located at Section 14, T32S, R36W, Stevens County, Kansas.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during the permit application review process is available for a 30-day public review during normal business hours at the KDHE, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka; and a copy of the proposed permit can be reviewed at the KDHE Southwest District Office, 302 W. McArtor Road, Dodge City. To obtain or review the proposed permit and supporting documentation, contact Michael J. Parhomek, (785) 296-1580, at the KDHE central office; and to review the proposed permit only, contact Josh Weil, (620) 225-0596, at the KDHE Southwest District Office. The standard departmental cost will be assessed for any copies requested.

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

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Sherry Walker, Bureau of Air and Radiation, not later than the close of business March 26 in order for the Secretary of Health and Environment to consider the request.

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

Any such petition shall be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided for in this notice, unless the petitioner demonstrates that it was im-

practicable to raise such objections within such period, or unless the grounds for such objection arose after such period. Contact Jon Knodel, U.S. EPA, Region VII, Air Permitting and Compliance Branch, 901 N. 5th St., Kansas City, KS 66101, (913) 551-7622, to determine when the 45-day EPA review period ends and the 60-day petition period commences.

Roderick L. Bremby
Secretary of Health
and Environment

Doc. No. 034125

State of Kansas

Department of Health and Environment

Notice of Hearing on Proposed Administrative Regulations

The Kansas Department of Health and Environment, Division of Environment, Bureau of Air and Radiation, will conduct a public hearing at 1 p.m. Wednesday, April 25, in the Flint Hills Room, third floor, Curtis State Office Building, 1000 S.W. Jackson, Topeka, to consider the adoption of proposed revocations, amendments and new regulations concerning radiation.

Summary of Regulation Changes

Under K.S.A. 48-1601 and related statutes, the state of Kansas entered into an agreement with the Nuclear Regulatory Commission (NRC) in 1965 to regulate radioactive materials under the provisions of the federal Atomic Energy Act. Kansas has operated as an *agreement state* since that time. The regulated community in Kansas includes over 300 facilities licensed to use radioactive materials and 2,500 facilities registered to use x-ray equipment. These facilities include industrial operations, research labs, medical and dental facilities, and security screening operations.

In order to assure appropriate protection of the public and operators, radiation exposures must be kept as low as reasonably achievable (ALARA). The role of the Radiation Control Program is to provide the appropriate oversight and regulation. K.S.A. 48-1601 requires that the state provide for compatibility with the standards and regulatory programs of the federal government. Some of the proposed amendments address compatibility issues identified by the NRC. Some of the proposed amendments correct minor errors identified by staff and the regulated community after publication of changes submitted in the last set of revisions. One amendment is a result of new NRC requirements regarding portable gauge security. Several changes and one new regulation are the result of the NRC requirement for implementation of a national tracking system for radioactive sources.

Part 1: General

Amended regulations: **K.A.R. 28-35-135a, 28-35-135d, 28-35-135n, 28-35-135p and 28-35-135r.**

Regulations 28-35-135a, 28-35-135p and 28-35-135r were changed to reflect the adoption by reference and exclusion of specific terms in Part 6 of the regulations. These changes were requested by the NRC to meet com-

patibility requirements. The terms affected were "authorized user," "prescribed dose" and "radiation safety officer." The meanings of these terms remain unchanged.

Regulation 28-35-135r had one change identified internally that clarified the wording in the definition of "radiation area" to include the dose received in a specific time period.

Regulation 28-35-135d was changed to make the wording consistent with the NRC regulation. The structure of the sentences was changed to meet the compatibility requirements for NRC. The meanings of the terms remain unchanged.

Regulation 28-35-135n was changed to add the definition of a nationally tracked source.

Part 3: Licensing of Sources of Radiation

Amended regulations: **K.A.R. 28-35-177a, 28-35-178a, 28-35-178b, 28-35-180a, 28-35-181d, 28-35-181m, 28-35-181n, 28-35-181o, 28-35-182c, 28-35-184a, 28-35-201, 28-35-203.**

Revoked regulation: **K.A.R. 23-35-202.**

Regulation 28-35-177a was changed to reflect the requirement by the NRC to remove authorization to possess source material from specific groups.

Regulations 28-35-178a and 28-35-178b were changed as requested by NRC to provide a list of entities to which a general license will be issued, removing the broad category of "persons."

Regulation 28-35-181m was changed to clarify the wording regarding requirements for applications for specific licenses to manufacture, prepare or distribute radiopharmaceuticals containing radioactive material for medical use.

Regulations 28-35-181n and 28-35-181o were changed to remove references to a regulation that was revoked in the last set of regulatory changes.

Regulation 28-35-182c was changed to reflect the proper assignment of responsibility to the radiation safety officer instead of the radiation safety committee.

Regulation 28-35-184a was changed to reflect a new NRC requirement for additional security measures for portable gauges containing radioactive material.

Regulation 28-35-201 was changed to correct a reference to an incorrect regulation in the footnotes of a table.

Regulation 28-35-180a was changed to add the NRC requirement for manufacturers of nationally tracked sources to assign unique serial numbers to the source.

Regulation 28-35-202 was revoked to reflect that it is now included in Part 13 of the regulations as 28-35-411.

Regulation 28-35-203 was changed to correct a reference to an incorrect regulation.

Part 4: Standards for Protection Against Radiation

Amended regulation: **K.A.R. 28-35-216a.**

New regulation: **K.A.R. 28-35-230g.**

Regulation 28-35-216a was changed to clarify exemptions from testing for sealed sources.

Regulation 28-35-230g was added to reflect the new NRC requirements regarding nationally tracked sources.

(continued)

Part 7: Special Requirements for Industrial Radiographic Operations

Amended regulations: **K.A.R. 28-35-289, 28-35-292.**

Regulation 28-35-289 was changed to clarify the requirements for training for industrial radiographic operations.

Regulation 28-35-292 was changed to reflect an incorrect reference to a part of the regulation.

Part 9: Radiation Safety Requirements for Particle Accelerators

Amended regulation: **K.A.R. 28-35-308.**

Regulation 28-35-308 was amended to correct a reference to another part of the regulations.

Part 11: Wireline and Subsurface Tracer Studies

Amended regulation: **K.A.R. 28-35-349.**

Regulation 28-35-349 was changed to correct an incorrect date on a reference to an ANSI standard.

Part 14: Therapeutic Radiation Machines

Amended regulation: **K.A.R. 28-35-450.**

Regulation 28-35-450 was changed to clarify the training requirements for operators of radiation therapy machines.

Environmental and Economic Impact:

I. Environmental Benefit Statement

- (1) Need for proposed amendments and environmental benefit likely to accrue.

(a) Need.

These changes are necessary to maintain compatibility with the NRC regulations as published in the Code of Federal Register, add additional requirements enacted by the NRC, correct minor errors and address corrections to previous versions of the state regulations.

(b) Environmental benefit.

The purpose of the regulations is to assure that all whom may operate and own radioactive materials or radiation devices, are current and up to date with the current best practices and consistent with other states' safety regulations, with the overall purpose of ensuring the maximum protection of the environment, public health and the maximum safety to all persons at, or in the vicinity of, the place of use of radiation.

- (2) When applicable, a summary of the research indicating the level of risk to the public health or the environment being removed or controlled by the proposed rules and regulations or amendment.

The risks associated with the radiation exposure to be controlled utilizing these revisions have already been determined within the federal rule-making process and through a consensus process of state radiation control programs.

- (3) If specific contaminants are to be controlled by the amendment, a description indicating the level at which the contaminants are considered harmful according to current available research.

As noted above, these determinations have been made at the federal level; the state rules with respect to contaminants are no more stringent than the federal rules.

II. Economic Impact Statement

- (1) Are the amendments mandated by federal law as a requirement for participating in or implementing a federally subsidized or assisted program?

The following applies to Parts 1, 3, 4, 7 and 11 with respect to radioactive material:

Yes, under the NRC-Kansas delegation agreements, the state of Kansas is required to adopt state-enforceable rules compatible with federal rules in order to gain the authority for the administration and enforcement of these standards in the state.

The following applies to Part 14, with respect to radiation producing devices:

No, however, the largest source of radiation exposure from man-made sources is from radiation producing devices. These regulations fill a gap in the federal regulations with respect to protecting the public and environment from the harmful effects of radiation from radiation producing devices while encouraging the constructive use of radiation.

- (2) Do the proposed amendments exceed the requirements of applicable federal law?

No.

- (3) Description of costs to agencies, to the general public and to persons who are affected by, or are subject to, the regulations:

(a) Capital and annual costs of compliance with the proposed amendments and the persons who will bear those costs.

Part 1—None.

Part 3—There will be a minor increase in costs for those who have portable gauges and have to meet the additional security requirements as described in 28-35-184a. Controls could range from a simple additional chain and padlock to elaborate vendor-supplied boxes to fulfill this requirement. Because a licensee has flexibility in selecting the physical controls to be used in securing a portable gauge, the actual cost would depend on the controls selected.

Part 4—Based on the NRC's analysis there will not be a significant economic impact on the licensees.

Part 7—None.

Part 9—None.

Part 11—None.

Part 14—None.

(b) Initial and annual costs of implementing and enforcing the proposed amendments, including the estimated amount of paperwork, and the state agencies, other governmental agencies or other persons or entities who will bear the costs.

Part 3—KDOT will have an initial cost for procurement of the appropriate security requirements to meet this requirement. The cost outlay will depend on the type of controls selected for purchase, from the inexpensive chain and padlock option to the elaborate vendor-supplied boxes.

There should be no increase in costs for the department or other state agencies as a result of the remaining proposed amendments.

- (c) Costs that would likely accrue if the proposed regulations are not adopted, the persons who will bear the costs and those who will be affected by the failure to adopt the regulations.

If failure to adopt the regulations results in the Nuclear Regulatory Commission (NRC) reasserting its authority over the control of sources in Kansas, the state radiation control program could continue to have responsibility for radioactive materials that are not NRC regulated and x-ray devices. The program would be doing the same work with a smaller group of licensees. The radioactive materials licensees would find their costs increased on an annual basis by a factor of three in terms of license, inspection and annual fees charged by NRC. The current Kansas fees are included in a single annual fee paid by each licensee or registrant.

- (d) A detailed statement of the data and methodology used in estimating the costs used in the statement.

Costs were estimated using comparisons of NRC versus Kansas license and registration fees as well as data provided by NRC regulatory analyses.

- (e) Description of any less costly or less intrusive methods that were considered by the agency and why such methods were rejected in favor of the proposed regulations.

There are no alternative methods of implementing the federal requirements that would be less costly or less intrusive.

- (f) Consultation with League of Kansas Municipalities, Kansas Association of Counties, and Kansas Association of School Boards.

The department does not anticipate that the proposed amendments will have a fiscal impact on the constituencies of these organizations. However, a copy of the Regulatory Impact Statement was sent to each of the organizations.

The time period between the publication of this notice and the scheduled hearing constitutes a 60-day public comment period for the purpose of receiving written public comments on the proposed regulatory action. All interested parties may submit written comments prior to 5 p.m. on the day of the hearing to Tom Conley, Kansas Department of Health and Environment, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka, 66612, by fax to (785) 296-0984 or by e-mail to tconley@kdhe.state.ks.us. The proposed regulations can be accessed on the KDHE Web site at <http://www.kdhe.state.ks.us>.

All interested parties will be given a reasonable opportunity to present their views orally on the proposed regulatory action during the hearing. In order to give all parties an opportunity to present their views, it may be

necessary to require each participant to limit any oral presentation to five minutes.

Copies of the proposed amendments and the economic impact and environmental benefit statements may be obtained by contacting Seretha Potts, KDHE, Bureau of Air and Radiation, at (785) 296-1560 or spotts@kdhe.state.ks.us. Questions pertaining to these proposed amendments should be directed to Tom Conley at (785) 296-1565 or tconley@kdhe.state.ks.us.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed amendments and the economic impact and environmental benefit statements in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Tom Conley.

Roderick L. Bremby
Secretary of Health
and Environment

Doc. No. 034128

(Published in the Kansas Register February 22, 2007.)

Notice of Certificate Sale
Allen County Community College
Allen County, Kansas
\$2,070,000

Certificates of Participation, Series 2007

(Evidencing a proportionate interest of the owners thereof in basic rent payments to be made by the college pursuant to a lease purchase agreement)

Bids

Written bids will be received by Ranson Financial Consultants, L.L.C., Wichita, Kansas (financial advisor), on behalf of the Board of Trustees of Allen County Community College at 200 W. Douglas, Suite 600, Wichita, KS 67202, fax (316) 265-5403, until 2 p.m. March 8, 2007, for the purchase of \$2,070,000 principal amount of Certificates of Participation, Series 2007, evidencing a proportionate interest of the owners thereof in basic rent payments to be made by the college pursuant to a lease purchase agreement (the Series 2007 Certificates).

Certificate Details

The Series 2007 Certificates will be issued pursuant to a Declaration of Trust by the trustee identified below. The Series 2007 Certificates will consist of fully registered certificates in the denomination of \$5,000 or any integral multiple thereof. The Series 2007 Certificates will be dated March 15, 2007, and the principal portion thereof will become due semiannually on March 1 and September 1 in the years as follows:

Year	Principal Amount
09/01/2007	\$35,000
03/01/2008	35,000
09/01/2008	35,000
03/01/2009	35,000
09/01/2009	35,000
03/01/2010	40,000

(continued)

09/01/2010	40,000
03/01/2011	40,000
09/01/2011	40,000
03/01/2012	40,000
09/01/2012	40,000
03/01/2013	40,000
09/01/2013	45,000
03/01/2014	45,000
09/01/2014	45,000
03/01/2015	45,000
09/01/2015	45,000
03/01/2016	50,000
09/01/2016	50,000
03/01/2017	50,000
09/01/2017	50,000
03/01/2018	50,000
09/01/2018	50,000
03/01/2019	55,000
09/01/2019	55,000
03/01/2020	55,000
09/01/2020	55,000
03/01/2021	60,000
09/01/2021	60,000
03/01/2022	60,000
09/01/2022	60,000
03/01/2023	60,000
09/01/2023	65,000
03/01/2024	70,000
09/01/2024	70,000
03/01/2025	70,000
09/01/2025	70,000
03/01/2026	75,000
09/01/2026	75,000
03/01/2027	75,000

Each of the Series 2007 Certificates shall represent the right to receive a proportionate share of the interest portion and principal portion of basic rent paid by the college to the trustee identified below under a lease purchase agreement. The interest portion due on the Series 2007 Certificates will accrue from the date of the Series 2007 Certificates, at rates to be determined when the Series 2007 Certificates are sold as hereinafter provided, which interest portion will be payable semiannually on certificate payment dates, which shall be March 1 and September 1 in each year, beginning September 1, 2007.

Trustee, Paying Agent and Certificate Registrar

UMB Bank, N.A., Kansas City, Missouri.

Good Faith Deposit

Each bid shall be accompanied by a good faith deposit in the form of a cashier's or certified check drawn on a bank located in the United States or a qualified financial surety bond in the amount of \$41,400 (2 percent of the principal amount of the Series 2007 Certificates).

Authority, Purpose and Security

The lease is being entered into for a 56-bed student housing facility on the college campus in Iola, Kansas (the improvements), all pursuant to K.S.A. 71-201 *et seq.* and K.S.A. 10-1116c, as amended. The Series 2007 Certificates are secured by and payable from the Trust Estate established under the Declaration of Trust, which consists, in

part, of basic rent payments received by the trustee under the lease. The obligation of the college to make basic rent payments under the lease is a limited obligation, payable from available revenues of the college, including those raised through ad valorem taxation, but shall not in any way be construed to be a general obligation or indebtedness of the college. The initial term of the lease extends to March 1, 2017, and is subject to renewal and extension by the college for an additional 11 years (to March 1, 2027). The lease also is subject to change or termination by act of the Kansas Legislature.

Conditions of Bids

Proposals will be received on the Series 2007 Certificates bearing such rate or rates of interest as may be specified by the bidders, subject to the following conditions: (a) the same rate shall apply to all of the principal portion due in each year; (b) each interest rate specified shall be a multiple of 1/8 or 1/20 of 1 percent; (c) no interest rate may exceed a rate equal to the daily yield for the 30-year Treasury Certificate published by *The Bond Buyer*, in New York, New York, on the Monday next preceding the day on which the Series 2007 Certificates are sold, plus 2 percent; and (d) no supplemental interest payments will be considered. The difference between the highest rate specified and the lowest rate specified cannot exceed 3.50 percent. No bid shall be for less than 98 percent of the total principal portion evidenced by the Series 2007 Certificates and accrued interest thereon to the date of delivery will be considered. Each bid shall specify the total interest cost (expressed in dollars) during the term of the lease on the basis of such bid, the discount, if any, the premium, if any, offered by the bidder, the net interest cost (expressed in dollars) on the basis of such bid and the average annual net interest rate (expressed as a percentage) on the basis of such bid. Each bidder shall certify to the college the correctness of the information contained on an official bid form; the college will be entitled to rely on such certification. Each bidder agrees that, if it is awarded the Series 2007 Certificates, it will provide the certification as to initial offering prices described under the caption "Certification as to Offering Prices" in this notice.

Basis of Award

The award of the Series 2007 Certificates will be made on the basis of the lowest net interest cost (expressed in dollars), which will be determined by subtracting the amount of the premium bid, if any, from or adding the amount of the discount bid, if any, to the total interest cost to the college. If there is any discrepancy between the net interest cost specified and the interest rates specified, the specified net interest cost shall govern and the interest rates specified in the bid shall be adjusted accordingly. If two or more proper bids providing for identical amounts for the lowest net interest cost are received, the Board of Trustees of the college will determine which bid, if any, will be accepted, and its determination is final.

The college reserves the right to reject any and/or all bids and to waive any irregularities in a submitted bid. Any bid received after the submittal hour on the sale date set forth above will be returned to the bidder. Any disputes arising hereunder shall be governed by the laws of Kansas, and any party submitting a bid agrees to be sub-

ject to jurisdiction and venue of the federal and state courts within Kansas with regard to such dispute.

Certification as to Offering Prices

To provide the college with information necessary for compliance with Section 148 of the Internal Revenue Code of 1986, as amended, the successful bidder will be required to complete, execute and deliver to the college prior to the delivery of the Series 2007 Certificates, a certificate regarding the "issue price" of the Series 2007 Certificates (as defined in Section 148 of the code), reflecting the initial offering prices (excluding accrued interest and expressed as dollar prices) at which a substantial amount (*i.e.*, 10 percent or more) of the Series 2007 Certificates of each maturity have been or are expected to be sold to the public. The term "public" excludes bond houses, brokers or similar persons or organizations acting in the capacity of underwriters or wholesalers. Such certificate shall state that 10 percent or more of the Series 2007 Certificates of each maturity have been or are expected to be sold to the public at prices no higher than such initial offering prices. However, such certificate may indicate that the successful bidder will not offer the Series 2007 Certificates for sale to the public.

Mandatory Prepayment

A bidder may elect to have all or a portion of the Series 2007 Certificates scheduled to be paid in consecutive years issued as term certificates scheduled to be paid in the latest of said consecutive years and subject to mandatory prepayment requirements consistent with the schedule of serial payments set forth above, subject to the following conditions: not less than all Series 2007 Certificates to be paid in the same year shall be converted to term certificates with mandatory prepayment requirements and a bidder shall make such an election by completing the applicable paragraph on the official bid form.

Delivery

The college will pay for printing the Series 2007 Certificates and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about March 29, 2007, to such bank or trust company in the contiguous United States as may be specified by the successful bidder, or elsewhere at the expense of the successful bidder.

Approval of Series 2007 Certificates

The Series 2007 Certificates will be sold subject to the legal opinion of Gilmore & Bell, P.C., Wichita, Kansas, special counsel, whose approving legal opinion as to the validity of the lease and Series 2007 Certificates will be furnished and paid for by the college, printed on the Series 2007 Certificates and delivered to the successful bidder when the Series 2007 Certificates are delivered.

Additional Information

Additional information regarding the Series 2007 Certificates may be obtained from the college's Vice President for Finance and Operations, 1801 Cottonwood, Iola, KS 66749, Attn: Steve Troxel, (620) 365-3116, fax (620) 365-7406; or from the financial advisor, Ranson Financial Consultants, L.L.C., 200 W. Douglas, Suite 600, Wichita, KS 67202, Attention: John Haas, (316) 264-3400, fax (316) 265-5403.

Dated February 8, 2007.

Allen County Community College
Allen County, Kansas

Doc. No. 034138

State of Kansas

Kansas Lottery

Temporary Administrative Regulations

Article 6.—ON-LINE GENERIC GAME RULES

111-6-27. Prize multiplier promotion. (a) The lottery may from time to time conduct a temporary prize multiplier promotion for any online game offered by the lottery.

(b) The terms and conditions of the promotion may include:

(1) the type of online game or games to which the promotion applies;

(2) the prize or prizes to which the promotion applies;

(3) the factor by which each prize will be multiplied;

(4) the duration of the promotion;

(5) the retailer or retailers to which the promotion will be offered; and

(6) any other terms or conditions that the executive director determines will further the intent of the prize multiplier promotion. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-1-19-07, Dec. 28, 2006.)

Ed Van Petten
Executive Director

Doc. No. 034115

State of Kansas

Secretary of State

Certification of New State Laws

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

Ron Thornburgh
Secretary of State

(Published in the Kansas Register February 22, 2007.)

HOUSE BILL No. 2303

AN ACT creating the Kansas national bio and agro defense facility interagency working group act.

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

Section 1. This act shall be known and may be cited as the Kansas national bio and agro defense facility interagency working group act. The purpose of this act is to create an interagency working group to support and assist the United States department of homeland security in the national environmental policy act process to conduct an environmental impact statement on any site in Kansas selected by the department of homeland security for the location of a national bio and agro defense facility and to coordinate efforts among all affected state, county and local agencies to further the state's interest in the siting of a national bio and agro defense facility in Kansas.

Sec. 2. (a) There is hereby established the Kansas national bio and agro defense facility interagency working group.

(b) The working group shall consist of the following members *ex officio*: The secretary of health and environment, the

(continued)

secretary of commerce or designee, the secretary of administration or designee, the secretary of agriculture or designee, the livestock commissioner or designee, the secretary of revenue or designee, the attorney general or designee, the state board of regents or designee, the mayor of the city of Manhattan or designee, the chairperson of the Leavenworth county board of commissioners or designee, the adjutant general (the state director of homeland security) or designee and the superintendent of the Kansas highway patrol or designee.

(c) The secretary of health and environment shall serve as chairperson of the working group, and the working group may elect a vice-chairperson from among the members of the working group.

(d) All appointments of designees must be made and submitted to the Kansas bioscience authority no more than 30 days after enactment of this act.

Sec. 3. (a) The department of health and environment shall coordinate all acts performed by the members of the working group.

(b) The working group shall:

(1) Establish a support network among the members of the working group to facilitate the efficient and timely completion of all acts to be performed by all affected state and local agencies;

(2) support the governor in the formulation of recommendations regarding the siting of a national bio and agro defense facility in Kansas;

(3) serve as an information resource on the national bio and agro defense facility, including, but not limited to, providing objective, scientific educational material on the national bio and agro defense facility, conducting workshops for state and local agencies, coordinating community outreach meetings, maintaining a website on the national bio and agro defense facility and performing such other tasks as to educate the public about the national bio and agro defense facility;

(4) identify the regulatory responsibilities for all aspects of the siting of a national bio and agro defense facility;

(5) provide guidance to the department of homeland security regarding all state and local permit processes;

(6) coordinate the exchange of information among all federal, state and local agencies affected by the siting of a national bio and agro defense facility in Kansas;

(7) identify available resources that may assist the department of homeland security in the national environmental policy act process; and

(8) facilitate the involvement of all affected state and local agencies in the national environmental policy act process.

Sec. 4. This legislation shall expire upon completion of the national bio and agro defense facility, or elimination of all potential sites in Kansas from consideration by the department of homeland security for the location of a national bio and agro defense facility.

Sec. 5. This act shall take effect and be in force from and after its publication in the Kansas register.

(Published in the Kansas Register February 22, 2007.)

SENATE BILL No. 252

AN ACT authorizing the state board of regents to convey certain real estate located in Riley county, Kansas, for and on behalf of Kansas state university and the state of Kansas to the United States government, department of homeland security.

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

Section 1. (a) The state board of regents for and on behalf of Kansas state university and the state of Kansas is hereby authorized and directed to convey by quitclaim deed to the United States government, department of homeland security, all or part of a tract of land located in township ten (10) south, range eight (8) east of the sixth (6th) P.M., in Riley county, Kansas, being more particularly described as follows:

A TRACT OF LAND LOCATED IN GOVERNMENT LOT 4 AND 5, SECTION 7, TOWNSHIP 10 SOUTH, RANGE 8 EAST OF THE 6th P.M. IN RILEY COUNTY, KANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID GOVERNMENT LOT 5;

THENCE ALONG THE WEST LINE OF SAID GOVERNMENT LOT 5 N.0°55'16"W. 1331.74 FEET TO THE NORTHWEST CORNER OF SAID GOVERNMENT LOT 5; THENCE ALONG THE NORTH LINE OF SAID GOVERNMENT LOTS 5 AND 4 N.89°18'16"E. 1923.25 FEET (N.89°18'16"E. BEING AN ASSUMED BEARING)

TO THE NORTHWEST CORNER OF "K-STATE RESEARCH PARK, UNIT ONE",

AN ADDITION TO THE CITY OF MANHATTAN, RILEY COUNTY, KANSAS;

THENCE TRAVERSING ALONG THE WESTERLY LINES OF SAID "K-STATE RESEARCH PARK, UNIT ONE" THE FOLLOWING TWO COURSES:

1.) S.0°58'42"E. 820.15 FEET (SAID "K-STATE RESEARCH PARK, UNIT ONE: S.0°57'33"E. 820.00 FEET);

2.) S.51°17'18"E. 255.83 FEET (SAID K-STATE RESEARCH PARK, UNIT ONE:

S.51°16'09"E.) TO THE NORTHWESTERLY CORNER OF THE "KANSAS STATE UNIVERSITY FOUNDATION" TRACT, AS DESCRIBED ON PAGES 862 & 863 OF BOOK 710 AT THE RILEY COUNTY REGISTER OF DEEDS; THENCE TRAVERSING ALONG THE WESTERLY LINES OF SAID "KANSAS STATE UNIVERSITY FOUNDATION" TRACT THE FOLLOWING TWO COURSES:

1.) S.42°30'07"W. 367.56 FEET (SAID "KANSAS STATE UNIVERSITY FOUNDATION" TRACT: S.42°31'16"W.);

2.) S.2°02'05"W. 70.94 FEET (SAID "KANSAS STATE UNIVERSITY FOUNDATION"

TRACT: S.2°03'14"W.) TO THE SOUTH LINE OF SAID GOVERNMENT LOT 4; THENCE ALONG THE SOUTH LINE OF GOVERNMENT LOTS 4 AND 5

S.88°59'09"W. 1864.77 FEET TO THE POINT OF BEGINNING, CONTAINING 59.288 ACRES.

(b) The quitclaim deed shall be executed by the chairperson of the state board of regents and attested to by the president and chief executive officer of the state board of regents contingent upon the United States government, department of homeland security, selecting a site on the tract of land described in subsection (a) as the location for the National Bio and Agro-Defense facility pursuant to the specifications determined in the selection process conducted by the United States government, department of homeland security.

Sec. 2. This act shall take effect and be in force from and after its publication in the Kansas register.

(Published in the Kansas Register February 22, 2007.)

HOUSE BILL No. 2041

AN ACT designating a part of United States highway 24, United States highway 59 and K-92 as the 95th division, the iron men of Metz highway; amending K.S.A. 2006 Supp. 68-1060 and repealing the existing section.

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

Section 1. K.S.A. 2006 Supp. 68-1060 is hereby amended to read as follows: 68-1060. United States highway 24 from the east city limits of Topeka, then east on United States highway 24, to the junction with United States highway 59, then north on United States highway 59, to the junction with K-92 highway, then in a northeasterly direction on K-92 highway to the city of Leavenworth, is hereby designated as the 95th division of the ~~United States Army, the iron men of Metz~~ highway. The secretary of transportation shall place signs along the highway right-of-way at proper intervals to indicate that the highway is the 95th division of the ~~United States Army, the iron men of Metz~~ highway, except that such signs shall not be placed until the secretary has received sufficient moneys from gifts and donations to reimburse the secretary for the cost of placing such signs and an additional 50% of the initial cost to defray future maintenance or replacement costs of such signs. The secretary of transportation may accept and administer gifts and donations to aid in obtaining and installing suitable signs.

Sec. 2. K.S.A. 2006 Supp. 68-1060 is hereby repealed.

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

(Published in the Kansas Register February 22, 2007.)

SENATE BILL No. 36

AN ACT concerning certain cities and counties; relating to the unification thereof; amending K.S.A. 2006 Supp. 12-362, 12-363 and 12-365 and repealing the existing sections.

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

Section 1. K.S.A. 2006 Supp. 12-362 is hereby amended to read as follows: 12-362. (a) The commission shall prepare and adopt a plan addressing the unification of the city and county or certain city and county offices, functions, services and operations. The commission shall conduct such studies and investigations as it deems appropriate to complete its work. Such studies and investigations shall include, but not be limited to, studies of the costs and benefits of unifying the city and county or certain city and county offices, functions, services and operations.

(b) The commission shall hold public hearings for the purpose of receiving information and materials which will aid in the drafting of the plan.

(c) Within one year following the appointment of all members of the commission, the commission shall prepare and adopt a preliminary plan addressing the unification of the city and county or certain city and county offices, functions, services and operations it deems advisable. Copies of the preliminary plan shall be filed with the county election officer, city clerk, each public library within the county and any other place designated by the commission. Copies of such plan shall be available to members of the public for inspection upon request. The commission shall hold at least two public hearings to obtain citizen views concerning the preliminary plan. Notice of such hearings shall be published at least twice in a newspaper of general circulation within the county. Following the public hearings on the preliminary plan, the commission may adopt, or modify and adopt, the preliminary plan as the final plan.

(d) Within 30 days of the last public hearing held on the preliminary plan, the commission shall adopt its final plan. The final plan shall include the full text and an explanation of the proposed plan, and comments deemed desirable by the commission, a written opinion by an attorney admitted to practice law in the state of Kansas and retained by the executive director for such purpose that the proposed plan is not in conflict with the constitution or the laws of the state, and any minority reports. Copies of the final plan shall be filed with the county election officer, city clerk, each public library within the county and any other place designated by the commission. Copies of such plan shall be available to members of the public for inspection upon request. The commission shall continue in existence at least 90 days following the submission of the final plan pursuant to this subsection.

(e) (1) The final plan shall be submitted to the qualified electors of the county at the ~~next regular general election held in November of an even-numbered year~~ any primary, general or special election. If the statutorily mandated duties of an elective office are to be eliminated or if the office is to be eliminated and the duties transferred to a nonelective office, the question of elimination of such duties or office shall be submitted to the voters as a separate ballot question. Such election shall be called and held by the county election officer in the manner provided by the ~~general election law~~ for the calling and holding of elections pursuant to K.S.A. 10-120, and amendments thereto. Such election may be conducted by mail ballot. A summary of the final plan shall be prepared by the commission and shall be published once each week for two consecutive weeks in a newspaper of general circulation within the county. If a majority of the qualified electors voting on the plan who reside within the corporate limits of the city and a majority of the qualified electors voting on the plan who reside outside of the corporate limits of the city vote in favor thereof, the unification plan shall be implemented in the manner provided by the plan. If a majority of the electors who reside within the corporate limits of the city or a majority of the qualified electors who reside outside of the corporate limits of the city vote against such plan, the proposed unification plan shall not be implemented.

(2) Any proposed unification which eliminates an elective office shall provide that the elimination of such office shall become effective upon the date of normal expiration of the term of such office.

(3) If the final plan provides for the unification of the city of Horace with the county or the unification or elimination of any of the offices or powers, duties and functions of such offices of the city of Horace and a majority of the qualified electors of the city of Horace voting on the plan do not vote in favor thereof, the city of Horace and officers thereof shall continue in existence and operation as if no unification had occurred.

(4) If the commission submits a final plan which does not recommend the unification of the city and county or certain city and county offices, functions, services and operations, the provisions of this subsection shall not apply.

Sec. 2. K.S.A. 2006 Supp. 12-363 is hereby amended to read as follows: 12-363. (a) Any plan submitted by the commission shall provide for the exercise of powers of local legislation and administration not inconsistent with the constitution or other laws of this state.

(b) If the commission submits a plan providing for the unification of certain city and county offices, functions, services and operations, the plan shall:

(1) Include a description of the form, structure, functions, powers and officers and the duties of such officers recommended in the plan.

(2) Provide for the method of amendment of the plan.

(3) Specify the effective date of the unification.

(continued)

(4) Include other provisions determined necessary by the commission.

(c) If the plan provides for the unification of the city and county, in addition to the requirements of subsection (b) the plan shall:

(1) Provide that the members of the governing body be elected *from districts* or on an at-large basis and fix the number, term and initial compensation of the governing body of the unified city-county and the method of election.

(2) Determine whether elections of the governing body of the unified city-county shall be partisan or nonpartisan elections and the time at which such elections shall be held.

(3) Determine the distribution of legislative and administrative duties of the unified city-county officials, provide for unification or expansion of services as necessary, authorize the appointment of a city-county administrator or manager, if deemed advisable, and prescribe the general structure of the unified city-county government.

(4) Provide for the official name of the unified city-county.

(5) Provide for the transfer or other disposition of property and other rights, claims and assets of the county and city.

(6) Fix the rate of the retailers' sales tax, if any.

Sec. 3. K.S.A. 2006 Supp. 12-365 is hereby amended to read as follows: 12-365. (a) If the voters approve a plan which provides for the unification of the city and county, such unified city-county shall be subject to the provisions of this section.

(b) The unified city-county shall be subject to the cash-basis and budget laws of the state of Kansas.

(c) Except as provided in subsection (e), and in any other statute which specifically exempts bonds from the statutory limitations on bonded indebtedness, the limitation on bonded indebtedness of the unified city-county under this act shall be 30% of the assessed value of all tangible taxable property within such county on the preceding August 25.

(d) The following shall not be included in computing the total bonded indebtedness of the unified city-county for the purposes of determining the limitations on bonded indebtedness:

(1) Bonds issued for the purpose of refunding outstanding debt, including outstanding bonds and matured coupons thereof, or judgments thereon.

(2) Bonds issued pursuant to the provisions of article 46 of chapter 19 of the Kansas Statutes Annotated, and amendments thereto.

(3) Bonds issued for the purpose of financing the construction or remodeling of a courthouse, jail or law enforcement center facility, which bonds are payable from the proceeds of a retailers' sales tax.

(4) Bonds issued for the purpose of acquiring, enlarging, extending or improving any storm or sanitary sewer system.

(5) Bonds issued for the purpose of acquiring, enlarging, extending or improving any municipal utility.

(6) Bonds issued to pay the cost of improvements to intersections of streets and alleys or that portion of any street immediately in front of city or school district property.

(e) Any bonded indebtedness and interest thereon incurred by the city or county prior to unification shall remain an obligation of the property subject to taxation for the payment thereof prior to such unification.

(f) Upon the effective date of the unification of the city and county, any retailers' sales tax levied by the city or county in accordance with K.S.A. 12-187 et seq., and amendment thereto, prior to such date shall remain in full force and effect, except that part of the rate attributable to the former city of Tribune shall not apply to retail sales in any other city located in the county.

(g) Upon the effective date of the unification of the city and county, the territory of the unified city-county shall include:

(1) All of the territory of the county for purposes of exercising the powers, duties and functions of a county.

(2) (A) Except as provided by paragraph (B), all of the territory of the county, except the territory of cities located in the county other than the former city of Tribune and the unincorporated area of the county, for purposes of exercising the powers, duties and functions of a city; or

(B) all the territory of the county located within the incorporated areas of the county, for the purpose of exercising the powers, duties and functions of a city. The provisions of this paragraph shall apply only if the final plan provides for the unification of the city of Horace with the county and a majority of the qualified electors of the county and a majority of the qualified electors of the city of Horace voting on the plan vote in favor thereof.

(h) For the purposes of section 1 of article 5 of the constitution of the state of Kansas, the "voting area" for the governing body of the unified city-county shall include all the territory within the county.

(i) Except for the unified city-county and unless otherwise provided by law, other political subdivisions of the county shall not be affected by unification of the city and county. Such other political subdivisions shall continue in existence and operation.

(j) Unless otherwise provided by law, the unified city-county shall be eligible for the distribution of any funds from the state and federal government as if no unification had occurred. Except as provided in this subsection, the population and assessed valuation of the territory of the unified city-county shall be considered its population and assessed valuation for purposes of the distribution of moneys from the state or federal government.

(k) The unified city-county shall be a county. The governing body of the unified city-county shall be considered county commissioners for the purposes of section 2 of article 4 of the constitution of the state of Kansas and shall have all the powers, functions and duties of a county and may exercise home rule powers in the manner and subject to the limitations provided by K.S.A. 19-101a, and amendments thereto, and other laws of this state.

The governing body of the unified city-county shall be responsible for any duties or functions imposed by the constitution of the state of Kansas and other laws of this state upon any county office abolished by the unification plan. Such duties may be delegated by the governing body or as provided in the unification plan.

(l) *Unless otherwise provided in the unification plan*, the unified city-county shall be a city of the ~~first class~~ *third class* and the governing body of the unified city-county shall have all the powers, functions and duties of a city of the ~~first third class~~ *and*. *The governing body of the unified city-county may exercise home rule powers in the manner and subject to the limitations provided by article 12 of section 5 of the constitution of the state of Kansas and other laws of this state.*

(m) The governing body of the unified city-county may create special service districts within the city-county and may levy taxes for services provided in such districts.

(n) Changes in the form of government approved by the voters in accordance with the unification plan are hereby declared to be legislative matters and subject to initiative and referendum in accordance with K.S.A. 12-3013 et seq., and amendments thereto.

Sec. 4. K.S.A. 2006 Supp. 12-362, 12-363 and 12-365 are hereby repealed.

Sec. 5. This act shall take effect and be in force from and after its publication in the Kansas register.

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 2006 Volumes of the *Kansas Administrative Regulations*.

AGENCY 1: DEPARTMENT OF ADMINISTRATION

Reg. No.	Action	Register
1-2-46	Amended	V. 25, p. 1831
1-2-77	Revoked	V. 25, p. 1832
1-3-5	New	V. 25, p. 1832
1-3-6	New	V. 25, p. 1832
1-5-8	Amended	V. 25, p. 1305
1-6-2	Amended	V. 25, p. 1306
1-6-22a	Amended	V. 25, p. 1306
1-9-7b	Amended	V. 25, p. 1307
1-9-18	Revoked	V. 25, p. 1832
1-9-25	Amended	V. 25, p. 1832
1-9-26	Amended	V. 25, p. 1833

AGENCY 3: KANSAS STATE TREASURER

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3-4-7	New (T)	V. 25, p. 984, 985
3-4-1		
through		
3-4-7	New	V. 25, p. 1446, 1447

AGENCY 4: DEPARTMENT OF AGRICULTURE

Reg. No.	Action	Register
4-7-213	Amended	V. 25, p. 1142
4-7-216	Revoked	V. 25, p. 1142
4-7-510	Amended	V. 25, p. 1142
4-7-530	Amended	V. 25, p. 1142
4-7-716	Amended	V. 25, p. 1142
4-7-717	Amended	V. 25, p. 1142
4-8-14a	Amended (T)	V. 25, p. 379
4-8-27	Amended (T)	V. 25, p. 380
4-8-33	Amended (T)	V. 25, p. 380
4-8-34	Amended (T)	V. 25, p. 380
4-8-42	Amended (T)	V. 25, p. 380
4-11-2	Amended	V. 26, p. 100
4-11-3	Amended	V. 26, p. 100
4-11-5	New	V. 26, p. 101
4-11-15	New (T)	V. 25, p. 1632
4-15-9	Amended	V. 26, p. 81
4-16-1a	Amended	V. 25, p. 1143
4-16-1c	Amended	V. 25, p. 1143
4-16-3a	Amended	V. 25, p. 1143
4-16-250	Revoked	V. 25, p. 1145
4-16-251	Revoked	V. 25, p. 1145
4-16-252	Revoked	V. 25, p. 1145
4-16-260	Revoked	V. 25, p. 1145
4-17-1a	Amended	V. 25, p. 1145
4-17-1c	Amended	V. 25, p. 1145
4-17-5a	Revoked	V. 25, p. 1145
4-19-1	Amended	V. 26, p. 173

AGENCY 5: DEPARTMENT OF AGRICULTURE—DIVISION OF WATER RESOURCES

Reg. No.	Action	Register
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AGENCY 7: SECRETARY OF STATE

Reg. No.	Action	Register
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7-44-1		
through		
7-44-7	New (T)	V. 26, p. 15

AGENCY 9: ANIMAL HEALTH DEPARTMENT

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9-32-8	New (T)	V. 25, p. 46-48
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9-32-8	New	V. 25, p. 375-378

AGENCY 11: STATE CONSERVATION COMMISSION

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11-3-11	New	V. 25, p. 252
11-3-12	New	V. 25, p. 252
11-4-1		
through		
11-4-4	Amended	V. 25, p. 1268, 1269
11-4-6		
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11-4-14	Amended	V. 25, p. 1269, 1270
11-4-15	New	V. 25, p. 1270
11-4-16	New	V. 25, p. 1270

AGENCY 16: ATTORNEY GENERAL

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16-11-6	New (T)	V. 25, p. 980-982, 1019
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16-11-7	New	V. 25, p. 1598-1600
16-11-8	New	V. 25, p. 1772

AGENCY 22: STATE FIRE MARSHAL

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22-8-5	Amended	V. 25, p. 275
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22-8-14	New	V. 25, p. 276, 277
22-8-17	New	V. 25, p. 277

AGENCY 28: DEPARTMENT OF HEALTH AND ENVIRONMENT

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28-1-26	Amended	V. 25, p. 866
28-4-501	Amended (T)	V. 25, p. 985, 1019
28-4-501	Amended	V. 25, p. 1402
28-4-510	Amended (T)	V. 25, p. 986, 1019
28-4-510	Amended	V. 25, p. 1403
28-4-514	New (T)	V. 25, p. 987, 1019
28-4-514	New	V. 25, p. 1403
28-16-28g	Amended	V. 25, p. 1205
28-19-350	Amended	V. 25, p. 845
28-35-178b	Amended	V. 25, p. 256
28-46-2	Revoked	V. 26, p. 214
28-46-2a	New	V. 26, p. 215
28-46-25	Amended	V. 26, p. 215
28-46-26	Revoked	V. 26, p. 215
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28-46-34a	New	V. 26, p. 215
28-46-38	Amended	V. 26, p. 216
28-51-100	Amended	V. 25, p. 1448
28-51-112		
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28-51-116	Amended	V. 25, p. 1449, 1450
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through		
28-73-7	New	V. 25, p. 307-311

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30-4-98	New	V. 25, p. 1027
30-5-88	Revoked	V. 25, p. 1830

30-5-108	Revoked	V. 25, p. 1569
30-5-118	Revoked	V. 25, p. 663
30-5-118b	Revoked	V. 25, p. 663
30-6-38	Revoked	V. 25, p. 1028
30-6-77	Revoked	V. 25, p. 847
30-14-22	Revoked	V. 25, p. 1028
30-14-27	Revoked	V. 25, p. 847
30-31-1	Amended	V. 25, p. 1800
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30-31-3	Revoked	V. 25, p. 1800
30-31-4	Revoked	V. 25, p. 1800
30-31-6	Revoked	V. 25, p. 1800
30-31-7	Revoked	V. 25, p. 1800
30-31-10	Revoked	V. 25, p. 1800
30-31-11	Revoked	V. 25, p. 1800
30-31-12	Revoked	V. 25, p. 1800
30-63-20	Amended	V. 25, p. 1693
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40-3-5	Amended	V. 25, p. 182
40-3-12	Amended	V. 25, p. 182
40-3-22	Amended	V. 25, p. 210
40-3-40	Amended	V. 25, p. 212
40-3-43	Amended	V. 25, p. 183
40-3-44	Amended	V. 25, p. 212
40-3-46	Revoked	V. 25, p. 183
40-3-47	Amended	V. 25, p. 183
40-3-48	Amended	V. 25, p. 212
40-4-25	Amended	V. 25, p. 278
40-4-29a	New	V. 25, p. 1835
40-4-41	Amended	V. 25, p. 1835
40-4-41b	Amended	V. 25, p. 1838
40-4-41c	Amended	V. 25, p. 1839
40-4-41d	Amended	V. 25, p. 1841
40-4-41e	Amended	V. 25, p. 1842
40-4-41f	Amended	V. 25, p. 1843
40-4-41i	Amended	V. 25, p. 1843
40-4-41j	Amended	V. 25, p. 1844
40-7-1	Revoked	V. 25, p. 1844
40-7-5	Amended	V. 25, p. 844
40-7-20a	Amended	V. 26, p. 103
40-7-24	Amended	V. 25, p. 1844

AGENCY 47: DEPARTMENT OF HEALTH AND ENVIRONMENT — MINED-LAND CONSERVATION AND RECLAMATION

Reg. No.	Action	Register
47-2-75	Amended	V. 25, p. 1639
47-3-2	Amended	V. 25, p. 1640
47-3-42	Amended	V. 25, p. 1641
47-4-14a	Amended	V. 25, p. 1644
47-5-5a	Amended	V. 25, p. 1649
47-6-1	Amended	V. 25, p. 1652
47-6-2	Amended	V. 25, p. 1653
47-6-3	Amended	V. 25, p. 1653
47-6-4	Amended	V. 25, p. 1653
47-6-6	Amended	V. 25, p. 1654
47-6-8	Amended	V. 25, p. 1654
47-6-9	Amended	V. 25, p. 1654
47-6-10	Amended	V. 25, p. 1654
47-6-11	Amended	V. 25, p. 1655
47-7-2	Amended	V. 25, p. 1655
47-8-9	Amended	V. 25, p. 1655
47-9-1	Amended	V. 25, p. 1656
47-9-4	Amended	V. 25, p. 1661
47-10-1	Amended	V. 25, p. 1662
47-11-8	Amended	V. 25, p. 1663
47-12-4	Amended	V. 25, p. 1664
47-13-4	Amended	V. 25, p. 1665
47-14-7	Amended	V. 25, p. 1665
47-15-1a	Amended	V. 25, p. 1666
47-16-9	Amended	V. 25, p. 1667
47-16-10	Amended	V. 25, p. 1667
47-16-12	Amended	V. 25, p. 1667

AGENCY 49: DEPARTMENT OF LABOR

Reg. No.	Action	Register
49-45-1	Amended	V. 25, p. 1494
49-45-2	Amended	V. 25, p. 1494

(continued)

49-45-3	Amended	V. 25, p. 1494	68-2-22	Amended	V. 25, p. 661	82-15-1	New	V. 25, p. 1363
49-45-4	Amended	V. 25, p. 1494	68-5-16	New	V. 25, p. 643	AGENCY 88: BOARD OF REGENTS		
49-45-4a	Amended	V. 25, p. 1494	68-11-1	Amended	V. 25, p. 1401	Reg. No.	Action	Register
49-45-4b	New	V. 25, p. 1494	68-16-1			88-3-8	Amended	V. 25, p. 1057
49-45-5	Amended	V. 25, p. 1494	through			88-15-1	Revoked	V. 25, p. 1403
49-45-6	Amended	V. 25, p. 1494	68-16-9	New	V. 25, p. 1637-1639	88-15-2	Revoked	V. 25, p. 1403
49-45-7	Amended	V. 25, p. 1494	AGENCY 71: KANSAS DENTAL BOARD			88-16-1	Revoked	V. 25, p. 1404
49-45-8	Amended	V. 25, p. 1494	Reg. No.	Action	Register	88-16-1b	Revoked	V. 25, p. 1404
49-45-9	Amended	V. 25, p. 1495	71-8-1			88-16-2	Revoked	V. 25, p. 1404
49-45-20	Amended	V. 25, p. 1495	through			88-16-5	Revoked	V. 25, p. 1404
49-45-21			71-8-9	New	V. 25, p. 99, 100	88-16-5b	Revoked	V. 25, p. 1404
through			AGENCY 74: BOARD OF ACCOUNTANCY			88-16-6	Revoked	V. 25, p. 1404
49-45-26	Revoked	V. 25, p. 1495	Reg. No.	Action	Register	88-16-8	Revoked	V. 25, p. 1404
49-45-28	Amended	V. 25, p. 1495	74-4-1a	Amended	V. 26, p. 126	88-23-1	Revoked	V. 25, p. 1404
49-45-29	Amended	V. 25, p. 1495	74-4-7	Amended	V. 25, p. 610	88-23-2	Revoked	V. 25, p. 1404
49-45-30	Revoked	V. 25, p. 1495	74-4-8	Amended	V. 25, p. 610	88-23-2a	Revoked	V. 25, p. 1404
49-45-31	Amended	V. 25, p. 1495	74-5-2	Amended	V. 26, p. 127	88-23-3a	Revoked	V. 25, p. 1404
49-45-32	Amended	V. 25, p. 1495	74-5-101	Amended	V. 26, p. 127	88-23-4	Revoked	V. 25, p. 1404
49-45-34	Amended	V. 25, p. 1495	74-5-102	Amended	V. 25, p. 612	88-23-5	Revoked	V. 25, p. 1404
49-45-35	New	V. 25, p. 1495	73-5-105	Revoked	V. 26, p. 127	88-23-6	Revoked	V. 25, p. 1404
49-45-37	New	V. 25, p. 1495	74-5-202	Amended	V. 26, p. 127	88-23-7	Revoked	V. 25, p. 1404
49-45-38	New	V. 25, p. 1495	74-5-203	Amended	V. 25, p. 613	88-28-1		
49-45a-1	Amended	V. 25, p. 1495	74-5-403	Amended	V. 26, p. 128	through		
49-47-2	Amended	V. 25, p. 1496	74-5-408	New	V. 26, p. 128	88-28-6	New	V. 25, p. 1404-1410
49-49-1	Amended	V. 25, p. 25	74-11-6	Amended	V. 26, p. 128	88-28-7	New	V. 25, p. 1451
49-49-1a	Amended	V. 25, p. 25	74-11-7	Amended	V. 25, p. 614	88-28-8	New	V. 25, p. 1411
49-50-3	Amended	V. 25, p. 1496	AGENCY 81: OFFICE OF THE SECURITIES COMMISSIONER			88-29-1		
49-50-7	Amended	V. 25, p. 1497	Reg. No.	Action	Register	through		
49-50-9	Amended	V. 25, p. 1497	81-1-1	Amended	V. 26, p. 20	88-29-19	New	V. 26, p. 216-229
49-50-10	Amended	V. 25, p. 1498	81-2-1	Amended	V. 25, p. 1057	AGENCY 91: DEPARTMENT OF EDUCATION		
49-50-13	Amended	V. 25, p. 1498	81-3-1	Amended	V. 25, p. 1058	Reg. No.	Action	Register
49-50-17	Amended	V. 25, p. 1498	81-3-2	Amended	V. 25, p. 1059	91-1-201	Amended	V. 25, p. 1098
49-50-19	Amended	V. 25, p. 1498	81-3-5	Amended	V. 25, p. 1059	91-1-202	Amended	V. 25, p. 1099
49-50-22	Amended	V. 25, p. 1499	81-3-6	New	V. 25, p. 1060	91-1-205	Amended	V. 25, p. 1101
49-50-23	New	V. 25, p. 1499	81-3-7	New	V. 25, p. 1064	AGENCY 92: DEPARTMENT OF REVENUE		
49-50-24	New	V. 25, p. 1499	81-4-1	Amended	V. 26, p. 21	Reg. No.	Action	Register
49-51-3a	Amended	V. 25, p. 1499	81-4-2	Amended	V. 26, p. 22	92-12-4	Revoked	V. 25, p. 252
49-51-6	Amended	V. 25, p. 1499	81-5-3	Amended	V. 26, p. 22	92-12-4a	New	V. 25, p. 252
49-51-11	Amended	V. 25, p. 1500	81-5-4	Revoked	V. 26, p. 22	92-12-5	Revoked	V. 25, p. 254
49-51-12	Amended	V. 25, p. 1501	81-5-5	Revoked	V. 26, p. 23	92-12-120	New	V. 25, p. 254
49-52-6	Amended	V. 25, p. 1501	81-5-6	Amended	V. 26, p. 23	92-12-121	New	V. 25, p. 254
49-52-10	Amended	V. 25, p. 1502	81-5-7	Amended	V. 26, p. 24	92-12-130	New	V. 25, p. 254
49-52-14	Amended	V. 25, p. 1502	81-5-8	Amended	V. 26, p. 24	92-13-9	Amended	V. 25, p. 1568
49-52-17	Amended	V. 25, p. 1502	81-5-10	Amended	V. 26, p. 24	92-19-22a	Amended	V. 25, p. 254
49-52-18	New	V. 25, p. 1502	81-5-11	Amended	V. 26, p. 25	92-51-41	Amended	V. 25, p. 255
49-52-19	New	V. 25, p. 1502	81-5-12	Amended	V. 26, p. 25	92-51-41a	New	V. 25, p. 255
AGENCY 50: DEPARTMENT OF LABOR— DIVISION OF EMPLOYMENT			81-5-13	Amended	V. 26, p. 26	AGENCY 93: DEPARTMENT OF REVENUE— DIVISION OF PROPERTY VALUATION		
Reg. No.	Action	Register	81-5-14	Amended	V. 26, p. 27	Reg. No.	Action	Register
50-3-2a	New	V. 25, p. 1493	81-5-16			93-7-1	New	V. 26, p. 14
AGENCY 63: BOARD OF MORTUARY ARTS			through			93-7-2	New	V. 26, p. 14
Reg. No.	Action	Register	81-5-20	New	V. 26, p. 28-30	93-7-3	New	V. 26, p. 14
63-1-1	Amended	V. 26, p. 126	81-6-1	Amended	V. 26, p. 30	93-8-1	New	V. 26, p. 14
63-5-1	Amended	V. 26, p. 126	81-7-1	Amended	V. 26, p. 30	93-8-2	New	V. 26, p. 14
AGENCY 66: BOARD OF TECHNICAL PROFESSIONS			81-7-2	Amended	V. 26, p. 31	93-8-3	New	V. 26, p. 14
Reg. No.	Action	Register	81-7-3	New	V. 26, p. 31	AGENCY 97: KANSAS COMMISSION ON VETERANS' AFFAIRS		
66-6-4	Amended	V. 25, p. 1801	81-10-1	Amended	V. 26, p. 32	Reg. No.	Action	Register
66-8-4	Amended	V. 25, p. 44	81-14-1	Amended	V. 25, p. 1065	97-4-1		
66-8-8	Amended	V. 25, p. 1802	81-14-2	Amended	V. 25, p. 1066	through		
66-10-1	Amended	V. 25, p. 44	81-14-3	Revoked	V. 25, p. 1066	97-4-8	New	V. 25, p. 1596, 1597
66-10-9	Amended	V. 25, p. 1802	81-14-4	Amended	V. 25, p. 1066	AGENCY 100: BOARD OF HEALING ARTS		
66-10-10a	Amended	V. 25, p. 1802	81-14-5	Amended	V. 25, p. 1071	Reg. No.	Action	Register
66-10-11	Amended	V. 25, p. 44	81-14-6	Amended	V. 25, p. 1075	100-25-1		
66-10-12	Amended	V. 25, p. 45	81-14-7	Amended	V. 25, p. 1076	through		
66-10-14	Amended	V. 25, p. 45	81-14-8	Revoked	V. 25, p. 1076	100-25-5	New	V. 25, p. 213-216
66-11-2	Amended	V. 25, p. 1802	81-14-9	New	V. 25, p. 1076	100-26-1	Amended	V. 25, p. 217
66-11-5	Amended	V. 25, p. 45	81-14-10	New	V. 25, p. 1079	100-26-2	New	V. 25, p. 217
AGENCY 67: BOARD OF EXAMINERS IN THE FITTING AND DISPENSING OF HEARING INSTRUMENTS			AGENCY 82: STATE CORPORATION COMMISSION			100-26-3	New	V. 25, p. 217
Reg. No.	Action	Register	Reg. No.	Action	Register	100-27-1	Amended	V. 25, p. 1206
67-3-5	New (T)	V. 26, p. 202	82-3-101	Amended	V. 25, p. 1750	100-29-1	Amended	V. 25, p. 639
AGENCY 68: BOARD OF PHARMACY			82-3-206	Amended	V. 25, p. 1754	100-29-2	Amended	V. 25, p. 890
Reg. No.	Action	Register	82-3-305	Amended	V. 25, p. 1754	100-29-3	Amended	V. 25, p. 640
68-1-1b	Amended	V. 25, p. 1401	82-3-307	Amended	V. 25, p. 1754	100-29-4	Amended	V. 25, p. 890
68-1-1d	Amended	V. 25, p. 1401	82-4-3a	Amended (T)	V. 25, p. 378	100-29-5	Revoked	V. 25, p. 640
68-1-1f	Amended	V. 25, p. 1401	82-4-3a	Amended	V. 25, p. 844	100-29-6	Amended	V. 25, p. 640
68-1-1g	New	V. 25, p. 1401	82-14-1			100-29-8	Amended	V. 25, p. 640
			through					
			82-14-5	New	V. 26, p. 16-19			
			82-15-1	New (T)	V. 25, p. 984, 1019			

100-29-9	Amended	V. 25, p. 640
100-29-10	Amended	V. 25, p. 641
100-29-11	Revoked	V. 25, p. 1601
100-29-12	Amended	V. 25, p. 642
100-29-13	Amended	V. 25, p. 643
100-29-14	Revoked	V. 25, p. 890
100-29-15	New	V. 25, p. 643
100-29-16	New	V. 25, p. 890
100-73-7	New	V. 25, p. 1601
100-73-8	New	V. 25, p. 1602

AGENCY 102: BEHAVIORAL SCIENCES REGULATORY BOARD

Reg. No.	Action	Register
102-1-5a	Amended	V. 25, p. 183
102-1-12	Amended	V. 25, p. 184
102-2-2a	Amended (T)	V. 25, p. 987, 1019
102-2-2a	Amended	V. 25, p. 1452
102-2-6	Amended	V. 25, p. 1453
102-3-3a	Amended	V. 25, p. 1454
102-3-4a	Amended (T)	V. 25, p. 988, 1019
102-3-4a	Amended	V. 25, p. 1456
102-4-1a	Amended	V. 25, p. 1458
102-4-3a	Amended	V. 25, p. 1460
102-4-4a	Amended (T)	V. 25, p. 990, 1019
102-4-4a	Amended	V. 25, p. 1463
102-5-3	Amended	V. 25, p. 1464
102-5-4a	Amended (T)	V. 25, p. 992, 1019
102-5-4a	Amended	V. 25, p. 1466
102-5-5	Amended	V. 25, p. 187

AGENCY 105: BOARD OF INDIGENTS' DEFENSE SERVICES

Reg. No.	Action	Register
105-4-1	Amended	V. 25, p. 101
105-5-2	Amended (T)	V. 25, p. 982, 1019
105-5-2	Amended	V. 25, p. 1530
105-5-3	Amended (T)	V. 25, p. 982, 1019
105-5-3	Amended	V. 25, p. 1530
105-5-6	Amended (T)	V. 25, p. 982, 1019
105-5-6	Amended	V. 25, p. 1530
105-5-7	Amended (T)	V. 25, p. 983, 1019
105-5-7	Amended	V. 25, p. 1531
105-5-8	Amended (T)	V. 25, p. 983, 1019
105-5-8	Amended	V. 25, p. 1531
105-11-1	Amended (T)	V. 25, p. 983, 1019
105-11-1	Amended	V. 25, p. 1531

AGENCY 108: STATE EMPLOYEES HEALTH CARE COMMISSION

Reg. No.	Action	Register
108-1-4	Amended	V. 25, p. 180

AGENCY 109: BOARD OF EMERGENCY MEDICAL SERVICES

Reg. No.	Action	Register
109-8-1	Amended (T)	V. 26, p. 12

AGENCY 110: DEPARTMENT OF COMMERCE

Reg. No.	Action	Register
110-9-1		
through		
110-9-8	New	V. 25, p. 373-375
110-13-4	Amended	V. 25, p. 447
110-14-1	New	V. 25, p. 1771
110-14-2	New	V. 25, p. 1771

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. A list of regulations filed by the Kansas Lottery from 2004 through 2005 can be found in the Vol. 24, No. 52, December 29, 2005 Kansas Register. The following regulations were filed after January 1, 2006:

Reg. No.	Action	Register
111-2-30	Amended	V. 25, p. 414
111-2-187	New	V. 25, p. 381
111-2-188	New	V. 25, p. 1363

111-2-189	New	V. 25, p. 1411
111-2-190	New	V. 25, p. 1694
111-2-191		
through		
111-2-196	New	V. 26, p. 129, 130
111-2-194	Amended	V. 26, p. 173
111-2-197	New	V. 26, p. 173
111-2-198	New	V. 26, p. 174
111-2-199		
through		
111-2-204	New	V. 26, p. 202, 203
111-4-2342		
through		
111-4-2349	New	V. 25, p. 217-221
111-4-2350		
through		
111-4-2362	New	V. 25, p. 311-319
111-4-2363		
through		
111-4-2382	New	V. 25, p. 339-351
111-4-2383		
through		
111-4-2387	New	V. 25, p. 381-384
111-4-2389		
through		
111-4-2393	New	V. 25, p. 385, 386
111-4-2394		
through		
111-4-2404	New	V. 25, p. 415-422
111-4-2405		
through		
111-4-2418	New	V. 25, p. 787-795
111-4-2419		
through		
111-4-2427	New	V. 25, p. 868-874
111-4-2420	Amended	V. 25, p. 1019
111-4-2428		
through		
111-4-2434	New	V. 25, p. 1020-1025
111-4-2435		
through		
111-4-2454	New	V. 25, p. 1364-1376
111-4-2455		
through		
111-4-2467	New	V. 25, p. 1412-1420
111-4-2468		
through		
111-4-2482	New	V. 25, p. 1695-1702
111-4-2483		
through		
111-4-2496	New	V. 26, p. 130-138
111-4-2495	Amended	V. 26, p. 203
111-4-2497		
through		
111-4-2503	New	V. 26, p. 174-179
111-4-2504		
through		
111-4-2520	New	V. 26, p. 204-212
111-5-126		
through		
111-5-138	New	V. 25, p. 386-390
111-5-139	New	V. 25, p. 423
111-5-139a	New	V. 25, p. 795
111-5-140		
through		
111-5-149	New	V. 25, p. 795-797
111-5-150		
through		
111-5-154	New	V. 25, p. 842-844
111-5-155		
through		
111-5-159	New	V. 25, p. 1703, 1704
111-6-1	Amended	V. 25, p. 222
111-7-81	Amended	V. 25, p. 319
111-7-193	New	V. 25, p. 1026
111-7-194	New	V. 25, p. 1027
111-7-195		
through		
111-7-207	New	V. 25, p. 1420-1423
111-7-208		
through		
111-7-217	New	V. 26, p. 138-141
111-9-130		
through		
111-9-133	New	V. 25, p. 351-353

111-9-134	New	V. 25, p. 1704
111-9-135	New	V. 25, p. 1705
111-9-136	New	V. 26, p. 141
111-9-137	New	V. 26, p. 180
111-9-138	New	V. 26, p. 212
111-9-139	New	V. 26, p. 212
111-9-140	New	V. 26, p. 213
111-11-1	Amended	V. 25, p. 223
111-12-4	New	V. 26, p. 214
111-14-2	New	V. 26, p. 214

AGENCY 115: DEPARTMENT OF WILDLIFE AND PARKS

Reg. No.	Action	Register
115-2-1	Amended	V. 25, p. 1602
115-2-2	Amended	V. 25, p. 1603
115-2-3a	Amended	V. 25, p. 1603
115-2-4	Amended	V. 25, p. 336
115-4-4	Amended	V. 25, p. 662
115-4-6	Amended	V. 25, p. 336
115-7-1	Amended	V. 25, p. 1605
115-7-4	Amended	V. 25, p. 1606
115-7-8	New	V. 25, p. 1606
115-16-5	Amended	V. 25, p. 1607
115-18-10	Amended	V. 26, p. 101
115-18-12	Amended	V. 25, p. 1608
115-18-18	New	V. 25, p. 1608
115-18-19	New	V. 25, p. 1608
115-18-20	New	V. 25, p. 1609
115-20-5	New	V. 25, p. 1609
115-20-6	New	V. 25, p. 1611

AGENCY 117: REAL ESTATE APPRAISAL BOARD

Reg. No.	Action	Register
117-2-2	Amended	V. 25, p. 1146
117-3-2	Amended	V. 25, p. 1146
117-4-2	Amended	V. 25, p. 1147
117-5-1	Amended	V. 25, p. 1148
117-6-1	Amended	V. 25, p. 1148
117-6-2	Amended	V. 25, p. 1148
117-8-1	Amended	V. 25, p. 866

AGENCY 118: STATE HISTORICAL SOCIETY

Reg. No.	Action	Register
118-4-4	Amended	V. 26, p. 46

AGENCY 121: DEPARTMENT OF CREDIT UNIONS

Reg. No.	Action	Register
121-5-1	Amended (T)	V. 25, p. 1304
121-5-1	Amended	V. 25, p. 1727
121-5-2	Revoked (T)	V. 25, p. 1304
121-5-2	Revoked	V. 25, p. 1727
121-5-3	New (T)	V. 25, p. 1304
121-5-3	New	V. 25, p. 1727
121-7-1	New	V. 25, p. 1728
121-8-1	New (T)	V. 25, p. 1304
121-8-1	New	V. 25, p. 1728

AGENCY 123: JUVENILE JUSTICE AUTHORITY

Reg. No.	Action	Register
123-6-101		
through		
123-6-106	New	V. 25, p. 1634, 1635

AGENCY 129: KANSAS HEALTH POLICY AUTHORITY

Reg. No.	Action	Register
129-5-1	Amended	V. 25, p. 1569
129-5-88	New	V. 25, p. 1830
129-5-108	New	V. 25, p. 1571
129-5-118	New	V. 25, p. 665
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