

Kansas Register

Ron Thornburgh, Secretary of State

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Ron Thornburgh
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 Topeka, KS 66612-1594
 (785) 296-4564
 www.kssos.org



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

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Heartland Works, Inc.**Request for Proposals**

Heartland Works, Inc. is accepting bids for the purchase of group health/dental, life and disability insurance. To receive a request for proposal including all specifications, contact the Heartland Works office at 610 S.W. 10th Ave., Suite 210, Topeka, 66612-1674, (785) 234-0500. Bids must be received not later than 3 p.m. Thursday, May 24. Heartland Works, Inc. welcomes all interested companies/agents to submit proposals.

Nancy Leonard
Executive Assistant

Doc. No. 034372

State of Kansas**Historic Sites Board of Review****Notice of Meeting**

The Kansas Historic Sites Board of Review will meet at 11 a.m. Saturday, May 12, in the Santa Fe Depot, 101 E. Wyatt Earp Blvd., Dodge City. The board will evaluate the following properties for the National Register of Historic Places and/or the Register of Historic Kansas Places:

National Register of Historic Places:

- Fairfax Hills Historic District** — Kansas City, Wyandotte County
- Downtown Wellington Historic District** — Wellington, Sumner County
- C.M. Jackman House** — 158 N. Roosevelt, Wichita, Sedgwick County
- Grace Wilkie House** — 4230 E. English St., Wichita, Sedgwick County
- Deerfield Texaco Service Station** — 105 W. 6th St., Deerfield, Kearny County
- Battle Canyon of Punished Woman's Fork** — Scott City vicinity, Scott County
- McPherson Power Plant #1** — 414 W. Elizabeth, McPherson, McPherson County
- Hewins Park Pavilion** — 101 Salebarn Road, Cedar Vale, Chautauqua County
- Double Hyperbolic Paraboloid** — 934 W. 21st St., Lawrence, Douglas County
- Mahaska Rural High School #3** — Mahaska, Washington County

Persons requiring special accommodations should contact Wendy Huggins in the Cultural Resources Division, Kansas State Historical Society, 6425 S.W. 6th Ave., Topeka, 66615-1099, (785) 272-8681, ext. 240, or Connie Pennick, city of Dodge City, P.O. Box 880, Dodge City, 67801, (620) 225-1001, by May 1 to discuss the nature of the disability and what the Kansas State Historical Society may do to ensure participation in the activity.

Jennie Chinn
Executive Director

Doc. No. 034346

State of Kansas**University of Kansas****Notice to Bidders**

The University of Kansas encourages interested vendors to visit the University of Kansas Purchasing Services Web sight at <http://www.purchasing.ku.edu/> for a complete list of all goods and services currently out for bid. For persons without Internet access, paper postings of all open bids may be reviewed at the Purchasing Services office, 1246 W. Campus Road, Room 7, Lawrence. Copies of current bids may be requested by contacting the Purchasing Services office at (785) 864-3790, by fax at (785) 864-3454, or by e-mail at purchasing@ku.edu.

Barry K. Swanson
Associate Comptroller/
Director of Purchasing Services

Doc. No. 034341

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:

05/07/2007	10390	Abandoned Well Plugging — Bronson Project
05/07/2007	10388	Abandoned Well Plugging — Huff (Brewer) Project
05/07/2007	10389	Abandoned Well Plugging — Hermann Project
05/08/2007	10391	Tractor Truck, Tandem Axle
05/08/2007	10412	Air Cooled Chiller
05/10/2007	10403	Ready Mix Concrete
05/10/2007	10407	Consultant Services
05/15/2007	10408	Actuarial Services
05/24/2007	10416	Background Check Services
05/25/2007	10393	On Call Auctioneering Services
05/29/2007	10122 Rebid	Information Technology Training
05/30/2007	10125	Integrated Lab-Card Services

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 projects 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/.

05/24/2007	A-010235	New District 2 Materials Lab — Salina
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Chris Howe
Director of Purchases

Doc. No. 034370

State of Kansas**State Conservation Commission****Notice of Meeting**

The State Conservation Commission will meet at 9 a.m. Monday, May 14, in the commission's conference room, Suite 500, 109 S.W. 9th, Topeka. Persons requiring special accommodations should contact the commission at (785) 296-3600 at least three days prior to the meeting.

Greg A. Foley
Executive Director

Doc. No. 034345

State of Kansas**State Conservation Commission****Notice to Contractors**

Sealed bids for detention dam rehabilitation, Sites 3, 6, 14, 16, 32 & 38 in Butler County (principal spillway repair limited to the riser and principal spillway pipe as specified in construction drawings), will be received by the Little Walnut Hickory Watershed Joint District No. 18 at 2503 Enterprise, Suite B, El Dorado, 67042, (316) 320-5891, until 4:30 p.m. May 17. Bid opening will be at 1 p.m. May 21. A copy of the invitation for bids and the rehabilitation plans and specifications can be reviewed and obtained from the district office.

Greg A. Foley
Executive Director

Doc. No. 034358

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. Enbridge, Inc. 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.

Enbridge, Inc., 1100 Louisiana, Suite 3400, Houston, Texas, owns and operates the Ottawa compressor station located at Section 32, T16S, R20E, Franklin 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 Northeast District Office, 800 W. 24th, Lawrence. To obtain or review the proposed permit and supporting documenta-

tion, contact Michael J. Parhomek, (785) 296-1580, at the KDHE central office; and to review the proposed permit only, contact Pat Simpson, (785) 842-4600, at the KDHE Northeast District Office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to 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 May 29.

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

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

Any such petition shall be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided for in this notice, unless the petitioner demonstrates that it was impracticable to raise such objections within such period, or unless the grounds for such objection arose after such period. Contact Jon Knodel, U.S. EPA, Region VII, Air Permitting and Compliance Branch, 901 N. 5th St., Kansas City, KS 66101, (913) 551-7622, to determine when the 45-day EPA review period ends and the 60-day petition period commences.

Roderick L. Bremby
Secretary of Health
and Environment

Doc. No. 034355

State of Kansas**Department of Health
and Environment****Request for Comments**

The Kansas Department of Health and Environment is soliciting comments regarding a proposed permit significant modification of an air quality operating permit and amendment to a previously issued construction permit. Robbie Manufacturing, Inc. has applied for a permit significant modification of the facility's Class I operating permit in accordance with the provisions of K.A.R. 28-19-513 et seq. Notice also is given that certain requirements in the construction permit dated August 25, 2003, and modified November 22, 2004, are being modified by a modification of permit conditions.

Robbie Manufacturing, Inc., 10810 Mid-America Ave., Lenexa, owns and operates a commercial printing facility located at 10810 Mid-America Ave., Lenexa.

A copy of the proposed operating permit significant modification, operating permit significant modification application, modification of permit conditions, all supporting documentation and all information relied upon during the operating permit significant modification 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 at the Johnson County Environmental Department, 11811 S. Sunset, Suite 2700, Olathe. To obtain or review the proposed permit significant modification, modification of permit conditions and supporting documentation, contact James D. Stewart, (785) 296-1556, at the KDHE central office; and to review the proposed permits only, contact Mike Boothe, (913) 715-6939, at the Johnson County Environmental Department. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the documents to James D. Stewart, KDHE, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka, 66612-1366. In order to be considered in formulating a final decision, written comments must be received before the close of business May 29.

A person may request a public hearing be held on the proposed documents. 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 May 29 in order for the Secretary of Health and Environment to consider the request.

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

Any such petition shall be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided for in this notice, unless the petitioner demonstrates that it was impracticable to raise such objections within such period, or unless the grounds for such objection arose after such period. Contact Jon Knodel, U.S. EPA, Region VII, Air Permitting and Compliance Branch, 901 N. 5th St., Kansas City, KS 66101, (913) 551-7097, to determine when the 45-day EPA review period ends and the 60-day petition period commences.

Roderick L. Bremby
Secretary of Health
and Environment

Doc. No. 034357

State of Kansas

Department of Health and Environment

Request for Comments

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality construction permit. Wagon Wheel Energy, LLC has applied for an air quality construction permit in accordance with the provisions of K.A.R. 28-19-300 to construct an ethanol manufacturing plant. Emissions of particulate matter (PM), PM equal to or less than 10 microns in diameter (PM₁₀), volatile organic compounds (VOCs), oxides of nitrogen (NOx), sulfur oxides (SOx), carbon monoxide (CO) and hazardous air pollutants (HAPs) were evaluated during the permit review process.

Wagon Wheel Energy, LLC proposes to own and operate a stationary source located in Atchison County (located on highway 59, southwest of Atchison), at which a 118-million-gallon-per-year fuel grade ethanol plant is to be constructed and operated. Cargill Ag Horizons (Cargill), located adjacent to the proposed Wagon Wheel Energy, LLC ethanol plant, will operate as a support facility for the completed ethanol plant by providing most of the raw material grain and the two will be considered one stationary source for air permitting purposes.

A public comment period has been established until noon May 29 to allow citizens the opportunity to express any concerns they may have about this proposed permitting action. All comments should be submitted in writing to Terry T. Tavener, KDHE, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka, 66612-1366. Comments also may be presented at the public hearing.

Any member of the public may request to hold a public hearing to receive comments on the proposed issuance of the draft air quality construction permit. 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 May 29. If a request is received, a public hearing is tentatively scheduled by KDHE at 7 p.m. May 30 in the Commission Room, second floor, City Hall, 515 Kansas, Atchison. If no requests to hold the public hearing are received by this date and time, the public hearing will be cancelled.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during the permit application review process is available for public review for a period of 30 days from the date of publication during normal business hours, 8 a.m. to 5 p.m., at the KDHE, Bureau of Air and Radiation. Also, a copy of the proposed permit can be reviewed at the KDHE Northeast District Office, 800 W. 24th, Lawrence. To obtain or review the proposed permit and supporting documentation, contact Terry Tavener, (785) 296-1581, at the KDHE central office; and to review the proposed permit only, contact the air quality district representative, (785) 842-4600, in the KDHE Northeast District Office. The standard departmental cost will be assessed for any copies requested.

Roderick L. Bremby
Secretary of Health
and Environment

Doc. No. 034354

State of Kansas

Department of Health and Environment

Notice of Meeting and Hearing

The Kansas Department of Health and Environment has prepared a proposed Kansas Water Pollution Control Permit, A-SOPL-B011, for Lowry Ranch (Calvin Lowry, owner) located near Prairie View. A public meeting and hearing will be held Thursday, May 31, at the Prairie View Community Center, 304 Main, Prairie View. The public meeting will begin at 5:30 p.m. for discussion, questions and answers on the proposed facility and permit. The public hearing, conducted pursuant to K.A.R. 28-16-61, is for obtaining testimony from the participants and will start at 6:30 p.m. or immediately following the public meeting.

The proposed permit is for a waste control system for a confined feeding facility with a capacity for up to 999 head (999 animal units) of cattle weighing more than 700 pounds each. The existing facility is located in the SW/4 of Section 33, Township 02 South, Range 20 West in Phillips County. The public was informed of the availability of the proposed agricultural waste control permit for Lowry Ranch through Public Notice No. KS-AG-07-091, dated March 15, 2007.

Copies of the permit application, the proposed KDHE permit and other pertinent documents may be requested by contacting the Kansas Department of Health and Environment, Bureau of Water, Livestock Waste Management Section, 1000 S.W. Jackson, Suite 420, Topeka, 66612-1367, (785) 296-6432 or fax (785) 296-5509. Appropriate copying charges will be assessed for each request. In addition, the same documents may be viewed at the KDHE Northwest District Office at 2301 E. 13th, Hays.

Persons wishing to comment on the proposed permit may do so at the public meeting/hearing or may submit written statements to the above Topeka address by May 31. It is recommended that persons wishing to speak at the public hearing supply the hearing officer with a written copy of the testimony the night of the hearing.

Any individual with a disability may request accommodation in order to participate in the public meeting/hearing process and may request the proposed permit in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting KDHE at the address above.

The Secretary of Health and Environment will make a final permit decision after consideration of applicable requirements of state statutes and regulations and comments received during the public notice and public meeting/hearing processes.

Roderick L. Bremby
Secretary of Health and Environment

Doc. No. 034364

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-07-129/134
Pending Permits for Confined Feeding Facilities

Name and Address of Applicant	Legal Description	Receiving Water
Eugene Busenitz 15457 N.W. 140 Newton, KS 67114	NE/4 of Section 29, T23S, R03E, Butler County	Walnut River Basin

Kansas Permit No. A-WABU-S008

This is a renewal permit with a modification for an existing facility for 900 head (360 animal units) of swine weighing greater than 55 pounds. The permit is being modified to discontinue the use of three buildings and the open lot area. This results in a decrease from 380 animal units to 360 animal units.

Name and Address of Applicant	Legal Description	Receiving Water
Stefan Busenitz 17093 N.W. Shumway Road Burns, KS 66840	SE/4 of Section 02, T23S, R04E, Butler County	Walnut River Basin

Kansas Permit No. A-WABU-S042

This is a renewal permit for an existing facility for 525 head (210 animal units) of swine greater than 55 pounds each and 800 head (80 animal units) of swine less than 55 pounds each, for a total of 290 animal units.

Name and Address of Applicant	Legal Description	Receiving Water
Fuller Family Farms Brian Fuller 1806 7th Ave. McPherson, KS 67460	SW/4 of Section 32, T18S, R04W, McPherson County	Smoky Hill River Basin

Kansas Permit No. A-SHMP-M004

This is a renewal permit for an existing facility for 50 head (70 animal units) of mature dairy cattle and 30 head (15 animal units) of dairy replacement calves.

Name and Address of Applicant	Legal Description	Receiving Water
Bill Spexarth 6945 N. 167th West Colwich, KS 67030	NE/4 of Section 09, T26S, R02W, Sedgwick County	Lower Arkansas River Basin

Kansas Permit No. A-ARSG-S009

This is a renewal permit for an existing facility for 180 head (72 animal units) of swine greater than 55 pounds each.

Name and Address of Applicant	Legal Description	Receiving Water
D S & R Cordel Robert M. Cordel 429 N. 30th Road Cawker City, KS 67430	SE/4 of Section 17, T05S, R10W, Jewell County	Solomon River Basin

Kansas Permit No. A-SOJW-S020

This is a renewal permit for an existing facility for 1,910 head (764 animal units) of swine weighing greater than 55 pounds and 940 head (94 animal units) of swine weighing 55 pounds or less, for a total of 2,850 head (858 animal units) of swine.

Name and Address of Applicant	Legal Description	Receiving Water
Prairie Pork Development Robert D. Allen 522 17th Road Haddam, KS 66944	NW/4 of Section 14, T03S, R01E, Washington County	Lower Republican River Basin

Kansas Permit No. A-LRWS-H009 Federal Permit No. KS0096156

This is a permit modification and decrease in head count for the addition of a building for the composting of dead swine from the facility. The head count will be reduced from 5,600 head to 4,800 head (1,920 animal units) of swine weighing more than 55 pounds due to the removal of four hoop buildings from the permitted facility that are actually part of another operation.

Public Notice No. KS-07-016/020

Name and Address of Applicant	Receiving Stream	Type of Discharge
Downs, City of 715 Railroad Ave. Downs, KS 67437	North Fork Solomon River via Unnamed Tributary	Domestic Wastewater

Kansas Permit No. M-SO12-OO02 Federal Permit No. KS0098230
Legal: NE¼, SW¼, S34, T6S, R11W, Osborne County

Facility Description: The proposed action is to issue a new permit for a new three-cell wastewater stabilization lagoon system. This system, when completed, will replace the existing mechanical wastewater treatment facility. The proposed permit contains limits for biochemical oxygen demand, total suspended solids and pH. Monitoring for ammonia and fecal coliform also will be required. An antidegradation review was completed because of a slight increase in the design flow even though the design population equivalency is decreasing. The schedule for the upgrade is pursuant to Consent Order 06-E-0044. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are technology based.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Frank Hanks 163 S.E. 30th El Dorado, KS 67042	Walnut River via Unnamed Tributary	Domestic Wastewater

Kansas Permit No. C-WA09-OO03 Federal Permit No. KS0092525
Legal: SW¼, S22, T26S, R5E, Butler County

Facility Name: El Dorado Mobile Estates
Facility Address: 3946 S.W. Haverhill Road, El Dorado, Kansas

Facility Description: The proposed action is to reissue an existing permit for an existing wastewater treatment plant treating primarily domestic wastewater. The proposed permit contains limits for biochemical oxygen demand, total suspended solids and fecal coliform, as well as monitoring for ammonia and pH. The permittee also is required to measure the depth in the final cell, observe and record any discharges and to report the amount of potable water purchased monthly. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Maize, City of P.O. Box 245 Maize, KS 67101	Big Slough Creek	Domestic Wastewater

Kansas Permit No. M-AR58-OO02 Federal Permit No. KS0092258

Facility Description: NW¼, SW¼, SW¼, S17, T26S, R1W, Sedgwick County

Facility Description: The proposed action is to reissue an existing permit for an existing wastewater treatment plant treating primarily domestic wastewater. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, ammonia and pH. Monitoring for chlorides, total recoverable copper, total phosphorus, nitrate, nitrite, Kjeldahl nitrogen and effluent flow also will be required. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Shawnee Rock Company P.O. Box 3223 Shawnee, KS 66203	Kansas River via Mill Creek via Hayes Creek	Pit Dewatering & Stormwater Runoff

Kansas Permit No. I-KS27-PO27 Federal Permit No. KS0086932
Legal: W½, S1, T12S, R23E, Johnson County

Facility Name: Shawnee Facility - Pit #1

Facility Description: The proposed action is to reissue an existing permit for the discharge of wastewater during quarry operation. This facility is a limestone quarrying and crushing operation with some washing. Most of the treated wash water is recycled and a discharge only occurs after a heavy rain. Outfalls 002, 003, 004 and 005 consist of stormwater runoff. An asphalt and gas processing plant are located on the quarry site. However, the asphalt plant does not discharge wastewater other than stormwater runoff. The gas processing plant is under separate ownership and will not be covered by this permit. Domestic wastes are directed to a Johnson County wastewater treatment facility. The proposed permit contains limits for total suspended solids and pH. The proposed permit also contains generic water-quality language to protect waters of the state. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Valley Center, City of P.O. Box 188 Valley Center, KS 67147	Little Arkansas River	Domestic Wastewater

Kansas Permit No. M-LA16-OO02 Federal Permit No. KS0099074
Legal Description: SW¼, SW¼, SE¼, S36, T25S, R1W, Sedgwick County

Facility Address: 3128 W. 77th St. North, Valley Center, Kansas

Facility Description: The proposed action is to issue a new permit for an existing treatment plant that is being upgraded. The upgrade will expand the existing facility from 0.5 MGD to 1.0 MGD and add biological nutrient removal capabilities. The facility will consist of headworks, followed by a three-chamber fermentation (anaerobic) basin, an anoxic selector basin, aeration basin, three final clarifiers, UV disinfection of the effluent and cascade aeration. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, ammonia, fecal coliform and pH. Monitoring for chlorides, total phosphorus, nitrate, nitrite, total Kjeldahl nitrogen, total nitrogen, total recoverable copper and effluent flow also will be required. An antidegradation review has been completed for the plant expansion. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

Public Notice No. KS-PT-07-003/004

Name and Address of Applicant	Receiving Facility	Type of Discharge
Lewis McLain 220 W. 17th St. Ottawa, KS 66067	Ottawa MWWTP	Process Wastewater

Kansas Permit No. P-MC31-OO04 Federal Tracking No. KSP000096
Facility Name: RML Inc.

Facility Address: 220 W. 17th St., Ottawa, KS 66067

(continued)

Facility Description: The proposed action is to issue a new pretreatment permit for this facility. This facility powder coat metal parts and performs conversion coating (iron phosphating) on the steel parts, prior to painting the parts, using a five-stage washer. Outfall 001 consists of process and rinse wastewater tanks from this washer. The proposed permit includes limits for total toxic organics, cadmium, chromium, copper, lead, nickel, silver, zinc, total cyanide and pH, as well as monitoring of effluent flow. The permit limits are pursuant to state and federal pretreatment requirements.

Name and Address of Applicant	Receiving Facility	Type of Discharge
Triumph Accessory Services 411 North Road Wellington, KS 67152	Wellington MWWTP	Process Wastewater

Kansas Permit No. P-AR92-0005 Federal Tracking No. KSP000087

Facility Description: The proposed action is to modify an existing pretreatment permit for this facility. This facility repairs and overhauls various commercial and military aircraft components and parts. Outfall 001 consists of boom wash water from an operation located in the North building. Outfall 002 consists of heat exchanger water and Outfall 003 consists of wastes from the plasma spray operation in Building 3. Outfall 004 consists of wastes from the conversion coating operation located in Building 6, where magnesium parts are dipped in chromic acid, to provide corrosion resistance. This operation normally does not discharge and is considered a closed-loop system. Outfall 005 consists of nondestructive inspection water. All other terms and conditions of the permit shall remain in effect.

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 May 26 will be considered in the formulation of the final determinations regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-07-129/134, KS-07-016/020, KS-PT-07-003/004) 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 Envi-

ronment 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. 034363

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-2638-01, Flashing Light Signal, Straight Post Type with Gates, Burlington Northern and Santa Fe Railroad Crossing with 600 Road south of Pleasanton, Linn County

Project X-2640-01, Flashing Light Signal, Straight Post Type with Gates, Burlington Northern and Santa Fe Railroad Crossing with Poplar Road north of Fort Scott, Bourbon County

Project X-2654-01, Flashing Light Signal, Straight Post Type with Gates, Union Pacific Railroad Crossing with Mead Road west of Atchison, Atchison County

Project X-2655-01, Flashing Light Signal, Straight Post Type with Gates, Union Pacific Railroad Crossing with N Road east of Seneca, Nemaha County

Project X-2656-01, Flashing Light Signal, Straight Post Type with Gates, Union Pacific Railroad Crossing with 5th Road west of Herkimer, Marshall County

Project X-2657-01, Flashing Light Signal, Straight Post Type with Gates, Union Pacific Railroad Crossing with 1800 Road 4 miles west of Dwight, Morris County

Project X-2658-01, Flashing Light Signal, Straight Post Type with Gates, Union Pacific Railroad Crossing with 2100 Road 1 mile northeast of White City, Morris County

Project X-2659-01, Flashing Light Signal, Straight Post Type with Gates, Union Pacific Railroad Crossing with 350th Ave. east of Victoria, Ellis County

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

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

The comment period regarding the STIP amendment will conclude May 28.

Deb Miller
Secretary of Transportation

Doc. No. 034368

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 4-23-07 through 4-29-07

Term	Rate
1-89 days	5.24%
3 months	4.90%
6 months	5.00%
1 year	4.91%
18 months	4.78%
2 years	4.63%

Derl S. Treff
Director of Investments

Doc. No. 034342

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, until 1 p.m. May 17, and then publicly opened:

District One — Northeast

Riley—77-81 K-7441-01 — U.S. 77, Fancy Creek, 2.1 miles north of K-16, bridge replacement. (Federal Funds)

District Two — Northcentral

Dickinson—21 K-8304-01 — West of 7th Street (Main) over the Union Pacific Railroad to east of 3rd Street (Walnut) in Herington, 0.7 mile, grading, bridge and surfacing. (State Funds)

Geary—31 C-3591-01 — County road 1 mile west and 3 miles north of Junction City, then northeast 2.1 miles, grading and surfacing. (Federal Funds)

Morris—149-64 KA-0182-01 — K-149 West Fork Neosho River, 3.8 miles north of U.S. 56, bridge repair. (State Funds)

District Three — Northwest

Thomas—70-97 KA-0914-01 — I-70, 3 miles east of Brewster, then east 5 miles, fencing. (State Funds)

District Four — Southeast

Crawford—126-19 KA-0925-01 — K-126 from the junction of U.S. 400/K-126 north 5 miles then east 10 miles to the junction of K-126/K-7, 15.1 miles, seal. (State Funds)

Montgomery—63 K-1427-07 — Elk City State Park, state park road improvement. (State Funds)

District Five — Southcentral

Butler—8 U-2044-01 — Ninth Avenue over the West Branch of the Walnut River at El Dorado, 0.1 mile, grading, bridge and surfacing. (Federal Funds)

Butler—77-8 U-2045-01 — Fourth to 12th Avenue on Main Street in El Dorado, grading, bridge and surfacing. (Federal Funds)

Edwards-Pawnee—106 KA-0915-01 — West city limits of Kinsley on U.S. 56 east to the Edwards/Pawnee county line; U.S. 183 from the south city limits of Kinsley north to the junction of U.S. 56/U.S.183; U.S. 56 from south of the Coon Creek bridge north 1 mile, seal. (State Funds)

Reno—96-78 KA-0920-01 — Ramps where K-96 meets U.S. 50, Sixth Avenue and Wilson Road in Hutchinson, crack repair. (State Funds)

District Six — Southwest

Haskell—83-41 KA-0928-01 — Junction of U.S. 83/U.S. 56 at Sublette north to the junction of U.S. 83/K-144/U.S. 160, 6 miles, seal. (State Funds)

Morton—27-65 KA-0923-01 — K-27 from the east junction of K-51 north to the Morton/Stanton county line, 9.4 miles, sealing. (State Funds)

Scott—96-86 KA-0912-01 — K-96 from the Wichita-Scott county line east to Church Street in Scott City, 11.8 miles, seal. (State Funds)

Stanton—160-94 KA-0926-01 — U.S. 160 from the Kansas-Colorado state line east to the south junction of K-27, 16.8 miles, crack repair. (State Funds)

Wichita—96-102 KA-0913-01 - Waters Street in Leoti east to the Wichita-Scott county line, 12.1 miles, seal. (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. 034369

State of Kansas

Department of Health
and EnvironmentNotice of Hearing on Proposed
Administrative Regulations

A public hearing will be conducted at 1:30 p.m. Thursday, June 28, in the Azure Conference Room, fourth floor, Curtis State Office Building, 1000 S.W. Jackson, Topeka, to consider the adoption of new and amended solid waste regulations. These regulations apply primarily to waste tires, but also include financial assurance, pest control standards for outdoor accumulations of all types of tires, and storage standards for used, waste and processed tires. The proposed regulations will bring the waste tire regulations into accordance with changes to the waste tire statutes and improve the organization of the regulations. A summary of changes to the regulations follows. Except as noted in the summary, the new and amended regulations will not result in any increased cost to the regulated community.

K.A.R. 28-29-28. Definitions. A definition for "waste tire transporter" has been added. The definition excludes all waste tire transporters that transport tires through Kansas but do not transport waste tires to or from any location in Kansas.

The definition of "contaminated waste tire" has been modified to reference the statutory definition of "contaminated waste tire."

The definition of "financial assurance" has been modified to reference the financial assurance regulations.

K.A.R. 28-29-29. Waste tire processing and disposal standards. The criteria that must be met for landfill disposal of waste tires has been replaced by a reference to the statute that contains the disposal criteria.

K.A.R. 28-29-29a. Beneficial use of waste tires. The definition of beneficial use is replaced with a reference to the statute that defines beneficial use. Windbreaks and two types of erosion control have been added as beneficial uses that do not need case-by-case departmental approval. Management standards for each listed beneficial use have been added. Use of labor to provide drainage or use of larvicide will increase costs to the owner of the tires, but mosquito control will help reduce the number of cases of West Nile Virus.

K.A.R. 28-29-29b. Pest control standards for outdoor accumulations of new tires, used tires, waste tires, and tire-derived products. In 2003, K.S.A. 65-3424b was amended to require mosquito control for tire accumulations of any size or type. This new regulation contains the pest control standards for large accumulations of waste tires that were previously set forth in K.A.R. 28-29-31 and expands them to cover all accumulations of new tires, used tires, waste tires and tire-derived products, regardless of size. The time period allowed before the tires must be processed has been shortened from 30 to 7 days. The 30-day time period allowed before the tires must be chemically treated has been eliminated. The March 1 to November 1 time frame for managing the tires to eliminate mosquitoes has been removed. Use of labor to provide drainage or use of larvicide will increase costs to the

owner of the tires, but mosquito control will help reduce the number of cases of West Nile Virus.

K.A.R. 28-29-30. Waste tire processing facility, waste tire collection center, and mobile waste tire processor permits. Specific items have been added to the permit application and permit renewal sections in place of "all information required by the department." The items proposed for inclusion have historically been required as part of the permit applications and renewals.

Some specific information on financial assurance has been deleted because it is either already contained in, or is proposed to be added to, K.A.R. 28-29-2101. The permit application and renewal fees are proposed to be moved to new regulation K.A.R. 28-29-2011.

The requirement for an annual report has been moved from K.A.R. 28-29-31. The report will be submitted at the time of permit renewal rather than on September 1, as currently required. Waste tire processing facilities and collection centers are no longer required to report the following in the annual report: (1) environmental problems and (2) the types and quantities of pesticides used.

K.A.R. 28-29-31. Requirements for storage of waste tires, used tires, and tire-derived product. The title of the regulation has been changed to make it clear that this regulation applies to all waste, used, and processed tire storage facilities, whether they have a permit or are exempted from the permit requirement. Portions of this regulation have been moved to other regulations to improve the organization of this set of regulations.

The specific mosquito control requirements have been replaced with a reference to the new proposed regulation on pest control, K.A.R. 28-29-29b.

The demonstration that a fire lane less than 50 feet wide provides adequate access for fire-fighting equipment must be a certification from the local fire department. The subsection that adopted NFPA 231D, "Standard for Storage of Rubber Tires," has been deleted.

The requirement that each owner of an accumulation of processed tires (tire-derived product) to either show that the product had value, remove the product or obtain financial assurance has been deleted. Financial assurance requirements for permitted waste tire facilities have been added to K.A.R. 28-29-2101.

The subsection of the regulation that stated that KDHE could impose additional requirements is deleted.

Language concerning departmental access to property and records has been deleted because these provisions are already covered under K.S.A. 65-3409 and K.A.R. 28-29-16.

K.A.R. 28-29-31a. Requirements for permitted waste tire processing facilities, waste tire collection centers, and mobile waste tire processors. This proposed new regulation contains requirements specific to permitted waste tire processing facilities, waste tire collection centers and mobile waste tire processors. This information has been moved from the previous version of K.A.R. 28-29-31 with the following changes:

The sign at the entrance to waste tire collection centers and waste tire processing facilities must state the name of the site, the site's telephone number (if there is one), and the emergency telephone number, but does not need to state the cost of disposal. Essential emergency infor-

mation will increase the chance that a fire or other emergency can be dealt with quickly. The average cost per facility to change their signs is \$42.

As required by K.S.A. 65-3424b, owners of permitted sites will not have the option of proving tire-derived product stored on the site has economic value in lieu of providing financial assurance.

K.A.R. 28-29-32. Waste tire transporter permits. Specific items, which have historically been required as part of the permit applications and renewals, have been added to the permit application and permit renewal sections in place of "all information required by the department." The regulation now specifies when copies of a permit that is no longer active must be removed from vehicles. Portions of this regulation have been moved to other regulations to improve the organization of this set of regulations.

K.A.R. 28-29-33. Requirements for waste tire transporters. The statement to maintain financial assurance has been deleted because it is redundant. The information on annual reports has been moved to K.A.R. 28-29-32. Subsection (d) has been deleted, since this information is contained in the definition of waste tire transporter. A reference to K.S.A. 65-3424a has been added to make it clear that transporters may only transport waste tires to a person or landfill that is authorized to accept the tires.

K.A.R. 28-29-2011. Waste tire permit fees. This proposed new regulation will contain all of the waste tire permit fee information. This information was previously contained in K.A.R. 28-29-30 and 28-29-32. None of the fees have been changed.

K.A.R. 28-29-2101. Financial assurance for closure and postclosure. Many sections of the regulation have been rearranged to improve the organization of the regulation. Some sections have been combined or deleted because they were redundant or superfluous.

"Continuous" financial assurance has been clarified by specifying "during the active life of the facility and the required postclosure care period." The list of financial assurance methods was corrected to include simplified financial instruments and rearranged to correspond to K.A.R. 28-29-2103 through 28-29-2113. Vague language concerning evaluation of financial assurance by the department has been replaced with language referring to compliance with the financial assurance regulations. A requirement was added that the facility update financial assurance annually during the period of postclosure care. The list of materials that might be exempt from postclosure financial assurance has been deleted. Information on the amount of financial assurance for waste tire permits, which was in K.A.R. 28-29-30 and 28-29-32, has been added.

The Kansas Department of Health and Environment will have the responsibility for implementing and enforcing the proposed amendments to this regulation. The proposed amendments will not result in an increase in cost to the agency or an increase in paperwork.

The time period between publication of this notice and the scheduled hearing serves as the required public comment period of at least 60 days for the purpose of receiving written public comments on the proposed regula-

tions. All interested parties may submit written comments prior to 5 p.m. on the day of the hearing to Christine Mennicke, KDHE, Bureau of Waste Management, 1000 S.W. Jackson, Suite 320, Topeka, 66612-1366, by fax to (785) 296-8909, or by e-mail to cmennick@kdhe.state.ks.us. 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 regulatory impact statement in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Christine Mennicke.

Complete copies of the proposed regulations and the corresponding regulatory impact statement may be obtained on the Bureau of Waste Management's Web site at www.kdheks.gov/waste/ or by contacting Sarah Segelquist at (785) 296-6171 or ssegelquist@kdhe.state.ks.us. Questions pertaining to these proposed regulations should be directed to Christine Mennicke.

Roderick L. Bremby
Secretary of Health
and Environment

Doc. No. 034353

(Published in the Kansas Register April 26, 2007.)

**Summary Notice of Bond Sale
City of Mission, Kansas
\$750,000**

**Taxable General Obligation Bonds, Series 2007A
(Payable from unlimited ad valorem taxes)**

Bids

Subject to the notice of bond sale dated March 21, 2007, written and electronic bids will be received on behalf of the finance director of the city of Mission, Kansas (the issuer), in the case of written bids, at the addresses set forth below, and in the case of electronic bids, through PARITY, until 10 a.m. May 3, 2007, for the purchase of the above-referenced bonds.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated May 1, 2007, and will become due on September 1 in the years as follows:

Year	Principal Amount
2009	\$60,000
2010	60,000
2011	65,000
2012	70,000
2013	70,000
2014	75,000
2015	80,000

(continued)

2016	85,000
2017	90,000
2018	95,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on March 1 and September 1 in each year, beginning March 1, 2008.

Book-Entry-Only System

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

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a good faith deposit in the form of a cashier's or certified check drawn on a bank located in the United States or a qualified financial surety bond in the amount of \$15,000 (2 percent of the principal amount of the bonds).

Delivery

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about May 15, 2007, to DTC for the account of the successful bidder.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 2006 is \$144,081,582. The total general obligation indebtedness of the issuer after delivery of the bonds, including \$3,250,000 principal amount of temporary notes of the issuer to be dated May 1, 2007, is \$25,325,000.

Approval of Bonds

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

Additional Information

Additional information regarding the bonds may be obtained from the undersigned at the address set forth below or from the financial advisor, Attn: Bond Services, (651) 223-3000 or e-mail: advisors@springsted.com.

Written Bid and Good Faith Deposit Delivery Address:

6090 Woodson
Mission, KS 66202-3597
(913) 676-8350
Fax (913) 722-1415
E-mail: lgay@missionks.org

Financial Advisor - Facsimile Bid and Good Faith

Deposit Delivery Address:

Springsted Incorporated
Attn: Bond Services
380 Jackson St., Suite 300
St. Paul, MN 55101-2887
Fax (651) 223-3046

Dated March 21, 2007.

City of Mission, Kansas

(Published in the Kansas Register April 26, 2007.)

**Summary Notice of Bond Sale
City of Manhattan, Kansas**

\$6,790,000

**General Obligation Bonds
Series 2007-A**

\$5,645,000

**Taxable General Obligation Bonds
Series 2007-B**

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

Bids

Subject to the notice of bond sale dated April 17, 2007, written and electronic bids will be received on behalf of the clerk of the city of Manhattan, Kansas (the issuer), in the case of written bids, at the address set forth below, and in the case of electronic bids, through PARITY, until 2 p.m. May 15, 2007, for the separate purchase of each series of the above-referenced bonds (collectively, the bonds). Minimum purchase prices for each series of bonds are set forth in the official notice of bond sale.

Bond Details

General. The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof; will be dated June 1, 2007 (the dated date); and will bear interest from the dated date at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on May 1 and November 1 in each year, beginning November 1, 2007.

Series 2007-A Bonds. The Series 2007-A Bonds will become due in principal installments on November 1 in the years as follows:

Year	Principal Amount
2008	\$120,000
2009	245,000
2010	255,000
2011	260,000
2012	270,000
2013	280,000
2014	290,000
2015	305,000
2016	315,000
2017	325,000
2018	340,000
2019	355,000
2020	370,000
2021	385,000
2022	400,000
2023	415,000
2024	435,000
2025	455,000
2026	475,000
2027	495,000

Series 2007-B Bonds. The Series 2007-B Bonds will become due in principal installments on November 1 in the years as follows:

Year	Principal Amount
2008	\$445,000
2009	470,000
2010	490,000
2011	515,000
2012	545,000
2013	575,000
2014	600,000
2015	635,000
2016	665,000
2017	705,000

Book-Entry-Only System

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

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a good faith deposit in the form of a cashier's or certified check drawn on a bank located in the United States or a qualified financial surety bond, as follows: (a) Series 2007-A—\$135,800; and (b) Series 2007-B—\$112,900.

Delivery

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about June 11, 2007, to DTC for the account of the successful bidder.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 2006 is \$403,028,675. The total general obligation indebtedness of the issuer after delivery of the bonds (including \$4,320,000 principal amount of temporary notes of the issuer to be dated June 15, 2007), but excluding temporary notes to be retired in conjunction therewith, is \$85,655,000.

Approval of Bonds

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

Additional Information

Additional information regarding the bonds may be obtained from the undersigned or from the financial advisor at the addresses set forth below.

Written Bid and Good Faith Deposit Delivery Address:

Elizabeth Peterson, City Treasurer
 City Hall, First Floor
 1101 Poyntz Ave.
 Manhattan, KS 66502-5497
 (785) 587-2465
 Fax (785) 587-2409
 E-mail: peterson@ci.manhattan.ks.us

Financial Advisor-Facsimile Bid and Good Faith

Deposit Delivery Address:

Springsted Incorporated
 380 Jackson St., Suite 300
 St. Paul, MN 55101-2887
 (651) 223-3000
 Fax (651) 223-3046
 E-mail: advisors@springsted.com

Dated April 17, 2007.

City of Manhattan, Kansas

Doc. No. 034360

(Published in the Kansas Register April 26, 2007.)

Summary Notice of Bond Sale

City of Holton, Kansas

\$400,000

General Obligation Bonds

Series 2007A

(General obligation bonds payable from unlimited ad valorem taxes)

Bids

Subject to the official notice of bond sale and preliminary official statement dated April 19, 2007, bids will be received by the city clerk of the city of Holton, Kansas (the issuer), on behalf of the governing body of the city at City Hall, 430 Pennsylvania Ave., Holton, KS 66436, until 2 p.m. Monday, May 7, 2007, for the purchase of \$400,000 principal amount of General Obligation Bonds, Series 2007A. No bid of less than the entire par value of the bonds and accrued interest thereon to the date of delivery will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated May 1, 2007, and will become due on December 1 in the years as follows:

Year	Principal Amount
2008	\$20,000
2009	20,000
2010	20,000
2011	20,000
2012	25,000
2013	25,000
2014	25,000
2015	25,000
2016	25,000
2017	30,000
2018	30,000
2019	30,000
2020	35,000
2021	35,000
2022	35,000

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

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as here-

(continued)

inafter provided, which interest will be payable semiannually on June 1 and December 1 in each year, beginning June 1, 2008.

Optional Book-Entry-Only System

The successful bidder may elect to have the bonds registered under a book-entry-only system administered through the Depository Trust Company, New York, New York.

Paying Agent and Bond Registrar

The Kansas State Treasurer, Topeka, Kansas, is designated as the paying agent and bond registrar.

Good Faith Deposit

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States or a qualified financial surety bond in the amount of \$8,000 (2 percent of the principal amount of the bonds).

Delivery

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered to the facilities of the Depository Trust Company, New York, New York, at such bank or trust company in the contiguous United States as may be specified by the successful bidder without cost to the successful bidder within 45 days after the date of sale.

Assessed Valuation and Indebtedness

The total assessed valuation of taxable tangible property in the city for the year 2006 is \$18,282,940. The total general obligation indebtedness of the issuer as of the date of the bonds, including the bonds being sold, is \$12,601,005.

Approval of Bonds

The bonds will be sold subject to the legal opinion of Nichols and Wolfe Chartered, Topeka, Kansas, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the issuer and delivered to the successful bidder when the bonds are delivered.

Additional Information

Additional information regarding the bonds may be obtained from the city clerk, (785) 364-2721.

Dated April 19, 2007.

City of Holton, Kansas
Pat McClintock, City Clerk
City Hall
430 Pennsylvania Ave.
Holton, KS 66436

Doc. No. 034356

State of Kansas

Real Estate Appraisal Board

Permanent Administrative Regulations

Article 3.—QUALIFICATIONS CRITERIA— GENERAL REAL ESTATE APPRAISER CLASSIFICATION

117-3-2a. General classification; experience supervision requirements. (a) In order for an applicant's ex-

perience to be approved by the board when the applicant is applying for the general classification, all experience attained by an unlicensed or uncertified individual, or by a licensed or certified appraiser that is outside that appraiser's scope of practice, shall have been supervised by an appraiser according to the following terms and conditions.

(1) The supervising appraiser was a certified appraiser in good standing during the period of supervision.

(2) The supervising appraiser was certified as an appraiser for a minimum of two years immediately preceding the date on which the supervision began.

(3) The supervising appraiser did not supervise more than three applicants or provisional licensed appraisers, or any combination of these, at the same time.

(4) The supervising appraiser maintained responsibility for supervision of the applicant by meeting both of the following requirements:

(A) Before signing the certification section or addendum, the supervisor reviewed each appraisal report that the applicant prepared or provided assistance in developing, preparing, or communicating.

(B) The supervisor met the following requirements:

(i) Ensured that, at a minimum, the first 25 properties for which the applicant provided assistance in developing, preparing, or communicating an appraisal report were personally inspected by a supervisor; and

(ii) continued to personally inspect each property for which the applicant provided assistance in developing, preparing, or communicating an appraisal report until the supervisor was satisfied that the applicant was competent to appraise the property type, in accordance with the competency provision of the uniform standards of professional appraisal practice (USPAP), as adopted in K.A.R. 117-8-1.

(b) For the purpose of this regulation, "good standing" shall mean that both of the following conditions are met:

(1) During the period of supervision, the supervising appraiser was not subject to a board-approved consent agreement and order, summary order, or final order that included a term prohibiting supervision.

(2) During the period of supervision, the supervising appraiser's certification was not suspended or revoked.

(c) Each applicant shall be permitted to have more than one supervising appraiser.

(d) The supervising appraiser shall supervise the work of an applicant on appraisal reports performed on properties only if both of the following conditions are met:

(1) The supervising appraiser is permitted by the supervising appraiser's current credential to appraise the properties.

(2) The supervising appraiser is competent to appraise the properties.

(e) This regulation shall be effective on and after July 1, 2007. (Authorized by and implementing K.S.A. 58-4109; effective July 1, 2007; amended July 1, 2007.)

Article 4.—QUALIFICATIONS CRITERIA— CERTIFIED RESIDENTIAL REAL PROPERTY APPRAISER CLASSIFICATION

117-4-2a. Residential classification; experience supervision requirements. (a) In order for an applicant's

experience to be approved by the board when the applicant is applying for the residential classification, all experience attained by an unlicensed individual, or by a licensed appraiser that is outside that appraiser's scope of practice, shall have been supervised by an appraiser according to all of the following conditions:

(1) The supervising appraiser was a certified appraiser in good standing during the period of supervision.

(2) The supervising appraiser was certified as an appraiser for a minimum of two years immediately preceding the date on which the supervision began.

(3) The supervising appraiser did not supervise more than three applicants or provisional licensed appraisers, or any combination of these, at the same time.

(4) The supervising appraiser maintained responsibility for supervision of the applicant by meeting both of the following requirements:

(A) Before signing the certification section or addendum, the supervisor reviewed each appraisal report that the applicant prepared or provided assistance in developing, preparing, or communicating.

(B) The supervisor met the following requirements:

(i) Ensured that, at a minimum, the first 25 properties for which the applicant provided assistance in developing, preparing, or communicating an appraisal report were personally inspected by a supervisor; and

(ii) continued to personally inspect each property for which the applicant provided assistance in developing, preparing, or communicating an appraisal report until the supervisor was satisfied that the applicant was competent to appraise the property type, in accordance with the competency provision of the uniform standards of professional appraisal practice (USPAP), as adopted in K.A.R. 117-8-1.

(b) For the purpose of this regulation, "good standing" shall mean that both of the following conditions are met:

(1) During the period of supervision, the supervising appraiser was not subject to a board-approved consent agreement and order, summary order, or final order that included a term prohibiting supervision.

(2) During the period of supervision, the supervising appraiser's certification was not suspended or revoked.

(c) Each applicant shall be permitted to have more than one supervising appraiser.

(d) The supervising appraiser shall supervise the work of an applicant on appraisal reports performed on properties only if both of the following conditions are met:

(1) The supervising appraiser is permitted by the supervising appraiser's current credential to appraise the properties.

(2) The supervising appraiser is competent to appraise the properties.

(e) This regulation shall be effective on and after July 1, 2007. (Authorized by and implementing K.S.A. 58-4109; effective July 1, 2007; amended July 1, 2007.)

Sally L. Pritchett
Executive Director

Doc. No. 034343

State of Kansas

Kansas Lottery

Temporary Administrative Regulations

Article 2.—LOTTERY RETAILERS

111-2-204. Leiszler Oil Chain No. 1011 eScratch ticket promotion. (a) During the period beginning February 1, 2007, and ending February 28, 2007, in addition to compensation provided for in K.A.R. 111-2-4, the Kansas lottery also offers all participating Leiszler Oil lottery retailers located in Kansas an opportunity to participate in an eScratch ticket sales promotion. The chain will be separated into two groups according to their Kansas lottery retailer numbers, as follows:

Group 1	Group 2
10058	16537
10059	16538
10060	16539
10061	16540
10062	16541
13717	16542
14115	16543
14312	
15199	
15536	

(b) At the end of the promotion, the store in each group with the greatest percentage increase in eScratch ticket sales for the period from February 1, 2007, through February 28, 2007, over the base sales period of February 1, 2006, through February 28, 2006, will win a \$25.00 Visa gift card and \$25.00 in Kansas lottery coupons. Promotional items chosen by the lottery will also be awarded to all participating retail locations that show an increase in eScratch ticket sales over the base period. (Authorized by and implementing K.S.A. 74-8710 and K.S.A. 74-8708; effective, T-111-12-7-06, Jan. 16, 2007; amended, T-111-4-13-07, Jan. 17, 2007.)

111-2-205. Western Plains dba Jump Start retailer instant ticket incentive. (a) During the period beginning February 1, 2007, and ending February 28, 2007, in addition to compensation provided for in K.A.R. 111-2-4, the Kansas lottery also offers all participating Western Plains lottery retailers located in Kansas an opportunity to participate in an instant ticket sales promotion.

(b) At the end of the promotion, the store with the greatest percentage increase in cumulative instant ticket sales for the period from February 1, 2007, through February 28, 2007, over the base sales period of February 1, 2006, through February 28, 2006, will win a \$300 credit on the retailer's lottery account.

The store with the second greatest percentage increase in cumulative instant ticket sales for the period from February 1, 2007, through February 28, 2007, over the base sales period of February 1, 2006, through February 28, 2006, will win a \$150 credit on the retailer's lottery account.

The store with the third greatest percentage increase in cumulative instant ticket sales for the period from Feb-

(continued)

ruary 1, 2007, through February 28, 2007, over the base sales period of February 1, 2006, through February 28, 2006, will win a \$75 credit on the retailer's lottery account.

Promotional items chosen by the lottery will also be awarded to all retail locations participating in the promotion which show any increase in cumulative instant ticket sales over the base period. (Authorized by and implementing K.S.A. 74-8710 and K.S.A. 74-8708; effective, T-111-4-13-07, Jan. 17, 2007.)

Article 4.—INSTANT GAMES AND DRAWINGS

111-4-2521. "Santa Fe Trail" instant ticket lottery game number 651. (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Santa Fe Trail" commencing on or after February 1, 2007. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-2521.

(b) The "play symbols" and "play symbol captions" for this game are as follows:

Play Symbols	Play Symbol Captions
FREE	TICKET
\$1. ⁰⁰	ONE\$
\$2. ⁰⁰	TWO\$
\$3. ⁰⁰	THR\$
\$4. ⁰⁰	FOUR\$
\$5. ⁰⁰	FIVE\$
10. ⁰⁰	TEN\$
20. ⁰⁰	TWENTY
25. ⁰⁰	TWEN-FIV
40. ⁰⁰	FORTY
50. ⁰⁰	FIFTY
\$100\$	ONE-HUN
\$250\$	TWOFIFTY
\$1000	ONETHOU
\$10000	10-THOU
01	ONE
02	TWO
03	THR
04	FOR
05	FIV
06	SIX
07	SEV
08	EGT
09	NIN
10	TEN
11	ELVN
12	TWLV
13	THRTN
14	FOURTN
15	FIFTN
16	SIXTN
17	SEVTN
18	EGHTN
19	NINTN
20	TWNTY
21	TWYONE
22	TWY TWO
23	TWYTHR
24	TWYFOR
25	TWYFIV

MAYBE NEXT TIME
GOOD LUCK

(c) For this game, a play symbol shall appear in each of 15 play spots within the play area or areas.

(d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 149.

(e) The three letters comprising the retailer validation codes used in this game shall appear in three of eight varying locations among the play symbols. The retailer validation codes for this game and their meanings are as follows:

FRE	=	Free Ticket
TWO	=	\$2.00
FOR	=	\$4.00
FIV	=	\$5.00
TEN	=	\$10.00
TWY	=	\$20.00
TWF	=	\$25.00
FRY	=	\$40.00
FTY	=	\$50.00
HUN	=	\$100.00

(f) The price of instant tickets sold by a retailer for this game shall be \$2.00 each.

(g) "Santa Fe Trail" features two games. Game 1 is a key number match game. A player will remove the scratch-off material to reveal two "HAT NUMBERS" and six "YOUR NUMBERS" with a prize amount below each of the "YOUR NUMBERS." If a player matches either of the "HAT NUMBERS" to any of the "YOUR NUMBERS," the player wins the prize shown below that matched number. A player can win up to six times in this play area.

The bonus game is an instant win game. If a player reveals any prize amount, the player wins that amount instantly. A player can only win once in this play area.

(h) Each ticket in this game may win up to seven times.

(i) Approximately 600,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 300,000 tickets, and the same odds as were contained in the initial ticket order.

(j) The expected number and value of instant prizes in this game shall be as follows:

Game 1	Game 2	Prize	Expected Number of Prizes In Game	Expected Value in Game
Free Ticket		Free Ticket	24,000	\$0
	Free Ticket	Free Ticket	24,000	0
\$2		\$2	16,000	32,000
	\$2	\$2	16,000	32,000
\$1		\$2	22,000	44,000
	\$1	\$2	22,000	44,000
\$4		\$4	8,000	32,000
	\$4	\$4	9,000	36,000
\$2		\$4	10,000	40,000
(\$2 x 2)		\$5	3,000	15,000
\$5		\$5	3,000	15,000
	\$5	\$5	3,600	18,000
\$2		\$5	4,000	20,000
(\$1 x 5)		\$5	4,000	20,000
(\$1 x 2) + \$3		\$10	2,000	20,000
\$10		\$10	2,000	20,000
	\$10	\$10	2,000	20,000
(\$2 x 2) + \$1		\$10	2,000	20,000
(\$5 x 2)		\$10	2,000	20,000
(\$2 x 5)		\$10	2,000	20,000
(\$1 x 6)		\$10	3,000	30,000
\$25		\$25	400	10,000
	\$4	\$10	3,000	30,000
(\$10 x 2)		\$25	600	15,000
(\$5 x 5)		\$25	800	20,000
(\$4 x 4) + (\$2 x 2)		\$25	1,000	25,000
\$40		\$40	200	8,000
\$20		\$40	200	8,000
	\$20	\$40	200	8,000

(\$10 x 2) + (\$4 x 4)	\$4	\$40	250	10,000
(\$5 x 6)	\$10	\$40	250	10,000
\$50		\$50	60	3,000
\$25	\$25	\$50	80	4,000
(\$10 x 5)		\$50	100	5,000
(\$5 x 4) + (\$10 x 2)	\$10	\$50	100	5,000
\$100		\$100	20	2,000
(\$25 x 3)	\$25	\$100	20	2,000
(\$10 x 5) + \$25	\$25	\$100	30	3,000
\$1,000		\$1,000	4	4,000
(\$100 x 2) + (\$250 x 3) + \$25	\$25	\$1,000	4	4,000
\$10,000		\$10,000	6	60,000
Sub-Total			163,724	\$632,000
10 Trips to Gardner Festival and 1 trip to CMA awards				56,157
TOTAL				<u>\$688,157</u>

ONE = \$1.00
 TWO = \$2.00
 FTY = \$50.00
 FHN = \$500.00

(k) The odds of winning a prize in this game are approximately one in 3.66. (Authorized by K.S.A. 74-8710; implementing K.S.A. 74-8710 and K.S.A. 74-8720; effective, T-111-4-13-07, Jan. 17, 2007.)

111-4-2522. "Quick Crossword" instant ticket lottery game number 652. (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Quick Crossword" commencing on or after February 1, 2007. The rules for this game are contained in K.A.R. 111-3-1 et seq. and 111-4-2522.

(b) The "play symbols" for this game are as follows:

Play Symbols

- A
- B
- C
- D
- E
- F
- G
- H
- I
- J
- K
- L
- M
- N
- O
- P
- Q
- R
- S
- T
- U
- V
- W
- X
- Y
- Z

(c) For this game, a play symbol shall appear in each of a variable number of play spots within the play area or areas.

(d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 299.

(e) The three letters comprising the retailer validation codes used in this game shall appear in three of eight varying locations among the play symbols. The retailer validation codes for this game and their meanings are as follows:

(f) The price of instant tickets sold by a retailer for this game shall be \$1.00 each.

(g) "Quick Crossword" is a two-part vertically oriented game. The first part is the "YOUR LETTERS" area which contains 12 letters covered by opaque latex. The second part consists of a "QUICK CROSSWORD" puzzle grid containing six spaces (height) by eight spaces (wide) covered by translucent latex. A player will remove the latex from the "YOUR LETTERS" and then scratch the corresponding letters found in the "QUICK CROSSWORD" grid. If a player scratches at least two complete words in the "QUICK CROSSWORD" puzzle, the player wins the corresponding prize in the prize legend. The prize legend on the front of the ticket indicates prizes won for number of words revealed, as is also set forth in subsection (k) hereinafter.

(h) To qualify as a complete word to win a prize in this game, the words revealed must meet the following requirements:

- (1) must contain at least three letters;
- (2) cannot be formed diagonally, run right to left or from bottom to top;
- (3) must appear in an unbroken horizontal or vertical string of letters in the "crossword" puzzle;
- (4) an unbroken string of letters cannot be interrupted by a black space and must contain every single letter square between two black spaces;
- (5) every single letter in the unbroken string must be revealed in the "YOUR LETTERS" area and be included to form a word;

(6) the three small letters outside the squares in the "YOUR LETTERS" area are for validation purposes and cannot be used to play "Quick Crossword."

(i) Each ticket in this game may win up to one time. Only the highest prize won on each ticket will be awarded.

(j) Approximately 1,200,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 300,000 tickets, and the same odds as were contained in the initial ticket order.

(k) The expected number and value of instant prizes in this game shall be as follows:

	Prize	Expected Number of Prizes in Game	Expected Value in Game
2 words	\$1	140,000	\$140,000
3 words	\$2	120,000	240,000
4 words	\$50	3,200	160,000
5 words	\$500	200	100,000
6 words	\$5,000	<u>12</u>	<u>60,000</u>
TOTAL		<u>263,412</u>	<u>\$700,000</u>

(l) The odds of winning a prize in this game are approximately one in 4.56. (Authorized by K.S.A. 74-8710; implementing K.S.A. 74-8710 and K.S.A. 74-8720; effective, T-111-4-13-07, Jan. 17, 2007.)

111-4-2523. "Deal or No Deal" instant ticket lottery game number 653. (a) The Kansas lottery shall con-

(continued)

duct an instant winner lottery game entitled "Deal or No Deal" commencing on or after February 1, 2007. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-2523.

(b) The "play symbols" and "play symbol captions" for this game are as follows:

Play Symbols	Play Symbol Captions
\$5. ⁰⁰	FIVE\$
10. ⁰⁰	TEN\$
15. ⁰⁰	FIFTEEN
20. ⁰⁰	TWENTY
25. ⁰⁰	TWEN-FIV
40. ⁰⁰	FORTY
50. ⁰⁰	FIFTY
75. ⁰⁰	SVTYFIV
\$100\$	ONE-HUN
\$150\$	ONHNFTY
\$200\$	TWOHUN
\$250\$	TWOFIFTY
\$300\$	THRHUN
\$500\$	FIVE-HUN
\$1000	ONETHOU
\$2500	TWTHFIV
\$5000	FIVETHOU
\$25000	25-THOU
NO DEAL	NO DEAL
GOOD	LUCK
MAYBE	NEXT TIME

(c) For this game, a play symbol shall appear in each of 25 play spots within the play area or areas.

(d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 059.

(e) The three letters comprising the retailer validation codes used in this game shall appear in three of eight varying locations among the play symbols. The retailer validation codes for this game and their meanings are as follows:

FIV	=	\$5.00
TEN	=	\$10.00
FTN	=	\$15.00
TWY	=	\$20.00
TWF	=	\$25.00
FRY	=	\$40.00
FTY	=	\$50.00
STF	=	\$75.00
HUN	=	\$100.00
HFY	=	\$150.00
THN	=	\$200.00
THY	=	\$250.00
THH	=	\$300.00
FHN	=	\$500.00

(f) The price of instant tickets sold by a retailer for this game shall be \$5.00 each.

(g) "Deal or No Deal" features two games. Game 1 is a deal or no deal game. A player will remove the scratch-off material to reveal 24 "BRIEFCASES." Each "BRIEFCASE" will contain a dollar amount or a "NO DEAL" symbol. For each "BRIEFCASE" revealed, the player scratches the corresponding dollar amount or symbol in the prize table. If the one remaining unmatched box in

the prize table is a dollar amount, the player wins that amount. If the remaining unscratched prize table box contains "NO DEAL," the player does not win. A player can win up to one time in this play area.

Game 2 is a banker's bonus game. A player will remove the scratch-off material to reveal one play/prize symbol. If a player reveals any prize amount, the player wins that amount instantly. A player can only win once in this play area.

(h) Each ticket in this game may win up to two times.

(i) Approximately 300,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 300,000 tickets, and the same odds as were contained in the initial ticket order.

(j) The expected number and value of instant prizes in this game shall be as follows:

Game 1	Game 2	Prize	Expected Number of Prizes in Game	Expected Value in Game
\$5		\$5	22,000	\$110,000
	\$5	\$5	22,000	110,000
\$10		\$10	11,000	110,000
	\$10	\$10	11,000	110,000
\$15		\$15	4,000	60,000
	\$15	\$15	4,000	60,000
\$20		\$20	2,000	40,000
	\$20	\$20	2,000	40,000
\$25		\$25	1,000	25,000
	\$25	\$25	1,000	25,000
\$40		\$40	400	16,000
\$20	\$20	\$40	600	24,000
\$50		\$50	150	7,500
	\$50	\$50	150	7,500
\$25	\$25	\$50	200	10,000
\$75		\$75	150	11,250
\$50	\$25	\$75	150	11,250
\$100		\$100	70	7,000
	\$100	\$100	70	7,000
\$75	\$25	\$100	80	8,000
\$150		\$150	75	11,250
\$100	\$50	\$150	75	11,250
\$200		\$200	50	10,000
\$100	\$100	\$200	55	11,000
\$250		\$250	20	5,000
\$200	\$50	\$250	30	7,500
\$300		\$300	10	3,000
\$200	\$100	\$300	15	4,500
\$500		\$500	20	10,000
\$1,000		\$1,000	10	10,000
\$2,500		\$2,500	3	7,500
\$5,000		\$5,000	2	10,000
\$25,000		\$25,000	3	75,000
TOTAL			<u>82,388</u>	<u>\$975,500</u>

(k) The odds of winning a prize in this game are approximately one in 3.64. (Authorized by K.S.A. 74-8710; implementing K.S.A. 74-8710 and K.S.A. 74-8720; effective, T-111-4-13-07, Jan. 17, 2007.)

111-4-2524. "Triple Play" instant ticket lottery game number 654. (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Triple Play" commencing on or after February 1, 2007. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-2524.

(b) The "play symbols" and "play symbol captions" for this game are as follows:

Play Symbols	Play Symbol Captions
FREE	TICKET
\$1. ⁰⁰	ONE\$
\$3. ⁰⁰	THR\$
\$5. ⁰⁰	FIVE\$
10. ⁰⁰	TEN\$
15. ⁰⁰	FIFTEEN
30. ⁰⁰	THIRTY
\$100\$	ONE-HUN
\$1000	ONETHOU
\$3000	THRTHOU
Symbol of a baseball cap	CAP
Symbol of a baseball glove	GLOVE
Symbol of a baseball helmet	HELMET
Symbol of a baseball bat	BAT
Symbol of a baseball pennant	PENNANT
Symbol of a running shoe	SHOE
Symbol of an umpire	UMPIRE
Symbol of a batter	BATTER
Symbol of a bag of peanuts	PEANUT
Symbol of a base	BASE

(c) For this game, a play symbol shall appear in each of seven play spots within the play area or areas.

(d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 299.

(e) The three letters comprising the retailer validation codes used in this game shall appear in three of eight varying locations among the play symbols. The retailer validation codes for this game and their meanings are as follows:

FRE	=	Free Ticket
ONE	=	\$1.00
THR	=	\$3.00
FIV	=	\$5.00
TEN	=	\$10.00
FTN	=	\$15.00
TRY	=	\$30.00
NTY	=	\$90.00
HUN	=	\$100.00
THH	=	\$300.00

(f) The price of instant tickets sold by a retailer for this game shall be \$1.00 each.

(g) "Triple Play" is a match three play symbols of a match four play symbols to win triple the prize amount. The player will remove the latex covering the play area to reveal six play symbols. If the player matches three like play symbols, the player wins the prize amount shown in the prize box. If the player matches four like play symbols, the player wins triple the prize amount shown in the prize box.

(h) Each ticket in this game may win up to one time.

(i) Approximately 600,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 300,000 tickets, and the same odds as were contained in the initial ticket order.

(j) The expected number and value of instant prizes in this game shall be as follows:

Prize	Expected Number of Prizes in Game	Expected Value in Game
-------	-----------------------------------	------------------------

Free Ticket	Free Ticket	52,000	\$0
\$1	\$1	40,000	40,000
\$3	\$3	14,000	42,000
\$1 (TPL)	\$3	15,000	45,000
\$5	\$5	6,000	30,000
\$10	\$10	3,000	30,000
\$15	\$15	1,500	22,500
\$5 (TPL)	\$15	1,600	24,000
\$30	\$30	500	15,000
\$10 (TPL)	\$30	600	18,000
\$30 (TPL)	\$90	140	12,600
\$100	\$100	40	4,000
\$100 (TPL)	\$300	20	6,000
\$1,000	\$1,000	6	6,000
\$3,000	\$3,000	4	12,000
\$1,000 (TPL)	\$3,000	4	12,000
TOTAL		<u>134,414</u>	<u>\$319,100</u>

"TPL" denotes tripler symbol.

(k) The odds of winning a prize in this game are approximately one in 4.46. (Authorized by K.S.A. 74-8710; implementing K.S.A. 74-8710 and K.S.A. 74-8720; effective, T-111-4-13-07, Jan. 17, 2007.)

111-4-2525. "Moolah Mania" instant ticket lottery game number 655. (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Moolah Mania" commencing on or after February 1, 2007. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-2525.

(b) The "play symbols" and "play symbol captions" for this game are as follows:

Play Symbols	Play Symbol Captions
FREE	TICKET
\$1. ⁰⁰	ONE\$
\$2. ⁰⁰	TWO\$
\$5. ⁰⁰	FIVE\$
10. ⁰⁰	TEN\$
15. ⁰⁰	FIFTEEN
25. ⁰⁰	TWEN-FIV
50. ⁰⁰	FIFTY
\$100\$	ONE-HUN
\$1000	ONETHOU
\$4000	FOURTHOU

(c) For this game, a play symbol shall appear in each of five play spots within the play area or areas.

(d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 299.

(e) The three letters comprising the retailer validation codes used in this game shall appear in three of eight varying locations among the play symbols. The retailer validation codes for this game and their meanings are as follows:

FRE	=	Free Ticket
ONE	=	\$1.00
TWO	=	\$2.00
FIV	=	\$5.00
TEN	=	\$10.00
FTN	=	\$15.00
TWF	=	\$20.00
TWF	=	\$25.00
FRY	=	\$40.00
FTY	=	\$50.00

(continued)

HUN = \$100.00
FRH = \$400.00

(f) The price of instant tickets sold by a retailer for this game shall be \$1.00 each.

(g) "Moolah Mania" is a prize amount match game. The player will remove the latex covering the play area to reveal one "MOOLAH PRIZE AMOUNT" and four "YOUR PRIZE AMOUNTS." If the player matches any of the "YOUR PRIZE AMOUNTS" to the "MOOLAH PRIZE AMOUNT," the player wins that amount.

(h) Each ticket in this game may win up to four times.

(i) Approximately 600,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 300,000 tickets, and the same odds as were contained in the initial ticket order.

(j) The expected number and value of instant prizes in this game shall be as follows:

	Prize	Expected Number of Prizes in Game	Expected Value in Game
Free Ticket	Free Ticket	52,000	\$0
\$1	\$1	68,000	68,000
\$2	\$2	16,000	32,000
(\$1 x 2)	\$2	20,000	40,000
\$5	\$5	8,000	40,000
\$10	\$10	1,800	18,000
(\$5 x 2)	\$10	2,000	20,000
\$15	\$15	500	7,500
(\$5 x 3)	\$15	600	9,000
(\$10 x 2)	\$20	300	6,000
(\$5 x 4)	\$20	360	7,200
\$25	\$25	300	7,500
(\$10 x 4)	\$40	200	8,000
\$50	\$50	60	3,000
(\$25 x 2)	\$50	70	3,500
\$100	\$100	20	2,000
(\$50 x 2)	\$100	24	2,400
(\$25 x 4)	\$100	40	4,000
(\$100 x 4)	\$400	16	6,400
\$1,000	\$1,000	4	4,000
\$4,000	\$4,000	4	16,000
(\$1,000 x 4)	\$4,000	4	16,000
TOTAL		<u>170,302</u>	<u>\$320,500</u>

(k) The odds of winning a prize in this game are approximately one in 3.52. (Authorized by K.S.A. 74-8710; implementing K.S.A. 74-8710 and K.S.A. 74-8720; effective, T-111-4-13-07, Jan. 17, 2007.)

Article 5.—MULTI-STATE ON-LINE GAMES

111-5-131. Probability of winning. (a) The following table sets forth the probability of winning and the probable distribution of winners in and among each prize category based upon the total number of possible combinations in Powerball:

Number of Matches Per Ticket	Probability	Probable/Set Prize Amount
All five (5) of first set plus one (1) of second set	1:10,939,383.000000	\$5,176,367
All five (5) of first set and none of second set	1:607,743.500000	\$10,000
Any four (4) of first set plus one (1) of second set	1:64,349.311765	\$500
Any four (4) of first set and none of second set	1:3,574.961765	\$50
Any three (3) of first set plus one (1) of second set	1:1,949,979144	\$50

Any three (3) of first set and none of second set	1:108.332175	\$4
Any two (2) of first set plus one (1) of second set	1:182.810545	\$4
Any one (1) of first set plus one (1) of second set	1:47.176915	\$3
None of first set plus one (1) of second set	1:39.314096	\$2
Overall	1:16.091706	

(b) The grand prize amount is estimated using a 25-year deferred-payment factor of 1.8 (this factor is a variable dependent upon market conditions as determined by MUSL). The amount does not include the prize reserve account deduction or any other deductions, if any. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-3-15-06; Feb. 15, 2006; amended, T-111-4-13-07, Jan. 17, 2007.)

Article 9.—PULL-TAB GAMES

111-9-141. "Winner's Circle" pull tab ticket lottery game number 657. (a) The Kansas lottery shall conduct a pull tab lottery game entitled "Winner's Circle" commencing on or after February 1, 2007. The rules for this game are contained in K.A.R. 111-8-1 *et seq.* and K.A.R. 111-9-141.

(b) The price of pull tab tickets sold by a retailer for this game shall be \$1.00 each.

(c) Approximately 1,200,000 tickets shall be ordered initially for this pull tab game which shall be packaged in packs of 300 tickets each. The ticket numbers in each pack in this game shall start with 000 and end with 299. Additional ticket orders shall have the same prize structure, the same number of prizes per pool of 300,000 tickets, and the same odds as were contained in the initial ticket order.

(d) The play symbols for this game are as follows:

- Symbol of a trophy
- Symbol of a horseshoe
- Symbol of a saddle
- Symbol of a stopwatch
- Symbol of a pair of binoculars
- Symbol of a horn

(e) For this game, three play symbols shall appear under each of four tabs on the back of each ticket. On the front of each ticket shall appear a legend of all winning combinations using the play symbols for this game along with the corresponding prize amount for each combination, as follows: three horn symbols equal \$1.00; three binocular symbols equal \$5.00; three stopwatch symbols equal \$10.00; three saddle symbols equal \$25.00; three horseshoe symbols equal \$100.00; and three trophy symbols equal \$1,000.00.

(f) All tabs on the back of each ticket are to be pulled open. For each combination of three play symbols matching the legend on the front of the ticket, the player wins the prize amount corresponding to each combination as shown in (h) below. All winning combinations shall be within a single window in a horizontal line.

(g) The three letters comprising the retailer validation codes used in this game shall appear in three of 12 varying locations among the play symbols. The retailer validation codes for this game and their meanings are as follows:

- ONE = \$1.00
- FIV = \$5.00
- SIX = \$6.00
- TEN = \$10.00
- FTN = \$15.00
- TWF = \$25.00
- THF = \$35.00
- HUN = \$100.00

(h) The number and value of prizes in this game and winning combinations shall be as follows: (See corresponding play symbol values in subsection (e) above.)

Get	Prize	Expected Number of Prizes in Game	Expected Value in Game
\$1	\$1	220,000	\$220,000
\$5	\$5	40,000	200,000
\$1 + \$5	\$6	24,000	144,000
\$10	\$10	6,000	60,000
\$5 + \$10	\$15	3,200	48,000
\$25	\$25	1,740	43,500
\$10 + \$25	\$35	1,100	38,500
\$100	\$100	420	42,000
\$1,000	\$1,000	<u>20</u>	<u>20,000</u>
TOTAL		<u>296,480</u>	<u>\$816,000</u>

(i) Each ticket in this game may have up to two winning combinations.

(j) The overall odds of winning a prize in this game are approximately one in 4.05. (Authorized by K.S.A. 74-8710; implementing K.S.A. 74-8710 and K.S.A. 74-8720; effective, T-111-4-13-07, Jan. 17, 2007.)

111-9-142. "Sunny Money" pull tab ticket lottery game number 658. (a) The Kansas lottery shall conduct a pull tab lottery game entitled "Sunny Money" commencing on or after February 1, 2007. The rules for this game are contained in K.A.R. 111-8-1 *et seq.* and K.A.R. 111-9-142.

(b) The price of pull tab tickets sold by a retailer for this game shall be \$1.00 each.

(c) Approximately 1,200,000 tickets shall be ordered initially for this pull tab game which shall be packaged in packs of 300 tickets each. The ticket numbers in each pack in this game shall start with 000 and end with 299. Additional ticket orders shall have the same prize structure, the same number of prizes per pool of 300,000 tickets, and the same odds as were contained in the initial ticket order.

(d) The play symbols for this game are as follows:

- Symbol of the sun
- Symbol of a beach ball
- Symbol of an umbrella
- Symbol of a pair of sunglasses
- Symbol of a fan
- Symbol of an ice cream cone

(e) For this game, three play symbols shall appear under each of four tabs on the back of each ticket. On the front of each ticket shall appear a legend of all winning combinations using the play symbols for this game along with the corresponding prize amount for each combination, as follows: three ice cream cone symbols equal \$1.00; three fan symbols equal \$5.00; three pair of sunglasses symbols equal \$10.00; three umbrella symbols equal \$25.00; three beach ball symbols equal \$100.00; and three sun symbols equal \$1,000.00.

(f) All tabs on the back of each ticket are to be pulled open. For each combination of three play symbols matching the legend on the front of the ticket, the player wins the prize amount corresponding to each combination as shown in (h) below. All winning combinations shall be within a single window in a horizontal line.

(g) The three letters comprising the retailer validation codes used in this game shall appear in three of 12 varying locations among the play symbols. The retailer validation codes for this game and their meanings are as follows:

- ONE = \$1.00
- FIV = \$5.00
- SIX = \$6.00
- TEN = \$10.00
- FTN = \$15.00
- TWF = \$25.00
- THF = \$35.00
- HUN = \$100.00

(h) The number and value of prizes in this game and winning combinations shall be as follows: (See corresponding play symbol values in subsection (e) above.)

Get	Prize	Expected Number of Prizes in Game	Expected Value in Game
\$1	\$1	220,000	\$220,000
\$5	\$5	40,000	200,000
\$1 + \$5	\$6	24,000	144,000
\$10	\$10	6,000	60,000
\$5 + \$10	\$15	3,200	48,000
\$25	\$25	1,740	43,500
\$10 + \$25	\$35	1,100	38,500
\$100	\$100	420	42,000
\$1,000	\$1,000	<u>20</u>	<u>20,000</u>
TOTAL		<u>296,480</u>	<u>\$816,000</u>

(i) Each ticket in this game may have up to two winning combinations.

(j) The overall odds of winning a prize in this game are approximately one in 4.05. (Authorized by K.S.A. 74-8710; implementing K.S.A. 74-8710 and K.S.A. 74-8720; effective, T-111-4-13-07, Jan. 17, 2007.)

Article 12.—eSCRATCH GAMES

111-12-4. Leiszler Oil buy \$2 in eScratch tickets, get one \$1 Super Kansas Cash ticket free. During the term of this promotion at participating chain number 1011 Leiszler Oil stores, for every Kansas eScratch single ticket purchase of \$2.00 or more, a player will receive a \$1.00 Super Kansas Cash quick pick free play. Lottery terminals will automatically dispense a \$1.00 Super Kansas Cash quick pick for every \$2.00 or more eScratch single ticket purchase during the term of this promotion. The term of this promotion shall be February 1, 2007, through February 28, 2007, beginning at 5:00 a.m. each day to the close of business each day as defined in subsection (p) of K.A.R. 111-6-1, except that the executive director of the lottery may, in his sole discretion, terminate or temporarily suspend this promotion at any time. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-12-7-06, Jan. 16, 2007; amended, T-111-4-13-07, Jan. 17, 2007.)

Ed Van Petten
Executive Director

State of Kansas

University of Kansas Medical Center

Request for Bids

Sealed bid offers for a Beechcraft 1982 C-90-1 Aircraft will be received by the University of Kansas Medical Center Purchasing Office, Kansas City, Kansas, until 3 p.m. Monday, June 4, and then will be publicly opened. Information can be found at http://www2.kumc.edu/finance/aircraft_sale.html. Interested bidders are responsible for monitoring this Web site for any changes.

Peggy Davis, CPPB
Director of Purchasing

Doc. No. 034347

State of Kansas

Social and Rehabilitation Services

Department on Aging

Kansas Health Policy Authority

Notice of Proposed Nursing Facility Medicaid Rates for State Fiscal Year 2008;

Methodology for Calculating Proposed Rates, and Rate Justifications; Notice of Intent to Amend the Medicaid State Plan; Request for Written Comments; and Notice of Intent to Publish Final Rates

Under the Medicaid program, 42 U.S.C. 1396 et seq., the state of Kansas pays nursing facilities, nursing facilities for mental health and hospital long-term care units (hereafter collectively referred to as nursing facilities) a daily rate for care provided to residents who are eligible for Medicaid benefits. The Secretary of Aging administers the nursing facility program, which includes hospital long-term care units, and the Secretary of Social and Rehabilitation Services administers the nursing facility for mental health program. Both secretaries act on behalf of the Kansas Health Policy Authority (KHPA), the single state Medicaid agency. As required by 42 U.S.C. 1396a(a)(13), as amended by Section 4711 of the Balanced Budget Act of 1997, P.L. No. 105-33, 101 Stat. 251, 507-08 (August 5, 1997), the Secretary of the Kansas Department on Aging (KDOA) and the Secretary of the Kansas Department of Social and Rehabilitation Services (SRS) are publishing the proposed Medicaid per diem rates for Medicaid-certified nursing facilities for state fiscal year 2008, the methodology underlying the establishment of the proposed nursing facility rates, and the justifications for those proposed rates. SRS and KDOA also are providing notice of the state's intent to submit proposed amendments to the Medicaid State Plan to the U.S. Department of Health and Human Services' Centers for Medicare and Medicaid Services (CMS) on or before September 30, 2007.

I. Methodology Used to Calculate Medicaid Per Diem Rates for Nursing Facilities

In general, the state uses a prospective, cost-based, facility-specific rate-setting methodology to calculate nursing facility Medicaid per diem rates, including the rates listed in this notice. The state's rate-setting methodology is contained primarily in the following described docu-

ments and authorities and in the exhibits, attachments, regulations or other authorities referenced in them:

A. The following portion of the Kansas Medicaid State Plan are maintained by KHPA:

1. Attachment 4.19D, Part I, Subpart C, Exhibit C-1, inclusive;

The text of this portion of the Medicaid State Plan identified above in section IA.1, but not the documents, authorities and the materials incorporated therein by reference, is reprinted in this notice. The Medicaid State Plan provision set out in this notice appears in the version that the state currently intends to submit to CMS on or before September 30 2007. The proposed Medicaid State Plan amendment that the state ultimately submits to CMS may differ from the version contained in this notice.

Copies of the documents and authorities containing the state's rate-setting methodology are available upon written request. A request for copies will be treated as a request for public records under the Kansas Open Records Act, K.S.A. 45-215 et seq. The state will charge a fee for copies. Written requests for copies should be sent to:

Secretary of Aging
New England Building, 2nd Floor
503 S. Kansas Ave.
Topeka, KS 66603-3404
Fax (785) 296-0767

A.1 Attachment 4.19D, Part I, Subpart C, Exhibit C-1: Methods and Standards for Establishing Payment Rates for Nursing Facilities

Under the Medicaid program, the state of Kansas pays nursing facilities (NF), nursing facilities for mental health (NFMH) and hospital long-term care units (hereafter collectively referred to as nursing facilities) a daily rate for care provided to residents who are eligible for Medicaid benefits. The narrative explanation of the nursing facility reimbursement formula is divided into 12 sections. The sections are: Cost Reports, Rate Determination, Quarterly Case Mix Index Calculation, Resident Days, Inflation Factors, Upper Payment Limits, Quarterly Case Mix Rate Adjustment, Real and Personal Property Fee, Incentive Factors, Rate Effective Date, Retroactive Rate Adjustments, and Comparable Private Pay Rates.

1) Cost Reports

The Nursing Facility Financial and Statistical Report (MS2004) is the uniform cost report. It is included in Kansas Administrative Regulation (K.A.R.) 30-10-17. It organizes the commonly incurred business expenses of providers into three reimbursable cost centers (operating, indirect health care and direct health care). Ownership costs (i.e., mortgage interest, depreciation, lease and amortization of leasehold improvements) are reported but reimbursed through the real and personal property fee. There is a non-reimbursable/non-resident-related cost center so that total operating expenses can be reconciled to the providers' accounting records.

All cost reports are desk reviewed by agency auditors. Adjustments are made, when necessary, to the reported costs in arriving at the allowable historic costs for the rate computations.

Calendar Year End Cost Reports:

All providers that have operated a facility for 12 or more months on December 31 shall file a calendar year cost report. The requirements for filing the calendar year cost report are found in K.A.R. 30-10-17.

When a non-arms length change of provider takes place or an owner of the real estate assumes the operations from a lessee, the facility will be treated as an ongoing operation. In this situation, the related provider or owner shall be required to file the calendar year end cost report. The new operator or owner is responsible for obtaining the cost report information from the prior operator for the months during the calendar year in which the new operator was not involved in running the facility. The cost report information from the old and new operators shall be combined to prepare a 12-month calendar year end cost report.

Projected Cost Reports:

The filing of projected cost reports are limited to: 1) newly constructed facilities; 2) existing facilities new to the Medicaid program; or 3) a provider re-entering the Medicaid program that has not actively participated or billed services for 24 months or more. The requirements are found in K.A.R. 30-10-17.

2) Rate Determination

Rates for Existing Nursing Facilities

Medicaid rates for Kansas NFs are determined using a prospective, facility-specific rate-setting system. The rate is determined from the base cost data submitted by the provider. The current base cost data is the combined calendar year cost data from each available report submitted by the current provider during 2003, 2004 and 2005.

If the current provider has not submitted a calendar year report between 2003 and 2005, the cost data submitted by the previous provider for that same period will be used as the base cost data. Once the provider completes their first 24 months in the program, their first calendar year cost report will become the provider's base cost data.

The allowable expenses are divided into three cost centers. The cost centers are Operating, Indirect Health Care and Direct Health Care. They are defined in K.A.R. 30-10-18.

The allowable historic per diem cost is determined by dividing the allowable resident-related expenses in each cost center by resident days. Before determining the per diem cost, each year's cost data is adjusted from the midpoint of that year to the midpoint of the rate payment period. The resident days and inflation factors used in the rate determination will be explained in greater detail in the following sections.

The inflated allowable historic per diem cost for each cost center is then compared to the cost center upper payment limit. The allowable per diem rate is the lesser of the inflated allowable historic per diem cost in each cost center or the cost center upper payment limit. Each cost center has a separate upper payment limit. If each cost center upper payment limit is exceeded, the allowable per diem rate is the sum of the three cost center upper payment limits. There also is a separate upper payment limit for owner, related party, administrator and co-adminis-

trator compensation. The upper payment limits will be explained in more detail in a separate section.

The case mix of the residents adjusts the Direct Health Care cost center. The reasoning behind a case mix payment system is that the characteristics of the residents in a facility rather than the characteristics of the facility should determine the payment rate. The idea is that certain resident characteristics can be used to predict future costs to care for residents with those same characteristics. For these reasons, it is desirable to use the case mix classification for each facility in adjusting provider rates.

There are add-ons to the allowable per diem rate. The add-ons consist of the incentive factor and the real and personal property fee. The incentive factor and real and personal property fee are explained in separate sections of this exhibit. The add-ons plus the allowable per diem rate equal the total per diem rate.

Rates for New Construction and New Facilities (New Enrollment Status)

The per diem rate for newly constructed nursing facilities or new facilities to the Kansas Medical Assistance program shall be based on a projected cost report submitted in accordance with K.A.R. 30-10-17.

The cost information from the projected cost report and the first historic cost report covering the projected cost report period shall be adjusted to the midpoint of the rate payment period. This adjustment will be based on the Data Resources, Inc., National Skilled Nursing Facility Market Basket Without Capital Index (DRI Index). The DRI indices listed in the latest available quarterly publication will be used to adjust the reported cost data from the midpoint of the cost report period to the midpoint of the rate payment period. The provider shall remain in new enrollment status until the base data is reestablished. During this time, the adjusted cost data shall be used to determine all rates for the provider. Any additional factor for inflation that is applied to cost data for established providers shall be applied to the adjusted cost data for each provider in new enrollment status.

Rates for Facilities Recognized as a Change of Provider (Change of Provider Status)

The payment rate for the first 24 months of operation shall be based on the base cost data of the previous owner or provider. This base cost data shall include data from each calendar year cost report that was filed by the previous provider from 2003 to 2005. If base cost data is not available the most recent calendar year data for the previous provider shall be used. Beginning with the first day of the 25th month of operation the payment rate shall be based on the historical cost data for the first calendar year submitted by the new provider.

All data used to set rates for facilities recognized as a change-of-provider shall be adjusted to the midpoint of the rate payment period. This adjustment will be based on the Data Resources, Inc., National Skilled Nursing Facility Market Basket Without Capital Index (DRI Index). The DRI indices listed in the latest available quarterly publication will be used to adjust the reported cost data from the midpoint of the cost report period to the midpoint of the rate payment period. The provider shall re-

(continued)

main in change-of-provider status until the base data is reestablished. During this time, the adjusted cost data shall be used to determine all rates for the provider. Any additional factor for inflation that is applied to cost data for established providers shall be applied to the adjusted cost data for each provider in change of provider status.

Rates for Facilities Re-entering the Program (Reenrollment Status)

The per diem rate for each provider reentering the Medicaid program shall be determined from a projected cost report if the provider has not actively participated in the program by the submission of any current resident service billings to the program for 24 months or more. The per diem rate for all other providers reentering the program shall be determined from the base cost data filed with the agency or the most recent cost report filed preceding calendar year 2003.

All cost data used to set rates for facilities reentering the program shall be adjusted to the midpoint of the rate payment period. This adjustment will be based on the Data Resources, Inc., National Skilled Nursing Facility Market Basket Without Capital Index (DRI Index). The DRI indices listed in the latest available quarterly publication will be used to adjust the reported cost data from the midpoint of the cost report period to the midpoint of the rate payment period. The provider shall remain in reenrollment status until the base data is reestablished. During this time, the adjusted cost data shall be used to determine all rates for the provider. Any additional factor for inflation that is applied to cost data for established providers shall be applied to the adjusted cost data for each provider in reenrollment status.

3) Quarterly Case Mix Index Calculation

Providers are required to submit to the agency the uniform assessment instrument, which is the Minimum Data Set (MDS), for each resident in the facility. The MDS assessments are maintained in a computer database.

The Resource Utilization Groups-III (RUG-III) Version 5.12b, 34 group, index maximizer model is used as the resident classification system to determine all case mix indices, using data from the MDS submitted by each facility. Standard Version 5.12b case mix indices developed by the Health Care Financing Administration (now the Centers for Medicare and Medicaid Services) shall be the basis for calculating facility average case mix indices to be used to adjust the Direct Health Care costs in the determination of upper payment limits and rate calculation. Resident assessments that cannot be classified will be assigned the lowest CMI for the State.

Each resident in the facility on the first day of each calendar quarter with a completed and submitted assessment shall be assigned a RUG-III 34 group calculated on the resident's most current assessment available on the first day of each calendar quarter. This RUG-III group shall be translated to the appropriate CMI. From the individual resident case mix indices, three average case mix indices for each Medicaid nursing facility shall be determined four times per year based on the assessment information available on the first day of each calendar quarter.

The facility-wide average CMI is the simple average, carried to four decimal places, of all resident case mix indices. The Medicaid-average CMI is the simple average, carried to four decimal places, of all indices for residents where Medicaid is known to be a per diem payer source on the first day of the calendar quarter or at any time during the preceding quarter. The private-pay/other average CMI is the simple average, carried to four decimal places, of all indices for residents where neither Medicaid nor Medicare were known to be the per diem payer source on the first day of the calendar quarter or at any time during the preceding quarter. Case mix indices for ventilator-dependent residents for whom additional reimbursement has been determined shall be excluded from the average CMI calculations.

The resident listing cutoff for calculating the average CMIs will be the first day of the quarter before the rate is effective. The following are the dates for the resident listings and the quarter in which the average Medicaid CMIs will be used in the quarterly rate-setting process.

<u>Rate Effective Date:</u>	<u>Cutoff Date:</u>
July 1	April 1
October 1	July 1
January 1	October 1
April 1	January 1

The resident listings will be mailed to providers prior to the dates the quarterly case mix adjusted rates are determined. This will allow the providers time to review the resident listings and make corrections before they are notified of new rates. The cut off schedule may need to be modified in the event accurate resident listings and Medicaid CMI scores cannot be obtained from the MDS database.

4) Resident Days

Facilities with 60 beds or less:

For facilities with 60 beds or less, the allowable historic per diem costs for all cost centers are determined by dividing the allowable resident related expenses by the actual resident days during the cost report period(s) used to establish the base cost data.

Facilities with more than 60 beds:

For facilities with more than 60 beds, the allowable historic per diem costs for the Direct Health Care cost center and for food and utilities in the Indirect Health Care cost center are determined by dividing the allowable resident related expenses by the actual resident days during the cost report period(s) used to establish the base cost data. The allowable historic per diem cost for the Operating and Indirect Health Care Cost Centers less food and utilities is subject to an 85% minimum occupancy rule. For these providers, the greater of the actual resident days for the cost report period(s) used to establish the base cost data or the 85% minimum occupancy based on the number of licensed bed days during the cost report period(s) used to establish the base cost data is used as the total resident days in the rate calculation for the Operating cost center and the Indirect Health Care cost center less food and utilities. All licensed beds are required to be certified to participate in the Medicaid program.

There are two exceptions to the 85% minimum occupancy rule for facilities with more than 60 beds. The first is that it does not apply to a provider who is allowed to file a projected cost report for an interim rate. Both the rates determined from the projected cost report and the historic cost report covering the projected cost report period are based on the actual resident days for the period.

The second exception is for the first cost report filed by a new provider who assumes the rate of the previous provider. If the 85% minimum occupancy rule was applied to the previous provider's rate, it is also applied when the rate is assigned to the new provider. However, when the new provider files a historic cost report for any part of the first 12 months of operation, the rate determined from the cost report will be based on actual days and not be subject to the 85% minimum occupancy rule for the months in the first year of operation. The 85% minimum occupancy rule is then reapplied to the rate when the new provider reports resident days and costs for the 13th month of operation and after.

5) Inflation Factors

Inflation will be applied to the allowable reported costs from the calendar year cost report(s) used to determine the base cost data from the midpoint of each cost report period to the midpoint of the rate payment period. The inflation will be based on the Data Resources, Inc., National Skilled Nursing Facility Market Basket Without Capital Index (DRI Index).

The DRI Indices listed in the latest available quarterly publication will be used to determine the inflation tables for the payment schedules processed during the payment rate period. This may require the use of forecasted factors in the inflation table. The inflation tables will not be revised until the next payment rate period.

The inflation factor will not be applied to the following costs:

- 1) Owner/Related Party Compensation
- 2) Interest Expense
- 3) Real and Personal Property Taxes

The inflation factor for the real and personal property fees will be based on the Data Resources, Inc., National Skilled Nursing Facility Total Market Basket Index (DRI Index). An additional 12 months of inflation will be applied to the real and personal property fees in effect June 1.

6) Upper Payment Limits

There are three types of upper payment limits that will be described. One is the owner/related party/administrator/co-administrator limit. The second is the real and personal property fee limit. The last type of limit is an upper payment limit for each cost center. The upper payment limits are in effect during the payment rate period unless otherwise specified by a State Plan amendment.

Owner/Related Party/Administrator/Co-Administrator Limits:

Since salaries and other compensation of owners are not subject to the usual market constraints, specific limits are placed on the amounts reported. First, amounts paid to non-working owners and directors are not an allowable cost. Second, owners and related parties who perform

resident-related services are limited to a salary chart based on the Kansas Civil Service classifications and wages for comparable positions. Owners and related parties who provide resident-related services on less than a full-time basis have their compensation limited by the percent of their total work time to a standard work week. A standard work week is defined as 40 hours. The owners and related parties must be professionally qualified to perform services which require licensure or certification.

The compensation paid to owners and related parties shall be allocated to the appropriate cost center for the type of service performed. Each cost center has an expense line for owner/related party compensation. There also is a cost report schedule titled "Statement of Owners and Related Parties." This schedule requires information concerning the percent of ownership (if over 5 percent), the time spent in the function, the compensation, and a description of the work performed for each owner and/or related party. Any salaries reported in excess of the Kansas Civil Service-based salary chart are transferred to the Operating cost center where the excess is subject to the Owner/Related Party/Administrator/Co-Administrator per diem compensation limit.

The Schedule C is an array of non-owner administrator and co-administrator salaries. The schedule includes the calendar year 2006 historic cost reports in the database from all active nursing facility providers. The salary information in the array is not adjusted for inflation. The per diem data is calculated using an 85% minimum occupancy level for those providers in operation for more than 12 months with more than 60 beds. The Schedule C for the owner/related party/administrator/co-administrator per diem compensation limit is the first schedule run during the rate setting.

The Schedule C is used to set the per diem limitation for all non-owner administrator and co-administrator salaries and owner/related party compensation in excess of the civil service based salary limitation schedule. The per diem limit for a 50-bed or larger home is set at the 90th percentile on all salaries reported for non-owner administrators and co-administrators. A limitation table is then established for facilities with less than 50 beds. This table begins with a reasonable salary per diem for an administrator of a 15-bed or less facility. The per diem limit for a 15-bed or less facility is inflated based on the state of Kansas annual cost of living allowance for classified employees for the rate period. A linear relationship is then established between the compensation of the administrator of the 15-bed facility and the compensation of the administrator of a 50-bed facility. The linear relationship determines the per diem limit for the facilities between 15 and 50 beds.

The per diem limits apply to the non-owner administrators and co-administrators and the compensation paid to owners and related parties who perform an administrative function or consultant type of service. The per diem limit also applies to the salaries in excess of the civil service-based salary chart in other cost centers that are transferred to the operating cost center.

(continued)

Real and Personal Property Fee Limit

The property component of the reimbursement methodology consists of the real and personal property fee that is explained in more detail in a later section. The upper payment limit will be 105% of the median determined from a total resident day-weighted array of the inflated property fees.

Cost Center Upper Payment Limits

The Schedule B computer run is an array of all per diem costs for each of the three cost centers—Operating, Indirect Health Care and Direct Health Care. The schedule includes a per diem determined from the base cost data from all active nursing facility providers. Projected cost reports are excluded when calculating the limit.

The per diem expenses for the Operating cost center and the Indirect Health Care cost center less food and utilities are subject to the 85% minimum occupancy for facilities over 60 beds. All previous desk review and field audit adjustments are considered in the per diem expense calculations. The costs are adjusted by the owner/related party/administrator/co-administrator limit.

Prior to the Schedule B arrays, the cost data on certain expense lines is adjusted from the midpoint of the cost report period to the midpoint of the rate payment period. This will bring the costs reported by the providers to a common point in time for comparisons. The inflation will be based on the DRI Index.

Certain costs are exempt from the inflation application when setting the upper payment limits. They include owner/related party compensation, interest expense, and real and personal property taxes.

The final results of the Schedule B run are the median compilations. These compilations are needed for setting the upper payment limit for each cost center. The median for each cost center is weighted based on total resident days. The upper payment limits will be set using the following:

Operating	110% of the median
Indirect Health Care	115% of the median
Direct Health Care	120% of the median

Direct Health Care Cost Center Limit:

The Kansas reimbursement methodology has a component for a case mix payment adjustment. The Direct Health Care cost center rate component and upper payment limit are adjusted by the facility average CMI.

For the purpose of setting the upper payment limit in the Direct Health Care cost center, the facility cost report period CMI and the statewide average CMI will be calculated. The facility cost report period CMI is the resident day-weighted average of the quarterly facility-wide average case mix indices, carried to four decimal places. The quarters used in this average will be the quarters that most closely coincide with the financial and statistical reporting period. For example, a 01/01/20XX-12/31/20XX financial and statistical reporting period would use the facility-wide average case mix indices for quarters beginning 04/01/XX, 07/01/XX, 10/01/XX and 01/01/XY. The statewide average CMI is the resident day-weighted average, carried to four decimal places, of the facility cost report period case mix indices for all Medicaid facilities.

The statewide average CMI and facility cost report period CMI are used to set the upper payment limit for the Direct Health Care cost center. The limit is based on all facilities with a historic cost report in the database. There are three steps in establishing the base upper payment limit.

The first step is to normalize each facility's inflated Direct Health Care costs to the statewide average CMI. This is done by dividing the facility's cost report period CMI by the statewide average CMI for the cost report year, then multiplying this answer by the facility's inflated costs. This step is repeated for each cost report year for which data is included in the base cost data.

The second step is to determine per diem costs and array them to determine the median. The per diem cost is determined by dividing the total of each provider's base direct health care costs by the total days provided during the base cost data period. The median is located using a day-weighted methodology. That is, the median cost is the per diem cost for the facility in the array at which point the cumulative total of all resident days first equals or exceeds half the number of the total resident days for all providers. The facility with the median resident day in the array sets the median inflated direct health care cost. For example, if there are 8 million resident days, the facility in the array with the 4 millionth day would set the median.

The final step in calculating the base Direct Health Care upper payment limit is to apply the percentage factor to the median cost. For example, if the median cost is \$60 and the upper payment limit is based on 120% of the median, then the upper payment limit for the statewide average CMI would be \$72 ($D=120\% \times \60).

7) Quarterly Case Mix Rate Adjustment

The allowance for the Direct Health Care cost component will be based on the average Medicaid CMI in the facility. The first step in calculating the allowance is to determine the Allowable Direct Health Care Per Diem Cost. This is the lesser of the facility's per diem cost from the base cost data period or the Direct Health Care upper payment limit. Because the direct health care costs were previously adjusted for the statewide average CMI, the Allowable Direct Health Care Per Diem Cost corresponds to the statewide average CMI.

The next step is to determine the Medicaid acuity adjusted allowable Direct Health Care cost. The Medicaid CMI is divided by the statewide average CMI for the cost data period. This answer, is then multiplied by the Allowable Direct Health Care per diem cost. The result is referred to as the Medicaid Acuity Adjustment.

The Medicaid Acuity Adjustment is calculated quarterly to account for changes in the Medicaid CMI. To illustrate this calculation take the following situation: The Direct Health Care per diem limit is \$72.00 with a statewide average CMI of 1.000, and the facility's direct health care per diem costs are \$60.00, and its current Medicaid CMI is 0.9000. Since the per diem costs are less than the limit the Allowable Direct Health Care Cost is \$60.00, and this is matched with the statewide average CMI of 1.0000. To calculate the Medicaid Acuity Adjustment, first divide the Medicaid CMI by the statewide average CMI, then

multiply the answer by the Allowable Direct Health Care Cost. In this case that would result in \$54.00 ($0.9000/1.0000 \times \60.00). Because the facility's current Medicaid CMI is less than the statewide average CMI the Medicaid Acuity Adjustment moves the direct health care per diem down proportionally. In contrast, if the Medicaid CMI for the next quarter rose to 1.1000, the Medicaid Acuity Adjustment would be \$66.00 ($1.1000/1.0000 \times \60.00). Again, the Medicaid Acuity Adjustment changes the Allowable Direct Health Care Per Diem Cost to match the current Medicaid CMI.

8) Real and Personal Property Fee

The property component of the reimbursement methodology consists of the real and personal property fee (property fee). The property fee is paid in lieu of an allowable cost of mortgage interest, depreciation, lease expense and/or amortization of leasehold improvements. The fee is facility specific and does not change as a result of a change of ownership, change in lease, or with re-enrollment in the Medicaid program. The original property fee was comprised of two components, a property allowance and a property value factor. The differentiation of fee into these components was eliminated effective July 1, 2002. At that time each facility's fee was re-established based on the sum of the property allowance and value factor.

The property fees in effect on June 1 were inflated with 12 months of inflation effective July 1. The inflation factor was from the Data Resources, Inc.-WEFA, National Skilled Nursing Facility Total Market Basket Index (DRI Index). The providers received the lower of the inflated property fee or the upper payment limit.

For providers re-enrolling in the Kansas Medical Assistance program or providers enrolling for the first time but operating in a facility that was previously enrolled in the program, the property fee shall be the sum of the last effective property allowance and the last effective value factor for that facility. The property fee will be inflated and then compared to the upper payment limit. The property fee will be the lower of the facility-specific inflated property fee or the upper payment limit.

Providers entering the Kansas Medical Assistance program for the first time, who are operating in a building for which a fee has not previously been established, shall have a property fee calculated from the ownership costs reported on the cost report. This fee shall include appropriate components for rent or lease expense, interest expense on real estate mortgage, amortization of leasehold improvements, and depreciation on buildings and equipment. The process for calculating the property fee for providers entering the Kansas Medical Assistance program for the first time is explained in greater detail in (K.A.R. 30-10-25).

There is a provision for changing the property fee. This is for a rebasing when capital expenditure thresholds are met (\$25,000 for homes under 51 beds and \$50,000 for homes over 50 beds). The original property fee remains constant but the additional factor for the rebasing is added. The property fee rebasing is explained in greater detail in (K.A.R. 30-10-25). The rebased property fee is subject to the upper payment limit.

9) Incentive Factors

An incentive factor will be awarded to both NF and NF-MH providers that meet certain outcome measures criteria. The criteria for NF and NF-MH providers will be determined separately based on arrays of outcome measures for each provider group.

Nursing Facility Quality and Efficiency Incentive Factor:

The Nursing Facility Quality and Efficiency Incentive Factor is a per diem add-on ranging from zero to three dollars. It is designed to encourage quality care and efficiency. The incentive factor is determined by five outcome measures: case mix adjusted nurse staffing ratio, operating expense, staff turnover rate, staff retention rate and occupancy rate. The most recent cost report data for each provider will be used to determine the outcome measures. Each provider is awarded points based on their outcome measures and the total points for each provider determine the per diem incentive factor included in the provider's rate calculation.

Providers may earn up to two incentive points for their case mix adjusted nurse staffing ratio. They will receive two points if their case mix adjusted staffing ratio equals or exceeds 4.44, which is 120% of the statewide NF median of 3.70. They will receive one point if the ratio is less than 120% of the NF median but greater than or equal to 4.07, which is 110% of the statewide NF median. Providers with staffing ratios below 110% of the NF median will receive no points for this incentive measure.

Providers may earn up to two points for their occupancy outcome measures. If they have total occupancy greater than or equal to 90% they will earn one point. If they have Medicaid occupancy greater than or equal to 60% they also will earn one point. Providers that meet both of these criteria will receive a total of two incentive points for occupancy outcomes and providers that fail to meet either criterion will receive zero points for occupancy.

Providers may earn one point for low operating expenses. Providers with per diem operating expenses below \$20.95, 90% of the statewide median per diem operating expense (\$23.28), will earn one point.

Providers may earn up to two points for their turnover rate outcome measure. Providers with direct health care staff turnover equal to or below 48%, the 75th percentile statewide, will earn two points as long as contracted labor costs do not exceed 10% of the provider's total direct health care labor costs. Providers with direct health care staff turnover equal to or below 69%, the 50th percentile statewide, will earn one point as long as contracted labor costs do not exceed 10% of the provider's total direct health care labor costs.

Finally, providers may earn up to two points for their retention rate outcome measure. Providers with staff retention rates at or above 74%, the 75th percentile statewide, will earn two points. Providers with staff retention rates at or above 63%, the 50th percentile statewide, will earn one point.

The table below summarizes the incentive factor outcomes and points:

(continued)

Quality/Efficiency Outcome:	Incentive Points:
1) CMI adjusted staffing ratio \geq 120% (4.44) of state median (3.70), or CMI adjusted staffing ratio between 110% (4.07) and 120%	2, or 1
2) Total occupancy \geq 90% Medicaid occupancy \geq 60%	1 1
3) Operating expenses < \$20.95, 90% of state median (\$23.28)	1
4) Staff turnover rate \leq 75th percentile, 48% Staff turnover rate \leq 50th percentile, 69% Contracted labor < 10% of total direct health care labor costs	2, or 1
5) Staff retention \geq 75th percentile, 74% Staff retention \geq 50th percentile, 63%	2, or 1
Total Incentive Points Available	9

The Schedule E is an array containing the incentive points awarded to each provider for each quality and efficiency incentive outcome. The total of these points will be used to determine each provider's incentive factor based on the following table.

<u>Total Incentive Points:</u>	<u>Incentive Factor Per Diem:</u>
Tier 1: 6-9 points	\$3.00
Tier 2: 5 points	\$2.00
Tier 3: 4 points	\$1.00
Tier 4: 0-3 points	\$0.00

Nursing Facility for Mental Health Quality and Efficiency Incentive Factor:

The Quality and Efficiency Incentive plan for Nursing Facilities for Mental Health (NFMH) will be established separately from NF. NFMH serve people who often do not need the NF level of care on a long-term basis. There is a desire to provide incentive for NFMH to work cooperatively and in coordination with Community Mental Health Centers to facilitate the return of persons to the community.

The Quality and Efficiency Incentive Factor is a per diem add-on ranging from zero to two dollars. It is designed to encourage quality care, efficiency and cooperation with discharge planning. The incentive factor is determined by five outcome measures: case mix adjusted nurse staffing ratio, operating expense, staff turnover rate, staff retention rate and occupancy rate. Each provider is awarded points based on their outcome measures and the total points for each provider determine the per diem incentive factor included in the provider's rate calculation.

Providers may earn up to two incentive points for their case mix adjusted nurse staffing ratio. They will receive two points if their case mix adjusted staffing ratio equals or exceeds 3.35, which is 120% of the statewide NFMH median of 2.79. They will receive one point if the ratio is less than 120% of the NFMH median but greater than or equal to 3.07, which is 110% of the statewide NFMH median. Providers with staffing ratios below 110% of the NFMH median will receive no points for this incentive measure.

NFMH providers may earn one point for their occupancy outcomes measure. If they have total occupancy less than or equal to 94.6%, the statewide median for NFMH, they will earn one point.

NFMH providers may earn one point for each of the following outcomes measures: low operating expenses; low staff turnover; and, high staff retention. Providers with per diem operating expenses below \$17.16, 90% of the statewide median per diem operating expense (\$19.07) for NFMH, will earn one point.

Providers with direct health care staff turnover at or below 63%, the statewide median staff turnover rate for NFMH, will earn one point, as long as contracted labor costs do not exceed 10% of the provider's total direct health care labor costs. Finally, providers with staff retention rates at or above 67%, the statewide median staff retention rate for NFMH, will earn one point.

The table below summarizes the incentive factor outcomes and points:

Quality/Efficiency Outcome:	Incentive Points:
1) CMI adjusted staffing ratio \geq 120% (3.35) of state median (2.79), or CMI adjusted staffing ratio between 110% (3.07) and 120%	2, or 1
2) Total occupancy \leq 94.6% (NFMH median)	1
3) Operating expenses < \$17.16, 90% of NFMH median (\$19.07)	1
4) Staff turnover rate \leq NFMH median, 63%	1
5) Staff retention \geq NFMH median, 67%	1
Total Incentive Points Available	6

The Schedule E is an array containing the incentive points awarded to each NFMH provider for each quality and efficiency incentive outcome. The total of these points will be used to determine each provider's incentive factor based on the following table.

<u>Total Incentive Points:</u>	<u>Incentive Factor Per Diem:</u>
Tier 1: 5-6 points	\$2.00
Tier 2: 3-4 points	\$1.00
Tier 3: 0-2 points	\$0.00

10) Rate Effective Date

Rate effective dates are determined in accordance with K.A.R. 30-10-19. The rate may be revised for an add-on reimbursement factor (i.e., rebased property fee), desk review adjustment or field audit adjustment.

11) Retroactive Rate Adjustments

Retroactive adjustments, as in a retrospective system, are made for the following three conditions:

A retroactive rate adjustment and direct cash settlement is made if the agency determines that the base year cost report data used to determine the prospective payment rate was in error. The prospective payment rate period is adjusted for the corrections.

If a projected cost report is approved to determine an interim rate, a settlement also is made after a historic cost report is filed for the same period.

All settlements are subject to upper payment limits. A provider is considered to be in projection status if they are operating on a projected rate and they are subject to the retroactive rate adjustment.

12) Comparable Private Pay Rates

The last factor considered in determining a provider's Medicaid per diem payment rate is their private pay rate. Providers are reimbursed the lower of the calculated

Medicaid rate or their private pay rate. The agency maintains a registry of private pay rates. It is the responsibility of the providers to send in private pay rate updates so that the registry is updated. When new Medicaid rates are determined, if the private pay rate reflected in the registry is lower, then the provider is held to that private pay rate until the provider sends notification that it has a higher private pay rate.

Case Mix Adjustments to Private Pay Rates:

Private pay rates submitted to the agency are adjusted up if a provider's average private pay/other CMI is lower than its Medicaid average CMI. This is accomplished by multiplying the provider's average private pay rate in the private pay registry by the ratio of their Medicaid average CMI to their average private pay/other CMI. This ensures that providers' Medicaid rates are not limited to a lower private pay rate that may be attributed to the lower acuity of the private pay residents. There is no adjustment to private pay rates if the facility's Medicaid average CMI is less than its average private pay/other CMI. There also is no adjustment to private pay rates if the facility's total Medicaid rate is less than its average private pay rate

II. Proposed Medicaid Per Diem Rates for Kansas Nursing Facilities

A. Cost Center Limitations. The state proposes the following cost center limitations that are used in setting rates effective July 1, 2007.

Cost Center	Limit Formula	Per Day Limit
Operating	110% of the Median Cost	\$27.02
Indirect Health Care	115% of the Median Cost	\$39.74
Direct Health Care	120% of the Median Cost	\$77.27
Real and Personal Property Fee	105% of the Median Fee	\$7.96

These amounts were determined according to the "Reimbursement Limitations" section. The Direct Healthcare Limit is calculated based on a CMI of 0.9513, which is the statewide average.

B. Case Mix Index. These proposed rates are based upon each nursing facility's Medicaid average CMI calculated with a cutoff date of April 1, 2007, using the July 1, 2007, Kansas Medicaid/Medican CMI Table. In Section II.C below, each nursing facility's Medicaid average CMI is listed beside its proposed per diem rate.

C. Proposed Nursing Facility Per Diem Rates and CMI.

The following list includes the calculated Medicaid rate for each nursing facility provider currently enrolled in the Medicaid program and the Medicaid case mix index used to determine each rate.

Facility Name	City	Proposed Daily Rate	Medicaid CMI
Village Manor	Abilene	128.07	0.9667
Alma Manor	Alma	139.11	0.9539
Life Care Center of Andover	Andover	127.89	1.0526
Anthony Community Care Center	Anthony	129.90	1.0643
Medicalodge East Healthcare Center	Arkansas City	136.59	0.8508
Medicalodge North of Arkansas City	Arkansas City	138.68	1.0126
Arkansas City Presbyterian Manor	Arkansas City	137.98	0.9130
Arma Care Center	Arma	102.67	0.8897
Ashland Health Center - LTCU	Ashland	142.77	0.9057
Medicalodge of Atchison	Atchison	138.10	1.0108
Atchison Senior Village	Atchison	140.86	0.9282
Dooley Center	Atchison	140.22	0.7694

Facility Name	City	Proposed Daily Rate	Medicaid CMI
Attica Long Term Care	Attica	131.16	1.0338
Atwood Good Samaritan Center	Atwood	127.23	0.8923
Lake Point Nursing Center	Augusta	113.16	0.8706
Baldwin Care Center	Baldwin City	121.28	0.9385
Quaker Hill Manor	Baxter Springs	123.57	1.1467
Catholic Care Center Inc.	Belaire	151.61	1.0343
Great Plains of Republic County, Inc.	Belleville	139.62	0.8394
Belleville Health Care Center	Belleville	101.52	0.8428
Great Plains of Mitchell County, Inc.	Beloit	159.62	1.0838
Hilltop Lodge Nursing Home	Beloit	120.69	0.9042
Centers for LTC of Bonner Springs	Bonner Springs	121.02	0.9906
Hill Top House	Bucklin	134.47	0.9577
Buhler Sunshine Home, Inc.	Buhler	135.45	0.9526
Life Care Center of Burlington	Burlington	120.48	1.0378
Caney Nursing Center	Caney	85.50	0.8269
Eastridge Nursing Home	Centralia	134.35	0.9631
Heritage Health Care Center	Chanute	121.15	1.0852
Chanute Health Care Center	Chanute	136.25	1.1018
Applewood Rehabilitation	Chanute	80.09	0.8174
Chapman Valley Manor	Chapman	109.10	0.8576
Cheney Golden Age Home Inc.	Cheney	126.02	1.0172
Cherryvale Care Center	Cherryvale	111.65	0.8703
Chetopa Manor	Chetopa	101.19	1.0123
The Shepherd's Center	Cimarron	124.56	0.9467
Medicalodge of Clay Center	Clay Center	125.53	0.8468
Clay Center Presbyterian Manor	Clay Center	146.71	0.9411
Clearwater Ret. Community	Clearwater	126.02	0.9426
Community Care Inc.	Clifton	96.37	1.0391
Park Villa Nursing Home	Clyde	107.60	0.9254
Coffeyville Regional Medical Center	Coffeyville	247.27	2.1000
Windsor Place	Coffeyville	120.36	0.9843
Medicalodge East of Coffeyville	Coffeyville	122.27	0.9083
Infinia at Colby	Colby	114.11	0.9076
Prairie Senior Living Complex	Colby	152.49	0.9332
Pioneer Lodge	Coldwater	124.22	0.9561
Medicalodge of Columbus	Columbus	161.61	1.1276
Mt Joseph Senior Village,LLC	Concordia	120.87	1.0282
Sunset Home, Inc.	Concordia	130.59	0.9968
Spring View Manor	Conway Springs	103.33	0.9400
Golden Living Center-Chase Co	Cottonwood Falls	120.41	1.0218
Council Grove Healthcare Center	Council Grove	116.10	0.9903
Hilltop Manor	Cunningham	99.48	0.9114
Westview of Derby	Derby	116.04	0.9421
Hillside Village	Desoto	143.39	0.9481
Dexter Care Center	Dexter	124.43	0.9158
Lane County Hospital - LTCU	Dighton	134.00	0.8757
Trinity Manor	Dodge City	136.15	1.0306
Dodge City Good Samaritan Center	Dodge City	125.18	0.9327
Manor of the Plains	Dodge City	139.19	0.8811
Medicalodge of Douglass	Douglass	155.21	1.0400
Golden Living Center-Downs	Downs	110.91	0.9195
Country Care Home	Easton	119.34	1.0083
Golden Living Center-Parkway	Edwardsville	126.22	1.0057
Golden Living Center-Kaw River	Edwardsville	127.29	1.0332
Edwardsville Manor	Edwardsville	105.57	0.8118
Lakepoint Nursing Center-El Dorado	El Dorado	119.75	1.1400
Golden Living Center-El Dorado	El Dorado	108.82	0.9556
Morton County Hospital	Elkhart	140.01	1.0244
Woodhaven Care Center	Ellinwood	124.92	1.0075
Ellis Good Samaritan Center	Ellis	130.27	0.8629
Ellsworth Good Samaritan Ret. Village	Ellsworth	133.17	0.9908
Emporia Presbyterian Manor	Emporia	145.33	1.0071
Holiday Resort	Emporia	123.44	0.9740
Flint Hills Care Center, Inc.	Emporia	101.98	0.9323
Emporia Rehabilitation Center	Emporia	107.47	0.8692
Enterprise Estates Nursing Ctr., Inc.	Enterprise	112.38	1.0677
Golden Living Center-Eskridge	Eskridge	94.59	0.7595
Eudora Nursing Center	Eudora	103.41	0.7903
Medicalodge of Eureka	Eureka	132.02	0.9198
Medicalodge of Ft. Scott	Fort Scott	141.50	1.0206
Fort Scott/Marmaton Valley	Fort Scott	115.93	1.0619
Fowler Nursing Home	Fowler	143.20	0.9291
Frankfort Community Care Home, Inc.	Frankfort	127.93	1.0324
Golden Living Center-Fredonia	Fredonia	113.09	1.0945
Sunset Manor, Inc	Frontenac	112.26	1.0163
Emerald Pointe Health & Rehab Ctr	Galena	119.90	1.0332
Galena Nursing & Rehab Center	Galena	116.84	0.9929
Garden Valley Retirement Village	Garden City	141.70	0.9582
Terrace Garden Care Center	Garden City	135.53	0.9038

(continued)

Facility Name	City	Proposed Daily Rate	Medicaid CMI	Facility Name	City	Proposed Daily Rate	Medicaid CMI
Meadowbrook Rehab Hosp., LTCU	Gardner	166.37	1.1271	Stoneybrook Retirement Community	Manhattan	126.76	0.9291
Medicalodge of Gardner	Gardner	141.46	0.9885	St. Joseph Village, Inc.	Manhattan	143.12	0.9807
Anderson County Hospital	Garnett	147.36	0.9367	Jewell County Hospital	Mankato	139.20	0.9343
Golden Heights Living Center	Garnett	140.77	0.9564	St. Luke Living Center	Marion	129.23	0.9294
The Heritage	Girard	119.44	1.3790	Golden Living Center-Marion	Marion	109.73	0.9186
The Nicol Home, Inc.	Glasco	109.43	0.7871	Riverview Estates, Inc.	Marquette	113.51	0.8794
Medicalodge of Goddard	Goddard	141.84	0.8908	Cambridge Place	Marysville	126.72	1.0033
Bethesda Home	Goessel	146.59	0.9109	Infinia at McPherson	McPherson	116.71	0.9691
Sherman Co. Good Samaritan Center	Goodland	133.87	0.9359	The Cedars, Inc.	McPherson	152.52	1.0149
Cherry Village Benevolence	Great Bend	102.42	0.9563	Meade District Hospital, LTCU	Meade	147.64	1.0476
Great Bend Health & Rehab Center	Great Bend	125.34	0.9489	Trinity Nursing & Rehab Ctr.	Merriam	156.10	1.0341
Halstead Health and Rehab Center	Halstead	134.78	1.0227	Great Plains of Ottawa County, Inc.	Minneapolis	114.38	0.9533
Friendship Manor Rehab Ctr of Haviland	Haviland	80.44	0.6417	Minneapolis Good Samaritan Center	Minneapolis	129.54	0.9676
St. John's of Hays	Hays	123.09	0.9762	Minneola District Hospital	Minneola	157.20	0.9993
St. Johns Victoria	Hays	119.52	0.9526	Bethel Home, Inc.	Montezuma	141.45	0.9250
Hays Good Samaritan Center	Hays	122.33	0.9780	Moran Manor	Moran	114.44	1.1204
Haysville Healthcare Center	Haysville	128.08	0.9380	Memorial Home for the Aged	Moundridge	151.45	0.9945
Medicalodges Herington	Herington	108.37	0.8643	Moundridge Manor, Inc.	Moundridge	120.24	0.8715
Schowalter Villa	Hesston	148.49	0.8836	Mt. Hope Nursing Center	Mt. Hope	126.43	0.9525
Oak Ridge Acres	Hiawatha	95.71	0.9700	Villa Maria- Mulvane	Mulvane	139.32	1.0891
Maple Heights of Hiawatha	Hiawatha	123.90	1.0363	Golden Keys Nursing Home	Neodesha	112.21	0.9796
Highland Care Center	Highland	134.88	0.9793	Golden Living Center-Neodesha	Neodesha	111.46	0.9662
Dawson Place, Inc.	Hill City	107.53	0.8448	Ness County Hospital Dist.#2	Ness City	143.04	0.9063
Hillsboro Community Medical Center	Hillsboro	134.52	0.8746	Bethel Care Centre	Newton	138.92	0.9971
Parkside Homes, Inc.	Hillsboro	125.16	0.8771	Asbury Park	Newton	154.77	0.9609
Cheyenne Meadows Living Center	Hoisington	113.17	0.9196	Kansas Christian Home	Newton	157.41	1.0256
Medicalodges Jackson County	Holton	111.40	0.9029	Newton Presbyterian Manor	Newton	148.21	0.9660
Medicalodges Holton	Holton	108.63	0.8946	Andbe Home, Inc.	Norton	120.01	0.7711
Tri County Manor Living Center, Inc.	Horton	117.55	0.9600	Village Villa	Nortonville	125.50	0.9290
Howard Twilight Manor	Howard	133.12	1.0416	Logan County Manor	Oakley	156.33	0.9678
Sheridan County Hospital	Hoxie	123.87	0.8773	Decatur County Hospital	Oberlin	133.85	0.9950
Pioneer Manor	Hugoton	150.56	0.9337	Decatur Co. Good Samaritan Center	Oberlin	124.75	0.9000
Pinecrest Nursing Home	Humboldt	115.94	0.9745	Villa St. Francis	Olathe	141.77	0.9843
Golden Plains	Hutchinson	147.43	1.0589	Centers for Long Term Care of Olathe	Olathe	127.80	0.9914
Hutchinson Good Samaritan Village	Hutchinson	135.48	0.9880	Royal Terrace Nrsng. & Rehab. Center	Olathe	139.02	0.9320
Infinia at Hutchinson	Hutchinson	114.27	1.0387	Olathe Good Samaritan Center	Olathe	136.91	0.9123
Wesley Towers	Hutchinson	167.25	1.1103	Johnson County Nursing Center	Olathe	162.46	1.0838
Ray E. Dillon Living Center	Hutchinson	154.77	1.0718	Aberdeen Village, Inc.	Olathe	170.24	1.1391
The Regal Estate of Glenwood	Independence	116.33	1.0777	Infinia at Onaga, Inc.	Onaga	110.69	1.0667
Heatherwood Estates	Independence	102.64	1.0522	Peterson Health Care, Inc.	Osage City	107.10	0.9240
Pleasant View Home	Inman	140.33	0.9363	Osage Nursing & Rehab Center	Osage City	137.21	1.1829
Windsor Place at Iola, LLC	Iola	124.29	1.0181	Life Care Center of Osawatomie	Osawatomie	130.64	0.9847
Cheyenne Lodge, Inc.	Jamestown	108.81	0.9331	Parkview Care Center	Osborne	124.49	0.9818
Hodgeman Co Health Center-LTCU	Jetmore	159.32	1.0945	Hickory Pointe Care & Rehab Ctr	Oskaloosa	126.36	0.9338
Stanton County Hospital- LTCU	Johnson	154.95	1.0208	Infinia at Oswego	Oswego	113.46	0.8226
Valley View Professional Care Center	Junction City	97.10	0.8729	Ottawa Retirement Village	Ottawa	126.47	1.0117
Junction City Good Samaritan Center	Junction City	127.82	0.9544	Brookside Manor	Overbrook	119.50	0.9859
Medicalodge Post Acute Center	Kansas City	144.79	1.0547	Garden Terrace at Overland Park	Overland Park	143.73	0.9692
Kansas City Presbyterian Manor	Kansas City	151.03	0.9271	Specialty Hospital of Mid-America SNF	Overland Park	184.71	1.3635
Medicalodge East of Kansas City	Kansas City	148.44	1.0314	Manorcare Hlth Serv. of Overland Park	Overland Park	145.06	0.9688
Lifecare Center of Kansas City	Kansas City	129.10	1.0148	Villa Saint Joseph	Overland Park	153.68	1.0523
Infinia at Kensington	Kensington	114.50	0.9021	Delmar Gardens of Overland Park	Overland Park	143.43	0.9428
The Wheatlands	Kingman	117.20	1.0100	Overland Park Nursing & Rehab	Overland Park	146.88	0.9540
Medicalodge of Kinsley	Kinsley	143.59	0.8867	Indian Creek Healthcare Center	Overland Park	163.01	1.1190
Kiowa Hospital District Manor	Kiowa	125.78	0.9278	Village Shalom, Inc.	Overland Park	159.79	1.0474
Rush Co. Memorial Hospital	La Crosse	116.07	1.0325	Riverview Manor, Inc.	Oxford	99.15	0.7960
Rush County Nursing Home	La Crosse	132.15	0.9297	Medicalodge of Paola	Paola	109.39	0.7468
High Plains Retirement Village	Lakin	153.48	0.9505	North Point Skilled Nursing Center	Paola	137.93	1.0396
Golden Living Center-Lansing	Lansing	117.08	0.9293	Elmhaven East	Parsons	95.19	0.9009
Larned Healthcare Center	Larned	134.93	0.9373	Elmhaven West	Parsons	104.49	1.0209
St. Joseph Memorial Hospital	Larned	149.01	0.9493	Parsons Presbyterian Manor	Parsons	142.28	0.9920
Lawrence Presbyterian Manor	Lawrence	152.98	0.9884	Parsons Good Samaritan Center	Parsons	119.19	0.8412
Brandon Woods Retirement Comm.	Lawrence	146.04	0.9621	Legacy Park	Peabody	127.01	0.9228
Pioneer Ridge Retirement Community	Lawrence	145.99	1.0256	Westview Manor of Peabody	Peabody	79.42	0.6388
Medicalodge of Leavenworth	Leavenworth	147.17	0.9944	Phillips County Hospital LTCU	Phillipsburg	142.13	0.9236
Delmar Gardens of Lenexa	Lenexa	136.52	1.0782	Phillips County Retirement Center	Phillipsburg	111.13	0.9396
Lakeview Village	Lenexa	141.40	0.8089	Medicalodge South of Pittsburg	Pittsburg	130.30	0.9958
Leonardville Nursing Home	Leonardville	107.29	1.0217	Medicalodge North of Pittsburg	Pittsburg	154.53	1.0578
Wichita County Health Center	Leoti	136.71	0.8088	Mt. Carmel Regional Medical Ctr. SNF	Pittsburg	216.64	1.7900
Liberal Good Samaritan Center	Liberal	134.20	1.0218	Golden Living Center-Pittsburg	Pittsburg	109.83	0.9067
Wheatridge Park Care Center	Liberal	133.97	0.9200	Cornestone Village	Pittsburg	141.19	1.0125
Mid-America Healthcare-Lincoln	Lincoln	138.80	1.1800	Rooks County Senior Services, Inc.	Plainville	137.20	0.9458
Bethany Home Association	Lindsborg	143.34	0.9461	Pratt Regional Medical Center	Pratt	128.42	0.9292
Linn Community Nursing Home	Linn	101.36	0.8614	Lakewood Senior Living of Pratt, LLC	Pratt	112.50	0.9004
Sandstone Heights	Little River	126.68	0.9282	Prescott Country View Nursing Center	Prescott	98.97	0.9121
Logan Manor Community Health Serv.	Logan	125.69	0.9623	Prairie Sunset Manor	Pretty Prairie	144.70	0.9800
Louisburg Care Center	Louisburg	137.36	1.0268	Protection Valley Manor	Protection	104.48	0.8287
Golden Living Center-Lucas	Lucas	126.98	1.2515	Gove County Medical Center	Quinter	144.57	0.8767
Lyons Good Samaritan Center	Lyons	126.54	0.8632				
Meadowlark Hills Retirement Comm.	Manhattan	157.03	1.0278				

Facility Name	City	Proposed Daily Rate	Medicaid CMI
Grissell Memorial Hosp Dist #1-LTCU	Ransom	138.88	0.9050
Richmond Healthcare & Rehab Center	Richmond	137.81	1.1200
Lakepoint Nursing Ctr-Rose Hill	Rose Hill	121.69	0.9895
Rossville Healthcare & Rehab Center	Rossville	132.11	1.0707
Wheatland Nursing & Rehab Center	Russell	101.70	0.8424
Russell Regional Hospital	Russell	160.99	1.0973
Sabetha Nursing Center	Sabetha	125.22	1.0131
Apostolic Christian Home	Sabetha	123.67	1.0100
Smoky Hill Rehabilitation Center	Salina	117.88	0.9940
Kenwood View Nursing Center	Salina	115.69	0.9907
Windsor Estates	Salina	115.63	0.8982
Center for LTC of Salina	Salina	119.53	1.0000
Salina Presbyterian Manor	Salina	149.49	0.9715
Holiday Resort of Salina	Salina	122.17	0.9108
Satanta Dist. Hosp. LTCU	Satanta	152.64	1.0000
Park Lane Nursing Home	Scott City	131.05	0.8889
Pleasant Valley Manor	Sedan	106.13	1.0430
Sedgwick Healthcare Center	Sedgwick	151.27	0.9708
Crestview Manor	Seneca	98.22	0.9890
Life Care Center of Seneca	Seneca	107.69	0.8993
Prairie Manor Good Samaritan Center	Sharon Springs	121.67	0.9923
Shawnee Gardens Nursing Center	Shawnee	131.95	0.9538
Sharonlane Health Services	Shawnee	121.06	0.9039
Smith County Memorial Hospital LTCU	Smith Center	124.75	1.0029
Infinia at Smith Center	Smith Center	108.84	0.8988
Mennonite Friendship Manor, Inc.	South Hutchinson	133.38	0.8956
Golden Living Center-Spring Hill	Spring Hill	116.76	0.9517
St. Francis Good Samaritan Ctr	St. Francis	130.88	0.8827
Leisure Homestead at St. John	St. John	123.76	0.8642
Community Hospital of Onaga, LTCU	St. Marys	149.35	1.0245
Prairie Mission Retirement Village	St. Paul	115.35	1.0287
Leisure Homestead at Stafford	Stafford	97.19	0.8407
Sterling Presbyterian Manor	Sterling	134.02	0.9223
Solomon Valley Manor	Stockton	138.31	0.9865
Seasons of Life Living Center	Syracuse	140.67	0.8686
Tonganoxie Nursing Center	Tonganoxie	124.23	0.9760
Brewster Place	Topeka	143.00	0.8971
Topeka Presbyterian Manor Inc.	Topeka	153.66	0.9768
Eventide Convalescent Center, Inc.	Topeka	105.33	0.8747
Topeka Community Healthcare Center	Topeka	125.44	0.9447
McCrite Plaza Health Center	Topeka	127.90	0.9365
Rolling Hills Health Center	Topeka	136.35	1.0771
Manorcare Health Services of Topeka	Topeka	135.87	0.9505
Westwood Manor	Topeka	121.51	0.9392
IHS of Brighton Place	Topeka	95.19	0.7900
Countryside Health Center	Topeka	104.38	0.7585
Providence Living Center	Topeka	87.95	0.7855
Brighton Place North	Topeka	82.25	0.6752
Aldersgate Village	Topeka	153.03	0.9518
Plaza West Care Center, Inc.	Topeka	146.37	0.9929
Lexington Park Nrsng & Post Acute	Topeka	153.50	0.9982
Greeley County Hospital, LTCU	Tribune	150.09	0.9824
Western Prairie Care Home	Ulysses	138.78	0.8706
Valley Health Care Center	Valley Falls	110.14	0.6949
Trego Co. Lemke Memorial LTCU	WaKeeney	147.42	0.9515
The Lutheran Home - WaKeeney	WaKeeney	104.44	0.8520
Golden Living Center-Wakefield	Wakefield	121.39	1.1952
Valley Vista Good Samaritan Center	Wamego	132.53	0.8900
The Centennial Homestead, Inc.	Washington	82.51	0.8071
Wathena Healthcare and Rehab Ctr	Wathena	128.96	1.0729
Coffey County Hospital	Waverly	152.45	0.9642
Golden Living Center-Wellington	Wellington	109.89	0.8565
Slate Creek Good Samaritan Center	Wellington	123.39	0.8688
Wellsville Manor Care Center	Wellsville	132.82	0.9656
Westy Community Care Home	Westmoreland	111.56	0.9045
Wheat State Manor	Whitewater	135.46	0.9019
Medicalodge of Wichita	Wichita	152.67	1.0139
Meridian Nursing & Rehab Center	Wichita	123.10	0.9749
Kansas Masonic Home	Wichita	162.24	1.0959
Homestead Health Center, Inc.	Wichita	127.68	1.0120
Infinia at Wichita	Wichita	124.17	1.0092
Wichita Presbyterian Manor	Wichita	156.70	1.0092
Sandpiper Bay Hlth. & Retirement Ctr.	Wichita	114.91	0.9241
Lakepoint Nursing and Rehab- Wichita	Wichita	143.27	1.0051
Manorcare Health Services of Wichita	Wichita	133.47	0.9860
College Hill Nursing and Rehab Center	Wichita	136.19	0.9219

Facility Name	City	Proposed Daily Rate	Medicaid CMI
Lakewood Senior Living of Seville	Wichita	114.96	0.9636
Golden Living Center-Wichita	Wichita	111.85	0.8395
Abal Home	Wichita	101.52	0.8045
The Health Care Ctr@Larksfield Place	Wichita	156.40	0.9882
Life Care Center of Wichita	Wichita	139.78	1.0882
Via Christi Hope	Wichita	124.31	0.9513
Golden Living Center-Wilson	Wilson	116.09	1.0741
Jefferson Co. Memorial Hospital-LTCU	Winchester	123.33	0.8438
Winfield Good Samaritan Center	Winfield	132.80	0.9482
Cumbernauld Village, Inc.	Winfield	148.14	1.0240
Winfield Rest Haven, Inc.	Winfield	130.24	0.8393
Infinia at Yates Center	Yates Center	113.50	0.9189

III. Justifications for the Proposed Rates

- The proposed rates are calculated according to the rate-setting methodology in the Kansas Medicaid State Plan and pending amendments thereto.
- The proposed rates are calculated according to a methodology that satisfies the requirements of K.S.A. 39-708c(x) and the KHPA regulations in K.A.R. Article 30-10 implementing that statute and applicable federal law.
- The state's analyses project that the proposed rates:
 - Would result in payment, in the aggregate of 96.54% of the Medicaid day weighted average inflated allowable nursing facility costs statewide; and
 - Would result in a maximum allowable rate of \$151.99; with the total average allowable cost being \$136.85.
 - Estimated average rate July 1, 2007 \$128.98
Average payment rate July 1, 2006 \$123.32
Amount of change \$5.66
Percent of change 4.59%
- Estimated annual aggregate expenditures in the Medicaid nursing facility services payment program will increase by approximately \$18 million.
- The state estimates that the proposed rates will continue to make quality care and services available under the Medicaid State Plan at least to the extent that care and services are available to the general population in the geographic area. The state's analyses indicate:
 - Service providers operating a total of 297 nursing facilities (representing 97% of all the licensed nursing facilities in Kansas) participate in the Medicaid program, while an additional 40 hospital-based long-term care units also are certified to participate in the Medicaid program;
 - There is at least one Medicaid-certified nursing facility and/or nursing facility for mental health or Medicaid-certified hospital-based long-term care unit in each of the 105 counties in Kansas;
 - The statewide average occupancy rate for nursing facilities participating in Medicaid is 84.9%;
 - The statewide average Medicaid occupancy rate for participating facilities is 55.8%; and
 - The proposed rates would cover 97.99% of the estimated Medicaid health care costs incurred by participating nursing facilities statewide.
- Federal Medicaid regulations at 42 C.F.R. 447.272 impose an aggregate upper payment limit that states may

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pay for Medicaid nursing facility services. The state's analysis indicates that the proposed methodology will result in compliance with the federal regulation.

IV. Request for Comments; Request for Copies

The state requests providers, beneficiaries and their representatives, and other concerned Kansas residents to review and comment on the proposed rates, the methodology used to calculate the proposed rates, the justifications for the proposed rates and the intent to amend the Medicaid State Plan. Persons and organizations wishing to submit comments must mail, deliver or fax their signed, written comments before the close of business Tuesday, May 29, to:

Bill McDaniel
Director of Nursing Facility and CARE Program
Kansas Department on Aging
New England Building, 2nd Floor
503 S. Kansas Ave.
Topeka, KS 66603-3404
Fax (785) 296-0256

V. Notice of Intent to Amend the Medicaid State Plan

The state intends to submit proposed Medicaid State Plan amendments to CMS on or before September 30, 2007.

Kathy Greenlee
Secretary of Aging

Don Jordan
Secretary of Social and
Rehabilitation Services

Dr. Marcia J. Nielson
Executive Director
Kansas Health Policy Authority

Doc. No. 034362

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 April 26, 2007.)

HOUSE BILL No. 2283

AN ACT concerning security interest; relating to certificates of title; amending K.S.A. 58-4204 and K.S.A. 2006 Supp. 8-135, as amended by section 1 of 2007 House Bill No. 2373, and 84-9-311 and repealing the existing sections.

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

Section 1. K.S.A. 2006 Supp. 8-135, as amended by section 1, of 2007 House Bill No. 2373, is hereby amended to read as follows: 8-135. (a) Upon the transfer of ownership of any vehicle registered under this act, the registration of the vehicle and the right to use any license plate thereon shall expire and thereafter there shall be no transfer of any registration, and the license

plate shall be removed by the owner thereof. Except as provided in K.S.A. 8-172, and amendments thereto, and 8-1,147, and amendments thereto, it shall be unlawful for any person, other than the person to whom the license plate was originally issued, to have possession thereof. When the ownership of a registered vehicle is transferred, the original owner of the license plate may register another vehicle under the same number, upon application and payment of a fee of \$1.50, if such other vehicle does not require a higher license fee. If a higher license fee is required, then the transfer may be made upon the payment of the transfer fee of \$1.50 and the difference between the fee originally paid and that due for the new vehicle.

(b) Subject to the provisions of subsection (a) of K.S.A. 8-198, and amendments thereto, upon the transfer or sale of any vehicle by any person or dealer, or upon any transfer in accordance with K.S.A. 59-3511, and amendments thereto, the new owner thereof, within 30 days, inclusive of weekends and holidays, from date of such transfer shall make application to the division for registration or reregistration of the vehicle, but no person shall operate the vehicle on any highway in this state during the thirty-day period without having applied for and obtained temporary registration from the county treasurer or from a dealer. After the expiration of the thirty-day period, it shall be unlawful for the owner or any other person to operate such vehicle upon the highways of this state unless the vehicle has been registered as provided in this act. For failure to make application for registration as provided in this section, a penalty of \$2 shall be added to other fees. When a person has a current motorcycle or passenger vehicle registration and license plate, including any registration decal affixed thereto, for a vehicle and has sold or otherwise disposed of the vehicle and has acquired another motorcycle or passenger vehicle and intends to transfer the registration and the license plate to the motorcycle or passenger vehicle acquired, but has not yet had the registration transferred in the office of the county treasurer, such person may operate the motorcycle or passenger vehicle acquired for a period of not to exceed 30 days by displaying the license plate on the rear of the vehicle acquired. If the acquired vehicle is a new vehicle such person also must carry the assigned certificate of title or manufacturer's statement of origin when operating the acquired vehicle, except that a dealer may operate such vehicle by displaying such dealer's dealer license plate.

(c) Certificate of title: No vehicle required to be registered shall be registered or any license plate or registration decal issued therefor, unless the applicant for registration shall present satisfactory evidence of ownership and apply for an original certificate of title for such vehicle. The following paragraphs of this subsection shall apply to the issuance of a certificate of title for a nonhighway vehicle, salvage vehicle or rebuilt salvage vehicle, as defined in K.S.A. 8-197, and amendments thereto, except to the extent such paragraphs are made inapplicable by or are inconsistent with K.S.A. 8-198, and amendments thereto, and to any electronic certificate of title, except to the extent such paragraphs are made inapplicable by or are inconsistent with K.S.A. 2006 Supp. 8-135d, and amendments thereto, or with rules and regulations adopted pursuant to K.S.A. 2006 Supp. 8-135d, and amendments thereto.

The provisions of paragraphs (1) through (14) shall apply to any certificate of title issued prior to January 1, 2003, which indicates that there is a lien or encumbrance on such vehicle.

(1) An application for certificate of title shall be made by the owner or the owner's agent upon a form furnished by the division and shall state all liens or encumbrances thereon, and such other information as the division may require. Notwithstanding any other provision of this section, no certificate of title shall be issued for a vehicle having any unreleased lien or encumbrance thereon, unless the transfer of such vehicle has been consented to in writing by the holder of the lien or encumbrance.

Such consent shall be in a form approved by the division. In the case of members of the armed forces of the United States while the United States is engaged at war with any foreign nation and for a period of six months next following the cessation of hostilities, such application may be signed by the owner's spouse, parents, brother or sister. The county treasurer shall use reasonable diligence in ascertaining whether the facts stated in such application are true, and if satisfied that the applicant is the lawful owner of such vehicle, or otherwise entitled to have the same registered in such applicant's name, shall so notify the division, who shall issue an appropriate certificate of title. The certificate of title shall be in a form approved by the division, and shall contain a statement of any liens or encumbrances which the application shows, and such other information as the division determines.

(2) The certificate of title shall contain upon the reverse side a form for assignment of title to be executed by the owner. This assignment shall contain a statement of all liens or encumbrances on the vehicle at the time of assignment. The certificate of title shall also contain on the reverse side blank spaces so that an abstract of mileage as to each owner will be available. The seller at the time of each sale shall insert and certify the mileage and the purchase price on the form filed for application or reassignment of title, and the division shall insert such mileage on the certificate of title when issued to purchaser or assignee. The signature of the purchaser or assignee is required on the form filed for application or reassignment of title, acknowledging the odometer and purchase price certification made by the seller, except that vehicles which are 10 model years or older and trucks with a gross vehicle weight of more than 16,000 pounds shall be exempt from the mileage acknowledgment requirement of the purchaser or assignee. Such title shall indicate whether the vehicle for which it is issued has been titled previously as a nonhighway vehicle or salvage vehicle. In addition, the reverse side shall contain two forms for reassignment by a dealer, stating the liens or encumbrances thereon. The first form of reassignment shall be used only when a dealer sells the vehicle to another dealer. The second form of reassignment shall be used by a dealer when selling the vehicle to another dealer or the ultimate owner of the vehicle. The reassignment by a dealer shall be used only where the dealer resells the vehicle, and during the time that the vehicle remains in the dealer's possession for resale, the certificate of title shall be dormant. When the ownership of any vehicle passes by operation of law, or repossession upon default of a lease, security agreement, or executory sales contract, the person owning such vehicle, upon furnishing satisfactory proof to the county treasurer of such ownership, may procure a certificate of title to the vehicle. When a vehicle is registered in another state and is repossessed in another state, the owner of such vehicle shall not be entitled to obtain a valid Kansas title or registration, except that when a vehicle is registered in another state, but is financed originally by a financial institution chartered in the state of Kansas or when a financial institution chartered in Kansas purchases a pool of motor vehicle loans from the resolution trust corporation or a federal regulatory agency, and the vehicle is repossessed in another state, such Kansas financial institution shall be entitled to obtain a valid Kansas title or registration. In addition to any other fee required for the issuance of a certificate of title, any applicant obtaining a certificate of title for a repossessed vehicle shall pay a fee of \$3.

(3) Dealers shall execute, upon delivery to the purchaser of every new vehicle, a manufacturer's statement of origin stating the liens and encumbrances thereon. Such statement of origin shall be delivered to the purchaser at the time of delivery of the vehicle or at a time agreed upon by the parties, not to exceed 30 days, inclusive of weekends and holidays. The agreement of the parties shall be executed on a form approved by the division.

In the event delivery of title cannot be made personally, the seller may deliver the manufacturer's statement of origin by restricted mail to the address of purchaser shown on the purchase agreement. The manufacturer's statement of origin may include an attachment containing assignment of such statement of origin on forms approved by the division. Upon the presentation to the division of a manufacturer's statement of origin, by a manufacturer or dealer for a new vehicle, sold in this state, a certificate of title shall be issued if there is also an application for registration, except that no application for registration shall be required for a travel trailer used for living quarters and not operated on the highways.

(4) The fee for each original certificate of title shall be \$10 in addition to the fee for registration of such vehicle, trailer or semitrailer. The certificate of title shall be good for the life of the vehicle, trailer or semitrailer while owned or held by the original holder of the certificate of title.

(5) Except for a vehicle registered by a federally recognized Indian tribe, as provided in paragraph (16), upon sale and delivery to the purchaser of every vehicle subject to a purchase money security interest as provided in article 9 of chapter 84 of the Kansas Statutes Annotated, and amendments thereto, the dealer or secured party may complete a notice of security interest and when so completed, the purchaser shall execute the notice, in a form prescribed by the division, describing the vehicle and showing the name and address of the secured party and of the debtor and other information the division requires. On and after July 1, 2007, only one lien shall be taken or accepted for vehicles with a gross vehicle weight rating of 26,000 pounds or less. As used in this section "gross vehicle weight rating" shall have the meaning ascribed thereto in K.S.A. 66-1,108, and amendments thereto. The dealer or secured party, within 30 days of the sale and delivery, may mail or deliver the notice of security interest, together with a fee of \$2.50, to the division. The notice of security interest shall be retained by the division until it receives an application for a certificate of title to the vehicle and a certificate of title is issued. The certificate of title shall indicate any security interest in the vehicle. Upon issuance of the certificate of title, the division shall mail or deliver confirmation of the receipt of the notice of security interest, the date the certificate of title is issued and the security interest indicated, to the secured party at the address shown on the notice of security interest. The proper completion and timely mailing or delivery of a notice of security interest by a dealer or secured party shall perfect a security interest in the vehicle described, as referenced in K.S.A. 84-9-311, and amendments thereto, on the date of such mailing or delivery. The county treasurers shall mail a copy of the title application to the Kansas lienholder. Each county treasurer shall charge the Kansas lienholder a \$1.50 service fee for processing and mailing a copy of the title application to the Kansas lienholder.

(6) It shall be unlawful for any person to operate in this state a vehicle required to be registered under this act, or to transfer the title to any such vehicle to any person or dealer, unless a certificate of title has been issued as herein provided. In the event of a sale or transfer of ownership of a vehicle for which a certificate of title has been issued, which certificate of title is in the possession of the transferor at the time of delivery of the vehicle, the holder of such certificate of title shall endorse on the same an assignment thereof, with warranty of title in a form prescribed by the division and printed thereon and the transferor shall deliver the same to the buyer at the time of delivery to the buyer of the vehicle or at a time agreed upon by the parties, not to exceed 30 days, inclusive of weekends and holidays, after the time of delivery. The agreement of the parties shall be executed on a form provided by the division. The requirements of this paragraph concerning delivery of an as-

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signed title are satisfied if the transferor mails to the transferee by restricted mail the assigned certificate of title within the 30 days, and if the transferor is a dealer, as defined by K.S.A. 8-2401, and amendments thereto, such transferor shall be deemed to have possession of the certificate of title if the transferor has made application therefor to the division. The buyer shall then present such assigned certificate of title to the division at the time of making application for registration of such vehicle. A new certificate of title shall be issued to the buyer, upon payment of the fee of \$10. If such vehicle is sold to a resident of another state or country, the dealer or person making the sale shall notify the division of the sale and the division shall make notation thereof in the records of the division. When a person acquires a security interest that such person seeks to perfect on a vehicle subsequent to the issuance of the original title on such vehicle, such person shall require the holder of the certificate of title to surrender the same and sign an application for a mortgage title in form prescribed by the division. Upon such surrender such person shall immediately deliver the certificate of title, application, and a fee of \$10 to the division. *Delivery of the surrendered title, application and tender of the required fee shall perfect a security interest in the vehicle as referenced in K.S.A. 84-9-311, and amendments thereto.* On and after July 1, 2007, only one lien may be taken or accepted for security for an obligation to be secured by a lien to be shown on a certificate of title for vehicles with a gross vehicle weight rating, as defined in K.S.A. 66-1,108, and amendments thereto, of 26,000 pounds or less. A refinancing shall not be subject to the limitations of this act. A refinancing is deemed to occur when the original obligation is satisfied and replaced by a new obligation. Lien obligations created before July 1, 2007, which are of a continuing nature shall not be subject to the limitations of this act until the obligation is satisfied. A lien in violation of this provision is void. Upon receipt thereof of the surrendered title, application and fee, the division shall issue a new certificate of title showing the liens or encumbrances so created, but only one lien or encumbrance may be shown upon a title for vehicles with a gross vehicle rating of 26,000 pounds or less, and not more than two liens or encumbrances may be shown upon a title for vehicles in excess of 26,000 pounds gross vehicle weight rating. When a prior lienholder's name is removed from the title, there must be satisfactory evidence presented to the division that the lien or encumbrance has been paid. When the indebtedness to a lienholder, whose name is shown upon a title, is paid in full, such lienholder shall comply with the provisions of K.S.A. 2006 Supp. 8-1,157, and amendments thereto.

(7) It shall be unlawful for any person to buy or sell in this state any vehicle required to be registered, unless, at the time of delivery thereof or at a time agreed upon by the parties, not to exceed 30 days, inclusive of weekends and holidays, after the time of delivery, there shall pass between the parties a certificate of title with an assignment thereof. The sale of a vehicle required to be registered under the laws of this state, without assignment of the certificate of title, is fraudulent and void, unless the parties shall agree that the certificate of title with assignment thereof shall pass between them at a time other than the time of delivery, but within 30 days thereof. The requirements of this paragraph concerning delivery of an assigned title shall be satisfied if (A) the seller mails to the purchaser by restricted mail the assigned certificate of title within 30 days, or (B) if the transferor is a dealer, as defined by K.S.A. 8-2401, and amendments thereto, such seller shall be deemed to have possession of the certificate of title if such seller has made application therefor to the division, or (C) if the transferor is a dealer and has assigned a title pursuant to paragraph (9) of this subsection (c).

(8) In cases of sales under the order of a court of a vehicle required to be registered under this act, the officer conducting such sale shall issue to the purchaser a certificate naming the

purchaser and reciting the facts of the sale, which certificate shall be prima facie evidence of the ownership of such purchaser for the purpose of obtaining a certificate of title to such motor vehicle and for registering the same. Any such purchaser shall be allowed 30 days, inclusive of weekends and holidays, from the date of sale to make application to the division for a certificate of title and for the registering of such motor vehicle.

(9) Any dealer who has acquired a vehicle, the title for which was issued under the laws of and in a state other than the state of Kansas, shall not be required to obtain a Kansas certificate of title therefor during the time such vehicle remains in such dealer's possession and at such dealer's place of business for the purpose of sale. The purchaser or transferee shall present the assigned title to the division of vehicles when making application for a certificate of title as provided in subsection (c)(1).

(10) Motor vehicles may be held and titled in transfer-on-death form.

(11) Notwithstanding the provisions of this act with respect to time requirements for delivery of a certificate of title, or manufacturer's statement of origin, as applicable, any person who chooses to reaffirm the sale in writing on a form approved by the division which advises them of their rights pursuant to paragraph (7) of subsection (c) and who has received and accepted assignment of the certificate of title or manufacturer's statement of origin for the vehicle in issue may not thereafter void or set aside the transaction with respect to the vehicle for the reason that a certificate of title or manufacturer's statement of origin was not timely delivered, and in such instances the sale of a vehicle shall not be deemed to be fraudulent and void for that reason alone.

(12) The owner of any vehicle assigning a certificate of title in accordance with the provisions of this section may file with the division a form indicating that such owner has assigned such certificate of title. Such forms shall be furnished by the division and shall contain such information as the division may require. Any owner filing a form as provided in this paragraph shall pay a fee of \$10. The filing of such form shall be prima facie evidence that such certificate of title was assigned and shall create a rebuttable presumption. If the assignee of a certificate of title fails to make application for registration, an owner assigning such title and filing the form in accordance with the provisions of this paragraph shall not be held liable for damages resulting from the operation of such vehicle.

(13) Application for a certificate of title on a boat trailer with a gross weight over 2,000 pounds shall be made by the owner or the owner's agent upon a form to be furnished by the division and shall contain such information as the division shall determine necessary. The division may waive any information requested on the form if it is not available. The application together with a bill of sale for the boat trailer shall be accepted as prima facie evidence that the applicant is the owner of the boat trailer, provided that a Kansas title for such trailer has not previously been issued. If the application and bill of sale are used to obtain a certificate of title for a boat trailer under this paragraph, the certificate of title shall not be issued until an inspection in accordance with subsection (a) of K.S.A. 8-116a, and amendments thereto, has been completed.

(14) In addition to the two forms for reassignment under paragraph (2) of subsection (c), a dealer may attach one additional reassignment form to a certificate of title. The director of vehicles shall prescribe and furnish such reassignment forms. The reassignment form shall be used by a dealer when selling the vehicle to another dealer or the ultimate owner of the vehicle only when the two reassignment forms under paragraph (2) of subsection (c) have already been used. The fee for a reassignment form shall be \$6.50. A dealer may purchase reassignment forms in multiples of five upon making proper application and the payment of required fees.

(15) A first stage manufacturer, as defined in K.S.A. 8-2401, and amendments thereto, who manufactures a motor vehicle in this state, and who sells such motor vehicles to dealers located in a foreign country, may execute a manufacturer's statement of origin to the division of vehicles for the purpose of obtaining an export certificate of title. The motor vehicle issued an export certificate of title shall not be required to be registered in this state. An export certificate of title shall not be used to register such vehicle in the United States.

(16) A security interest in a vehicle registered by a federally recognized Indian tribe shall be deemed valid under Kansas law if validly perfected under the applicable tribal law and the lien is noted on the face of the tribal certificate of title.

Sec. 2. K.S.A. 58-4204 is hereby amended to read as follows: 58-4204. (a) For purposes of this section, a manufactured home or mobile home shall be considered to be personal property.

(b) The provisions of this section shall apply to any electronic certificate of title, except to the extent such provisions are made inapplicable by or are inconsistent with K.S.A. 58-4204a, and amendments thereto, or with rules and regulations adopted pursuant to K.S.A. 58-4204a, and amendments thereto.

The provisions of this section shall apply to any certificate of title issued prior to January 1, 2003, which indicates that there is a lien or encumbrance on such manufactured home or mobile home.

(c) Upon the transfer or sale of any manufactured home or mobile home by any person or dealer, the new owner thereof, within 30 days, inclusive of weekends and holidays, from the date of such transfer or sale, shall make application to the division for the issuance of a certificate of title evidencing the new owner's ownership of such manufactured home or mobile home. An application for certificate of title shall be made by the owner of the manufactured home or mobile home, or the owner's agent, upon a form furnished by the division, and it shall state all liens or encumbrances thereon and such other information as the director may require. Notwithstanding any other provision of this section, no certificate of title shall be issued for a manufactured home or mobile home having any unreleased lien or encumbrance thereon, unless the transfer of such manufactured home or mobile home has been consented to in writing by the holder of the lien or encumbrance. Such consent shall be in a form approved by the director. The county treasurer shall use reasonable diligence in ascertaining whether the facts stated in such application are true, and if satisfied that the applicant is the lawful owner of the manufactured home or mobile home, or otherwise entitled to have the certificate of title therefor issued in such applicant's name, shall so notify the division, who shall issue an appropriate certificate of title.

(d) The director shall design a distinctive certificate of title to be issued to owners of manufactured homes and mobile homes, so as to be distinguishable from certificates of title issued to owners of vehicles. The certificate of title shall contain a statement of any liens or encumbrances which the application discloses and shall provide such other information as the director determines necessary and appropriate. The certificate of title shall contain upon the reverse side a form for assignment of title to be executed by the owner. This assignment shall contain a statement of all liens or encumbrances on the manufactured home or mobile home at the time of assignment. When the ownership of any manufactured home or mobile home passes by operation of law or by repossession upon default of a lease, security agreement or executory sales contract, the person owning such manufactured home or mobile home, upon furnishing satisfactory proof to the county treasurer of such ownership, may procure a certificate of title to the manufactured home or mobile home.

(e) Dealers shall execute, upon delivery to the purchaser of every new manufactured home, a manufacturer's statement of

origin stating the liens and encumbrances thereon. Such statement of origin shall be delivered to the purchaser at the time of delivery of the manufactured home or at a time agreed upon by the parties, not to exceed 30 days, inclusive of weekends and holidays. The agreement of the parties shall be executed on a form approved by the director. In the event delivery of title cannot be made personally, the seller may deliver the manufacturer's statement of origin by restricted mail to the address of the purchaser shown on the purchase agreement. The manufacturer's statement of origin may include an attachment containing assignment of such statement of origin on forms approved by the director. Upon the presentation to the division of a manufacturer's statement of origin, by a manufacturer or dealer for a new manufactured home, sold in this state, a certificate of title shall be issued.

(f) The fee for each original certificate of title shall be \$10. The certificate of title shall be good for the life of the manufactured home or mobile home while owned or held by the original holder of the certificate of title.

(g) Upon sale and delivery to the purchaser of every manufactured home or mobile home subject to a purchase money security interest, as provided for in article 9 of chapter 84 of the Kansas Statutes Annotated, and amendments thereto, the dealer or secured party may complete a notice of security interest and, when so completed, the purchaser shall execute the notice, in a form prescribed by the director, describing the manufactured home or mobile home and showing the name and address of the secured party and of the debtor and such other information as the director may require. The dealer or secured party may, within 10 days of the sale and delivery, mail or deliver the notice of security interest, together with a fee of \$2.50, to the division. The notice of security interest shall be retained by the division, until it receives an application for a certificate of title to the manufactured home or mobile home and a certificate of title is issued. The certificate of title shall indicate any security interest in the manufactured home or mobile home. Upon issuance of the certificate of title, the division shall mail or deliver confirmation of the receipt of the notice of security interest, the date the certificate of title is issued and the security interest indicated, to the secured party at the address shown on the notice of security interest. The proper completion and timely mailing or delivery of a notice of security interest by a dealer or secured party shall perfect a security interest in the manufactured home or mobile home described, as referenced in K.S.A. 84-9-311, and amendments thereto, on the date of such mailing or delivery.

(h) In the event of a sale or transfer of ownership of a manufactured home or mobile home for which a certificate of title has been issued, which certificate of title is in the possession of the transferor at the time of delivery of the manufactured home or mobile home, the holder of such certificate of title shall endorse on the same an assignment thereof, with warranty of title in a form prescribed by the director and printed thereon, and the transferor shall deliver the same to the buyer at the time of delivery to the buyer of the manufactured home or mobile home, or at a time agreed upon by the parties, not to exceed 30 days, inclusive of weekends and holidays, after the time of delivery. The sale of a mobile home or manufactured home by a manufactured home dealer without such delivery of an assigned certificate of title is fraudulent and void, and it shall constitute a violation of the Kansas manufactured housing act. The agreement of the parties shall be executed on a form provided by the division. The requirements of this subsection concerning delivery of an assigned title are satisfied, if the transferor mails to the transferee, by restricted mail, the assigned certificate of title within the 30 days, and if the transferor is a dealer, as defined by K.S.A. 58-4202, and amendments thereto, such transferor shall be deemed to have possession of the certificate of

(continued)

title, if the transferor has made application therefor to the division.

The buyer shall then present such assigned certificate of title to the division, and a new certificate of title shall be issued to the buyer upon payment of the fee of \$10. If such manufactured home or mobile home is sold to a resident of another state or country, the dealer or person making the sale shall notify the division of the sale and the division shall make notation thereof in the records of the division. If any manufactured home or mobile home is destroyed, dismantled or sold as junk, the owner shall immediately notify the division by surrendering the original or assigned certificate of title.

(i) When a person acquires a security agreement on a manufactured home or mobile home subsequent to the issuance of the original title on such manufactured home or mobile home, such person shall require the holder of the certificate of title to surrender the same and sign an application for a mortgage title in such form as prescribed by the director. Upon such surrender, the person shall immediately deliver the certificate of title, application and a fee of \$10 to the division. Upon receipt thereof the division shall issue a new certificate of title, showing the liens or encumbrances so created, but not more than two liens or encumbrances may be shown upon a title. The delivery of the certificate of title, application and fee to the division shall perfect such person's security interest in the manufactured home or mobile home described in the certificate of title, *as referenced in K.S.A. 84-9-311, and amendments thereto*. When a prior lienholder's name is removed from the title, there must be satisfactory evidence presented to the division that the lien or encumbrance has been paid. When the indebtedness to a lienholder, whose name is shown upon a title, is paid in full, such lienholder, within 10 days after written demand by restricted mail, shall furnish to the holder of the title a release of lien or execute such a release in the space provided on the title. For failure to comply with such a demand, the lienholder shall be liable to the holder of the title for \$100 and also shall be liable for any loss caused to the holder by such failure. When the indebtedness to a lienholder, whose name is shown upon a title, is collected in full, such lienholder, within 30 days, shall furnish notice to the holder of title that such indebtedness has been paid in full and that such title may be presented to the lienholder at any time for release of lien.

(j) In the event of the sale of a manufactured home or mobile home under the order of a court, the officer conducting such sale shall issue to the purchaser a certificate naming the purchaser and reciting the facts of the sale, which certificate shall be prima facie evidence of the ownership of such purchaser for the purpose of obtaining a certificate of title to such manufactured home or mobile home. Any such purchaser shall be allowed 30 days, inclusive of weekends and holidays, from the date of sale to make application to the division for a certificate of title.

(k) Any dealer who has acquired a manufactured home or mobile home, the title for which was issued under the laws of and in a state other than the state of Kansas, shall not be required to retain a Kansas certificate of title therefor during the time such manufactured home or mobile home remains in such dealer's possession and at such dealer's established or supplemental place of business for the purpose of sale. Upon the sale of any such manufactured home or mobile home, the dealer immediately shall deliver to the purchaser or transferee the certificate of title issued by the other state, properly endorsed and assigned to the purchaser or transferee, together with an affidavit executed by the dealer setting forth:

(1) That the dealer warrants to the purchaser or transferee and all other persons who claim through the purchaser or transferee that, at the time of the sale transfer and delivery by the dealers, the manufactured home or mobile home was free and

clear of all liens, mortgages and other encumbrances, except those otherwise appearing on the title;

(2) the information shown on the title relating to all previous assignments, including the names of all previous titleholders shown thereon; and

(3) that the dealer has the right to sell and transfer the manufactured home or mobile home.

Sec. 3. K.S.A. 2006 Supp. 84-9-311 is hereby amended to read as follows: 84-9-311. (a) **Security interest subject to other law.** Except as otherwise provided in subsection (d), the filing of a financing statement is not necessary or effective to perfect a security interest in property subject to:

(1) A statute, regulation, or treaty of the United States whose requirements for a security interest's obtaining priority over the rights of a lien creditor with respect to the property preempt K.S.A. 2006 Supp. 84-9-310(a) and amendments thereto;

(2) any certificate-of-title law of this state covering automobiles, trailers, mobile homes, boats, farm tractors, or the like, which provides for a security interest to be indicated on the certificate ~~as a condition or result of perfection~~. *Such security interest shall be deemed perfected upon the mailing or delivery of the notice of security interest and tender of the required fee to the appropriate state agency as prescribed by subsection (c)(5) of K.S.A. 8-135 and subsection (g) of 58-4204, and amendments thereto, or the delivery of the documents appropriate under any such law to the appropriate state agency and tender of the required fee to the state agency, as prescribed in subsection (c)(6) of K.S.A. 8-135 and subsection (i) of 58-4204, and amendments thereto;* or

(3) a certificate-of-title statute of another jurisdiction which provides for a security interest to be indicated on the certificate as a condition or result of the security interest's obtaining priority over the rights of a lien creditor with respect to the property.

(b) **Compliance with other law.** Compliance with the requirements of a statute, regulation, or treaty described in subsection (a) for obtaining priority over the rights of a lien creditor is equivalent to the filing of a financing statement under this article. Except as otherwise provided in subsection (d) and K.S.A. 2006 Supp. 84-9-313 and 84-9-316(d) and (e) and amendments thereto for goods covered by a certificate of title, a security interest in property subject to a statute, regulation, or treaty described in subsection (a) may be perfected only by compliance with those requirements, and a security interest so perfected remains perfected notwithstanding a change in the use or transfer of possession of the collateral.

(c) **Duration and renewal of perfection.** Except as otherwise provided in subsection (d) and K.S.A. 2006 Supp. 84-9-316(d) and (e) and amendments thereto, duration and renewal of perfection of a security interest perfected by compliance with the requirements prescribed by a statute, regulation, or treaty described in subsection (a) are governed by the statute, regulation, or treaty. In other respects, the security interest is subject to this article.

(d) **Inapplicability to certain inventory.** During any period in which collateral subject to a statute specified in subsection (a)(2) is inventory held for sale or lease by a person or leased by that person as lessor and that person is in the business of selling goods of that kind, this section does not apply to a security interest in that collateral created by that person.

Sec. 4. K.S.A. 58-4204 and K.S.A. 2006 Supp. 8-135, as amended by section 1 of 2007 House Bill No. 2373, and 84-9-311 are hereby repealed.

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 April 26, 2007.)

HOUSE BILL No. 2526

AN ACT concerning monitoring and analysis of mercury deposition in Kansas.

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

Section 1. (a) The secretary of health and environment shall establish a statewide atmospheric mercury deposition monitoring network to measure mercury deposition in Kansas. The network shall consist of no fewer than six sites in Kansas. At least two such sites shall be located to measure mercury deposition entering the state from the direction of prevailing winds. Mercury deposition samples shall be collected at each site on a weekly basis and concentration, precipitation and other pertinent values shall be recorded.

(b) The secretary of health and environment shall contract with a laboratory that has demonstrated capability to perform appropriate analysis of the samples collected and to provide reports in a form acceptable to the secretary. After analysis, data and analysis reports, including data on long term trends, shall be provided to the public through a website. Data also will be posted to a national database designated by the secretary.

(c) The secretary of health and environment shall ensure that data collected from the network and analyses of those data are made available specifically to Kansas-based research institutes and scientists for exploration of the impact of mercury on Kansas flora, fauna and human population.

(d) On or before the first day of the regular legislative session in 2009 and each year thereafter, the secretary of health and environment shall prepare and submit to the governor and the chairperson, vice-chairperson and ranking minority member of each standing committee of the house and of the senate having subject matter jurisdiction over utilities, environment or natural resources, a report summarizing the findings of the monitoring and analysis provided for by this section.

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 April 26, 2007.)

HOUSE BILL No. 2535

AN ACT concerning the department on aging; relating to fees for licenses to operate adult care homes; disposition of such fees; creation and administration of the state licensure fee fund; amending K.S.A. 2006 Supp. 39-930 and repealing the existing section.

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

Section 1. K.S.A. 2006 Supp. 39-930 is hereby amended to read as follows: 39-930. (a) The fee for license to operate an adult care home shall be a base amount plus an additional amount for each bed of such home which shall be paid to the secretary of aging before the license is issued. The fee shall be fixed by rules and regulations of the secretary of aging. *The amount received for the license fee shall be deposited in the state treasury in accordance with K.S.A. 75-4215, and amendments thereto, and shall be credited to the state general licensure fee fund unless, which is hereby created in the state treasury and which shall be administered by the department on aging.*

(b) *If the evaluation and inspection was made by a county, city-county or multicounty health department at the direction of the secretary of health and environment aging and the papers required are completed and filed with the secretary, then the amount equal to 40% of the fee collected shall be forwarded paid to such county, city-county or multicounty health department. If a facility has a change of administrator after the commencement of the licensing period, the fee shall be \$15 and shall be*

deposited in the state treasury and credited to the state ~~general licensure fee fund.~~

(c) *All expenditures from the state licensure fee fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary of aging or by the secretary's designee.*

Sec. 2. K.S.A. 2006 Supp. 39-930 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 April 26, 2007.)

HOUSE BILL No. 2314

AN ACT concerning licensure, examination and registration of certified public accountants; relating to the education requirements for admission to examination; amending K.S.A. 2006 Supp. 1-302a and repealing the existing section.

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

Section 1. K.S.A. 2006 Supp. 1-302a is hereby amended to read as follows: 1-302a. (a) The education requirement prescribed by K.S.A. 1-302, and amendments thereto, is satisfied ~~by successful completion of course work consisting of at least 150 semester hours, with a concentration in accounting, at a college or university recognized by the board and the applicant is the holder of a baccalaureate or higher academic degree. if the applicant meets all of the following requirements:~~

(1) *Is the holder of a baccalaureate or higher academic degree from a college or university approved by the board;*

(2) *has been awarded credit by a college or university approved by the board for at least 150 semester hours, with a concentration in accounting; and*

(3) *the credit for the concentration in accounting is accepted by the board.*

(b) An applicant for admission to take the initial examination in this state as required in K.S.A. 1-302, and amendments thereto, must submit evidence satisfactory to the board ~~of accountancy or to the examination service that the applicant has successfully completed coursework consisting of at least 150 semester hours, with a concentration in accounting, at a college or university recognized by the board and that the applicant is the holder of a baccalaureate or higher academic degree meets the requirements of subsection (a).~~

(c) ~~The board of accountancy may define by rules and regulations the term "concentration in accounting," as the same is to be applied each place such term occurs in this section and K.S.A. 1-302b, and amendments thereto. The board may define, by rules and regulations, the term "concentration in accounting". The board may also prescribe, by rules and regulations, the type and amount of credit submitted pursuant to subsection (a).~~

(d) ~~The board, by rules and regulations, may provide for admittance to the examination in this state of persons who will have met the education requirements, as provided in this section, within 90 days after the examination to which admitted, but no report on the examination of any such person shall be made unless such person shall have met the education requirements as provided in this section. This subsection shall expire on January 1, 2004.~~

Sec. 2. K.S.A. 2006 Supp. 1-302a 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 April 26, 2007.)

SENATE BILL No. 34

AN ACT concerning the transportation development district act; relating to definitions; projects; amending K.S.A. 2006 Supp. 12-17,141 and repealing the existing section.

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

Section 1. K.S.A. 2006 Supp. 12-17,141 is hereby amended to read as follows: 12-17,141. As used in K.S.A. 2006 Supp. 12-17,140 through 12-17,149, and amendments thereto: (a) "Acquire" means the acquisition of property or interests in property by purchase, gift, condemnation or other lawful means and may include the acquisition of existing property and projects already owned by a municipality.

(b) "Act" means the provisions of K.S.A. 2006 Supp. 12-17,140 through 12-17,149, and amendments thereto.

(c) "Bonds" means special obligation bonds or special obligation notes payable solely from the sources described in K.S.A. 2006 Supp. 12-17,147, and amendments thereto, issued by a municipality in accordance with the provisions of this act.

(d) "Consultant" means engineers, architects, planners, attorneys and other persons deemed competent to advise and assist the governing body in planning and making of projects.

(e) "Cost" means: (1) All costs necessarily incurred for the preparation of preliminary reports, the preparation of plans and specifications, the preparation and publication of notices of hearings, resolutions, ordinances and other proceedings, necessary fees and expenses of consultants, interest accrued on borrowed money during the period of construction and the amount of a reserve fund for the bonds, together with the cost of land, materials, labor and other lawful expenses incurred in planning and doing any project and may include a charge of not to exceed 5% of the total cost of a project or the cost of work done by the municipality to reimburse the municipality for the services rendered by the municipality in the administration and supervision of such project by its general officers; and (2) in the case of property and projects already owned by the municipality and previously financed by the issuance of bonds, "cost" means costs authorized by K.S.A. 10-116a and amendments thereto.

(f) "District" means a transportation development district created pursuant to this act.

(g) "Governing body" means the governing body of a city or the board of county commissioners of a county.

(h) "Municipality" means any city or county.

(i) "Newspaper" means the official newspaper of the municipality.

(j) "Owner" means the owner or owners of record, whether resident or not, of real property within the district.

(k) "Project" means any project or undertaking, whether within or without the district, to improve, construct, reconstruct, maintain, restore, replace, renew, repair, install, furnish, equip or extend any bridge, street, road, highway access road, interchange, intersection, signing, signalization, parking lot, bus stop, station, garage, terminal, hangar, shelter, rest area, dock, wharf, lake or river port, airport, railroad, light rail or other mass transit facility, *streetscape* or any other transportation related project or infrastructure including, but not limited to, utility relocation; sanitary and storm sewers and lift stations; drainage conduits, channels and levees; street light fixtures, connection and facilities; underground gas, water, heating and electrical services and connections located within or without the public right-of-way; sidewalks and pedestrian underpasses or overpasses; and water main and extensions. "Project" includes a building facade but only when part of remodeling, repairing, enlarging or reconstructing an existing building.

(l) "Transportation development district sales tax" means the tax authorized by K.S.A. 2006 Supp. 12-17,145, and amendments thereto.

Sec. 2. K.S.A. 2006 Supp. 12-17,141 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 April 26, 2007.)

HOUSE BILL No. 2058

AN ACT concerning municipalities; amending K.S.A. 12-3010 and 12-3304 and K.S.A. 2006 Supp. 12-520 and 19-101d and repealing the existing sections.

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

Section 1. K.S.A. 2006 Supp. 12-520 is hereby amended to read as follows: 12-520. (a) Except as hereinafter provided, the governing body of any city, by ordinance, may annex land to such city if any one or more of the following conditions exist:

(1) The land is platted, and some part of the land adjoins the city.

(2) The land is owned by or held in trust for the city or any agency thereof.

(3) The land adjoins the city and is owned by or held in trust for any governmental unit other than another city, ~~except that no city may annex land owned by a county which has primary use as a county owned and operated airport, or other aviation related activity or which has primary use as a county owned and operated zoological facility, recreation park or exhibition and sports facility without the express permission of the board of county commissioners of the county except that no city may annex land owned by a county without the express permission of the board of county commissioners of the county other than as provided in subsection (f).~~

(4) The land lies within or mainly within the city and has a common perimeter with the city boundary line of more than 50%.

(5) The land if annexed will make the city boundary line straight or harmonious and some part thereof adjoins the city, except no land in excess of 21 acres shall be annexed for this purpose.

(6) The tract is so situated that $\frac{2}{3}$ of any boundary line adjoins the city, except no tract in excess of 21 acres shall be annexed under this condition.

(7) The land adjoins the city and a written petition for or consent to annexation is filed with the city by the owner.

(b) No portion of any unplatted tract of land devoted to agricultural use of 21 acres or more shall be annexed by any city under the authority of this section without the written consent of the owner thereof.

(c) No city may annex, pursuant to this section, any improvement district incorporated and organized pursuant to K.S.A. 19-2753 et seq., and amendments thereto, or any land within such improvement district. The provisions of this subsection shall apply to such improvement districts for which the petition for incorporation and organization was presented on or before January 1, 1987.

(d) Subject to the provisions of this section and subsection (e) of K.S.A. 12-520a, and amendments thereto, a city may annex, pursuant to this section, any fire district or any land within such fire district.

(e) Whenever any city annexes any land under the authority of paragraph 2 of subsection (a) which does not adjoin the city, tracts of land adjoining the land so annexed shall not be deemed to be adjoining the city for the purpose of annexation under the authority of this section until the adjoining land or the land so annexed adjoins the remainder of the city by reason of the annexation of the intervening territory.

(f) No city may annex the right-of-way of any highway under the authority of this section unless at the time of the annexation the abutting property upon one or both sides thereof is already within the city or is annexed to the city in the same proceeding. The board of county commissioners may notify the city of the existence of any highway which has not become part of the city by annexation and which has a common boundary with the city. The notification shall include a legal description and a map identifying the location of the highway. The governing body of the city shall certify by ordinance that the certification is correct and declare the highway, or portion of the highway extending to the center line where another city boundary line abuts the opposing side of the highway, annexed to the city as of the date of the publication of the ordinance.

(g) The governing body of any city by one ordinance may annex one or more separate tracts or lands each of which conforms to any one or more of the foregoing conditions. The invalidity of the annexation of any tract or land in one ordinance shall not affect the validity of the remaining tracts or lands which are annexed by the ordinance and which conform to any one or more of the foregoing conditions.

Sec. 2. K.S.A. 12-3304 is hereby amended to read as follows: 12-3304. ~~Not less than three copies~~ *At least one copy* of such code incorporated by reference by a county resolution shall be marked or stamped "official copy as incorporated by resolution no. ____," with all sections or portions thereof intended to be omitted clearly marked to show any such omission or showing the sections, articles, chapters, parts or portions that are incorporated, as the case may be, and to which shall be attached a copy of the incorporating resolution, such ~~copies~~ *copy* filed with the county clerk shall be open to inspection and available to the public at all reasonable business hours. Copies of such code, or part thereof which are incorporated by reference shall be furnished without charge to the courts and all administrative agencies charged with the enforcement of such code.

Sec. 3. K.S.A. 12-3010 is hereby amended to read as follows: 12-3010. The provisions of any standard or model code or ordinance, state regulation or statute or portions thereof incorporated in an ordinance by reference shall be as much a part of the ordinance as if the same had been set out in full therein when the ordinance shall have been passed by the governing body of the city and published in the manner provided by law, and any section, article, chapter, part or portion not incorporated shall be clearly and specifically described and declared to be omitted and any provisions changing or adding to the incorporated provisions shall be stated in full and published as a part of the ordinance. *Instead of incorporating with omissions, the incorporating ordinance may designate specifically the sections, articles, chapters, parts or portions of the standard or model code or ordinance, state regulation or statute that are incorporated.* No such ordinance shall be deemed to have incorporated therein any standard or model code or ordinance or state regulation unless the same shall be clearly described in the ordinance by name or title, the name or title of the agency, organization, or group or state officer, board or agency which prepared, compiled, published or promulgated the same, the year or edition of the work or other sufficiently identifying description, and statutes or portions thereof shall be identified by appropriate reference to Session Laws, ~~General Statutes or Supplements~~ *Kansas Statutes Annotated and acts amendatory thereof or supplemental thereto.* ~~Provided further, That not less than three (3) copies.~~ *At least one copy* of any such standard or model code or ordinance or state regulation shall be marked or stamped "official copy as incorporated by Ordinance No. ____," with all sections or portions thereof intended to be omitted clearly marked to show any such omission or showing the sections, articles, chapters, parts or portions that are incorporated, as the

case may be, and to which shall be attached a copy of the incorporating ordinance, and filed with the city clerk to be open to inspection and available to the public at all reasonable business hours. ~~Provided further, That the.~~ *The police department, police judge and all administrative departments of the city charged with the enforcement of any such ordinance shall be supplied, at the cost of the city, such number of official copies of any such standard or model code or ordinance or state regulation similarly marked as may be deemed expedient.*

Sec. 4. K.S.A. 2006 Supp. 19-101d is hereby amended to read as follows: 19-101d. (a) (1) The board of county commissioners of any county shall have the power to enforce all resolutions passed pursuant to county home rule powers, as designated by K.S.A. 19-101c, and amendments thereto. Resolutions may be enforced by enjoining violations, by prescribing penalties for violations by fine, by confinement in the county jail or by both fine and confinement. Unless otherwise provided by the resolution that defines and makes punishable the violation of such resolution, the penalty imposed shall be in accordance with the penalties established by law for conviction of a class C misdemeanor. In no event shall the penalty imposed for the violation of a resolution exceed the penalties established by law for conviction of a class B misdemeanor.

(2) Prosecution for any violation shall be commenced in the district court in the name of the county and, except as provided in subsection (b), shall be conducted in the manner provided by law for the prosecution of misdemeanor violations of state laws. Writs and process necessary for the prosecution of such violations shall be in the form prescribed by the judge or judges of the courts vested with jurisdiction of such violations by this act, and shall be substantially in the form of writs and process issued for the prosecution of misdemeanor violations of state laws. Each county shall provide all necessary supplies, forms and records at its own expense.

(b) (1) In addition to all other procedures authorized for the enforcement of county codes and resolutions, in Crawford, Douglas, Franklin, Jefferson, Johnson, Miami, Riley, Sedgwick, Shawnee and Wyandotte counties, the prosecution for violation of codes and resolutions adopted by the board of county commissioners may be commenced in the district court in the name of the county and may be conducted, except as otherwise provided in this section, in the manner provided for and in accordance with the provisions of the code for the enforcement of county codes and resolutions.

(2) *The board of county commissioners of any county which has not provided for the enforcement of county codes and resolutions in accordance with provisions of the code for enforcement of county codes and resolutions on or before July 1, 2007, and which desires to utilize the provisions of the code for enforcement of county codes and resolutions set forth in article 47 of chapter 19 of the Kansas Statutes Annotated, and amendments thereto, shall cause a notice of its intention to utilize the provisions of the code for enforcement of county codes and resolutions set forth in article 47 of chapter 19 of the Kansas Statutes Annotated, and amendments thereto, be published in the official newspaper of the county. If within 30 days next following the date of the publication of such notice a petition, signed by electors equal in number to not less than 5% of the electors of the county, requesting an election thereon, shall be filed in the office of the county election officer, no utilization of the provisions of the code for enforcement of county codes and resolutions set forth in article 47 of chapter 19 of the Kansas Statutes Annotated, and amendments thereto, may be made without such proposition having first been submitted to and having been approved by a majority of the electors of the county voting at an election called and held thereon. Any election shall be called, noticed and held in the manner provided by K.S.A. 10-120, and amendments thereto.*

(continued)

(2) (3) For the purposes of aiding in the enforcement of county codes and resolutions, the board of county commissioners may employ or appoint code enforcement officers for the county who shall have power to sign, issue and execute notices to appear and uniform citations or uniform complaints and notices to appear, as provided in the appendix of forms of the code contained in this act to enforce violations of county codes and resolutions, but shall have no power to issue warrants or make arrests. All warrants shall be issued and arrests made by law enforcement officers pursuant to and in the manner provided in chapter 21 of the Kansas Statutes Annotated.

(3) (4) The board of county commissioners may employ or appoint attorneys for the purpose of prosecuting actions for the enforcement of county codes and resolutions. The attorneys shall have the duties, powers and authorities provided by the board that are necessary to prosecute actions under the code.

(4) (5) All costs for the enforcement and prosecution of violations of county codes and resolutions, except for compensation and expenses of the district court judge, shall be paid from the revenues of the county. The board of county commissioners may establish a special law enforcement fund for the purpose of paying for the costs of code enforcement within the county. ~~In addition, the board of county commissioners is authorized to levy a tax not to exceed 1/2 mill upon all taxable tangible property within the county to pay the costs of code enforcement.~~

(c) Notwithstanding the provisions of subsection (b), any action commenced in the district court for the enforcement of county codes and resolutions, in which a person may be subject to detention or arrest or in which an accused person, if found guilty, would or might be deprived of the person's liberty, shall be conducted in the manner provided by law for the prosecution of misdemeanor violations of state laws under the Kansas code of criminal procedure and not under the code for the enforcement of county codes and resolutions.

Sec. 5. K.S.A. 12-3010 and 12-3304 and K.S.A. 2006 Supp. 12-520 and 19-101d are hereby repealed.

Sec. 6. This act shall take effect and be in force from and after its publication in the Kansas register.

(Published in the Kansas Register April 26, 2007.)

HOUSE BILL No. 2044

AN ACT concerning property taxation; relating to exemptions; certain tax reduction assistance funds, distributions; relating to growth in assessed valuation; authorizing certain interlocal cooperation agreements, provisions; transfer of property, taxation; tax levy rate, school finance; valuation of vessels; amending K.S.A. 2006 Supp. 72-6431, 79-201a, 79-201d, 79-201x, 79-306e, 79-2978 and 79-2979 and repealing the existing sections.

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

New Section 1. (a) The board of county commissioners of any two or more counties may enter into an interlocal cooperation agreement under K.S.A. 12-2901 et seq., and amendments thereto, to jointly promote economic development at any location or locations within the geographical boundaries of any one or more of such counties in accordance with the provisions of K.S.A. 19-4101 et seq., and amendments thereto.

(b) Notwithstanding any other provision of law to the contrary, any such interlocal cooperation agreement may:

(1) Provide for the establishment of a strategic, multi-year economic development plan that identifies any capital improvement, infrastructure or other needs, or combination thereof, within the geographical boundaries of the counties which have entered into such agreement and addresses those needs, on a prioritized basis, to promote economic development activities

by any public agency, private agency or combination of such agencies within the geographical boundaries of such counties;

(2) provide for the creation of a separate legal entity that shall be authorized to exercise all powers conferred upon separate legal entities under the provisions of K.S.A. 12-2904a, and amendments thereto, and all powers conferred upon incorporated industrial districts under the provisions of K.S.A. 19-3808, and amendments thereto, within the geographical boundaries of the counties which have entered into such agreement in connection with the execution, implementation, management or conduct, or combination thereof, of the joint or cooperative economic development activities set forth in the agreement;

(3) provide that the separate legal entity described in subsection (b)(2) shall use any dues, fees, assessments and other financial contributions from member public agencies; any receipts from any general tax levied on all tangible property within the geographical boundaries of all of the counties which have entered into such agreement to support economic development activities set forth in the agreement; any proceeds of bonds, notes, loans or other authorized forms of indebtedness; any grants, gifts or donations from public and private agencies; and any other authorized source of revenue to create an economic development fund to further the objects and purposes set forth in the agreement. Such agreement shall provide that this separate legal entity shall make such expenditures, transfers, including grants and loans and disbursements from the economic development fund deemed necessary or otherwise appropriate in connection with any established economic development project or activity at any location or locations within the geographical boundaries of any one or more of such counties; and

(4) provide that consideration for participation in the agreement may include a system of revenue-sharing assessments or transfers among and between the counties which have entered into such agreement based on the growth in assessed valuation of the property subject to the interlocal cooperation agreement.

(c) A copy of the interlocal cooperation agreement shall be filed with the county clerk and provided to the county or district appraiser of each county which has entered into such agreement.

(d) The county or district appraiser of each county which has entered into the interlocal cooperation agreement shall certify the amount of any increase in assessed valuation of the property subject to the interlocal cooperation agreement and shall furnish such information to the county clerk of each such county on or before June 15 of each year.

Sec. 2. K.S.A. 2006 Supp. 79-2978 is hereby amended to read as follows: 79-2978. (a) There is hereby established in the state treasury the business machinery and equipment tax reduction assistance fund which shall be administered by the state treasurer. All expenditures from the business machinery and equipment tax reduction assistance fund shall be for the payments to counties for distribution to taxing subdivisions levying ad valorem taxes within the county in accordance with this section.

(b) The secretary of revenue shall adopt a policy using the most current information that is available, and that is determined to be practicable by the secretary for this purpose and shall calculate the following:

(1) On January 31, 2008, the secretary shall calculate for each county an amount equal to the difference in total ad valorem taxes levied by the county on commercial and industrial machinery and equipment for all taxing subdivisions within the county imposing ad valorem taxes on commercial and industrial machinery and equipment for tax year 2005, and the total of such ad valorem taxes levied for tax year 2007 not including any such ad valorem taxes on commercial and industrial machinery and equipment that were abated or exempted prior to July 1, 2006, and which such abatement or exemption expired after July 1, 2006. On or before

February 15, 2008, subject to the provisions of subsection (e) (d), the state treasurer shall pay to the county treasurer of each county an amount equal to 90% of such difference for distribution as provided in subsection (d) (e).

(2) On January 31, 2009, the secretary shall calculate for each county an amount equal to the difference in total ad valorem taxes levied by the county on commercial and industrial machinery and equipment for all taxing subdivisions within the county imposing ad valorem taxes on commercial and industrial machinery and equipment for tax year 2005, and the total of such ad valorem taxes levied for tax year 2008 not including any such ad valorem taxes on commercial and industrial machinery and equipment that were abated or exempted prior to July 1, 2006, and which such abatement or exemption expired after July 1, 2006. On or before February 15, 2009, subject to the provisions of subsection (e) (d), the state treasurer shall pay to the county treasurer of each county an amount equal to 70% of such difference for distribution as provided in subsection (d) (e).

(3) On January 31, 2010, the secretary shall calculate for each county an amount equal to the difference in total ad valorem taxes levied by the county on commercial and industrial machinery and equipment for all taxing subdivisions within the county imposing ad valorem taxes on commercial and industrial machinery and equipment for tax year 2005, and the total of such ad valorem taxes levied for tax year 2009 not including any such ad valorem taxes on commercial and industrial machinery and equipment that were abated or exempted prior to July 1, 2006, and which such abatement or exemption expired after July 1, 2006. On or before February 15, 2010, subject to the provisions of subsection (e) (d), the state treasurer shall pay to the county treasurer of each county an amount equal to 50% of such difference for distribution as provided in subsection (d) (e).

(4) On January 31, 2011, the secretary shall calculate for each county an amount equal to the difference in total ad valorem taxes levied by the county on commercial and industrial machinery and equipment for all taxing subdivisions within the county imposing ad valorem taxes on commercial and industrial machinery and equipment for tax year 2005, and the total of such ad valorem taxes levied for tax year 2010 not including any such ad valorem taxes on commercial and industrial machinery and equipment that were abated or exempted prior to July 1, 2006, and which such abatement or exemption expired after July 1, 2006. On or before February 15, 2011, subject to the provisions of subsection (e) (d), the state treasurer shall pay to the county treasurer of each county an amount equal to 30% of such difference for distribution as provided in subsection (d) (e).

(5) On January 31, 2012, the secretary shall calculate for each county an amount equal to the difference in total ad valorem taxes levied by the county on commercial and industrial machinery and equipment for all taxing subdivisions within the county imposing ad valorem taxes on commercial and industrial machinery and equipment for tax year 2005, and the total of such ad valorem taxes levied for tax year 2011 not including any such ad valorem taxes on commercial and industrial machinery and equipment that were abated or exempted prior to July 1, 2006, and which such abatement or exemption expired after July 1, 2006. On or before February 15, 2012, subject to the provisions of subsection (e) (d), the state treasurer shall pay to the county treasurer of each county an amount equal to 10% of such difference for distribution as provided in subsection (d) (e).

(6) There shall be no payments made pursuant to this section after the payments made by the state treasurer on or before February 15, 2012, and the provisions of this section shall expire at such time.

(c) The calculations required by subsection (b) shall be based upon a certification made by the county clerk on or before November 15 of the tax year and submitted to the director of property valuation. Such certification shall be in a format devised and prescribed by the director

of property valuation. Such certification shall report the total ad valorem taxes levied by the county on commercial and industrial machinery and equipment for all taxing subdivisions within the county imposing ad valorem taxes on commercial and industrial machinery and equipment. The county clerk shall provide a copy of such certification to the county treasurer for the purpose of determining the distribution of moneys pursuant to the provisions of subsection (e)(2) paid to the county pursuant to subsection (b) by the state treasurer.

(d) If the amount calculated for the difference in subsections (b)(1) through (b)(5) is negative, the amount calculated for such county for such year shall be deemed to be zero and no amount shall be paid to the county treasurer of such county as otherwise provided in subsection (b). Nothing in this section shall be construed to require the county to make any payments to the state in such event that the amount calculated for the difference is negative for the county for such year.

(d) (e) (1) On January 31 of each year specified in this section, the secretary of revenue shall certify to the director of accounts and reports the aggregate of all amounts determined for counties pursuant to subsection (b). Upon receipt of such certification, the director of accounts and reports shall transfer the amount certified from the state general fund to the business machinery and equipment tax reduction assistance fund.

(2) The state treasurer shall apportion and distribute the moneys credited to the business machinery and equipment tax reduction assistance fund to the county treasurers in accordance with subsection (b). Upon receipt of each such amount, each county treasurer shall apportion such amount among the ad valorem taxing subdivisions imposing ad valorem taxes on commercial and industrial machinery and equipment in the same proportion that the amount of the total mill levy of each individual taxing subdivision for the preceding tax year bears to the aggregate of such levies of all the taxing subdivisions among which the apportionment is to be made an amount equal to the difference between the total ad valorem taxes on commercial and industrial machinery and equipment levied by each such ad valorem taxing subdivision for the tax year 2005 and the total ad valorem taxes on commercial and industrial machinery and equipment levied by each such ad valorem taxing subdivision for the tax year of the apportionment, subject to the percentage reduction set forth in subsection (b) for the tax year of the apportionment of such moneys to that county. The county treasurer shall pay such amounts to the taxing subdivisions at the same time or times as their regular operating tax rate mill levy is paid to them.

(e) (f) Before January 31 of 2007 through 2013, the secretary of revenue shall make a detailed report of amounts calculated as required pursuant to subsection (b) for each individual county and in aggregate for all the counties for the current year along with any projections for future years, amounts distributed to the counties pursuant to this section, the amount of ad valorem taxes on commercial and industrial machinery and equipment not included in the total ad valorem taxes for each tax year due to the fact that the tax liability of such machinery and equipment was abated or exempted prior to July 1, 2006, and such abatement or exemption expired after July 1, 2006, for each individual county and in aggregate for all counties and all other relevant information related to the provisions of this section, and shall present such report before such date to the house committee on taxation of the house of representatives and the senate committee on assessment and taxation of the senate for consideration by the legislature in making any appropriate adjustments to the provisions of this section.

Sec. 3. K.S.A. 2006 Supp. 79-2979 is hereby amended to read as follows: 79-2979. (a) There is hereby established in the state treasury the telecommunications and railroad machinery and equipment tax reduction assistance fund which shall be administered by the state treasurer. All expenditures from the telecom-

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munications and railroad machinery and equipment tax reduction assistance fund shall be for the payments to counties for distribution to taxing subdivisions levying ad valorem taxes within the county in accordance with this section.

(b) The secretary of revenue shall adopt a policy using the most current information that is available, and that is determined to be practicable by the secretary for this purpose and shall calculate the following:

(1) On January 31, 2008, the secretary shall calculate for each county an amount equal to the difference in total ad valorem taxes levied by the county on *telecommunications machinery and equipment and railroad machinery and equipment* for all taxing subdivisions within the county imposing ad valorem taxes on telecommunications machinery and equipment and railroad machinery and equipment for tax year 2005, and the total of such ad valorem taxes levied for tax year 2007 *not including any such ad valorem taxes on telecommunications machinery and equipment and railroad machinery and equipment that were abated or exempted prior to July 1, 2006, and which such abatement or exemption expired after July 1, 2006.* On or before February 15, 2008, subject to the provisions of subsection (c), the state treasurer shall pay to the county treasurer of each county an amount equal to 90% of such difference for distribution as provided in subsection (d).

(2) On January 31, 2009, the secretary shall calculate for each county an amount equal to the difference in total ad valorem taxes levied by the county on *telecommunications machinery and equipment and railroad machinery and equipment* for all taxing subdivisions within the county imposing ad valorem taxes on telecommunications machinery and equipment and railroad machinery and equipment for tax year 2005, and the total of such ad valorem taxes levied for tax year 2008 *not including any such ad valorem taxes on telecommunications machinery and equipment and railroad machinery and equipment that were abated or exempted prior to July 1, 2006, and which such abatement or exemption expired after July 1, 2006.* On or before February 15, 2009, subject to the provisions of subsection (c), the state treasurer shall pay to the county treasurer of each county an amount equal to 70% of such difference for distribution as provided in subsection (d).

(3) On January 31, 2010, the secretary shall calculate for each county an amount equal to the difference in total ad valorem taxes levied by the county on *telecommunications machinery and equipment and railroad machinery and equipment* for all taxing subdivisions within the county imposing ad valorem taxes on telecommunications machinery and equipment and railroad machinery and equipment for tax year 2005, and the total of such ad valorem taxes levied for tax year 2009 *not including any such ad valorem taxes on telecommunications machinery and equipment and railroad machinery and equipment that were abated or exempted prior to July 1, 2006, and which such abatement or exemption expired after July 1, 2006.* On or before February 15, 2010, subject to the provisions of subsection (c), the state treasurer shall pay to the county treasurer of each county an amount equal to 50% of such difference for distribution as provided in subsection (d).

(4) On January 31, 2011, the secretary shall calculate for each county an amount equal to the difference in total ad valorem taxes levied by the county on *telecommunications machinery and equipment and railroad machinery and equipment* for all taxing subdivisions within the county imposing ad valorem taxes on telecommunications machinery and equipment and railroad machinery and equipment for tax year 2005, and the total of such ad valorem taxes levied for tax year 2010 *not including any such ad valorem taxes on telecommunications machinery and equipment and railroad machinery and equipment that were abated or exempted prior to July 1, 2006, and which such abatement or exemption expired after July 1, 2006.* On or before February 15, 2011, subject to the provisions of subsection (c), the state treasurer shall pay to the county treasurer of each county an amount equal to 30% of such difference for distribution as provided in subsection (d).

(5) On January 31, 2012, the secretary shall calculate for each county an amount equal to the difference in total ad valorem taxes levied by the county on *telecommunications machinery and equipment and railroad machinery and equipment* for all taxing subdivisions within the county imposing ad valorem taxes on telecommunications machinery and equipment and railroad machinery and equipment for tax year 2005, and the total of such ad valorem taxes levied for tax year 2011 *not including any such ad valorem taxes on telecommunications machinery and equipment and railroad machinery and equipment that were abated or exempted prior to July 1, 2006, and which such abatement or exemption expired after July 1, 2006.* On or before February 15, 2012, subject to the provisions of subsection (c), the state treasurer shall pay to the county treasurer of each county an amount equal to 10% of such difference for distribution as provided in subsection (d).

(6) There shall be no payments made pursuant to this section after the payments made by the state treasurer on or before February 15, 2012, and the provisions of this section shall expire at such time.

(c) If the amount calculated for the difference in subsections (b)(1) through (b)(5) is negative, the amount calculated for such county for such year shall be deemed to be zero and no amount shall be paid to the county treasurer of such county as otherwise provided in subsection (b). Nothing in this section shall be construed to require the county to make any payments to the state in such event that the amount calculated for the difference is negative for the county for such year.

(d) (1) On January 31 of each year specified in this section, the secretary of revenue shall certify to the director of accounts and reports the aggregate of all amounts determined for counties pursuant to subsection (b). Upon receipt of such certification, the director of accounts and reports shall transfer the amount certified from the state general fund to the telecommunications and railroad machinery and equipment tax reduction assistance fund.

(2) The state treasurer shall apportion and distribute the moneys credited to the telecommunications and railroad machinery and equipment tax reduction assistance fund to the county treasurers in accordance with subsection (b). Upon receipt of each such amount, each county treasurer shall apportion such amount among the ad valorem taxing subdivisions *imposing ad valorem taxes on telecommunications machinery and equipment and railroad machinery and equipment in the same proportion that the amount of the total mill levy of each individual taxing subdivision for the preceding tax year bears to the aggregate of such levies of all the taxing subdivisions among which the apportionment is to be made* an amount equal to the difference between the total ad valorem taxes on telecommunications machinery and equipment and railroad machinery and equipment levied by each such ad valorem taxing subdivision for the tax year 2005 and the total ad valorem taxes on telecommunications machinery and equipment and railroad machinery and equipment levied by each such ad valorem taxing subdivision for the tax year of the apportionment, subject to the percentage reduction set forth in subsection (b) for the tax year of the apportionment of such moneys to that county. The county treasurer shall pay such amounts to the taxing subdivisions at the same time or times as their regular operating tax rate mill levy is paid to them.

(e) Before January 31 of 2007 through 2013, the secretary of revenue shall make a detailed report of amounts calculated as required pursuant to subsection (b) for each individual county and in aggregate for all the counties for the current year along with any projections for future years, amounts distributed to the counties pursuant to this section, *the amount of ad valorem taxes on telecommunications machinery and equipment and railroad machinery and equipment not included in the total of ad valorem taxes for each tax year due to the fact that the tax liability of such machinery and equipment was abated or exempted prior to July 1, 2006, and the*

abatement or exemption expired after July 1, 2006, for each individual county and in aggregate for all counties and all other relevant information related to the provisions of this section, and shall present such report before such date to the house committee on taxation of the house of representatives and the senate committee on assessment and taxation of the senate for consideration by the legislature in making any appropriate adjustments to the provisions of this section.

New Sec. 4. Notwithstanding any provision of law to the contrary, for the purpose of facilitating the sale or transfer of the Kuhlman Diecasting property located at 16400 Mission Road, Johnson county, Kansas, the board of county commissioners of Johnson county, upon a majority vote, may cancel all or a part thereof, of any uncollected real estate taxes and penalties on such property. Such property is legally described as:

THAT PART OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 14, RANGE 25, IN JOHNSON COUNTY, KANSAS, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER; THENCE WEST ALONG THE NORTH LINE OF SAID SOUTHEAST QUARTER TO THE NORTHWEST CORNER OF THE EAST HALF OF SAID SOUTHEAST QUARTER; THENCE SOUTH ON THE LINE RUNNING NORTH AND SOUTH THROUGH THE CENTER OF SAID QUARTER SECTION 441 FEET, CROSSING THE BIG BLUE RIVER, TO A POINT 6 FEET SOUTH OF THE SOUTH BANK OF SAID RIVER; THENCE SOUTHERLY AND FOLLOWING THE SOUTHERLY AND WESTERLY BANK OF SAID RIVER AND 6 FEET DISTANT THEREFROM TO THE CENTER OF WHAT IS KNOWN AS CAMP BRANCH; THENCE DOWN THE CENTER OF SAID BRANCH TO THE CENTER OF SAID BIG BLUE RIVER; THENCE FOLLOWING DOWN THE CENTER OF SAID RIVER TO THE EAST LINE OF SAID SECTION 16; THENCE NORTH ALONG THE EAST LINE OF SAID SECTION TO THE PLACE OF BEGINNING; BUT EXCEPTING THEREFROM THE RIGHT OF WAY OF THE MISSOURI PACIFIC RAILROAD; AND ALSO EXCEPTING THEREFROM ALL THAT PART OF THE NORTH 154 FEET OF SAID SOUTHEAST QUARTER WHICH LIES EAST OF SAID MISSOURI PACIFIC RAILROAD RIGHT OF WAY.

Sec. 5. K.S.A. 2006 Supp. 72-6431 is hereby amended to read as follows: 72-6431. (a) The board of each district shall levy an ad valorem tax upon the taxable tangible property of the district in the school years specified in subsection (b) for the purpose of:

(1) Financing that portion of the district's general fund budget which is not financed from any other source provided by law;

(2) paying a portion of the costs of operating and maintaining public schools in partial fulfillment of the constitutional obligation of the legislature to finance the educational interests of the state; and

(3) with respect to any redevelopment district established prior to July 1, 1997, pursuant to K.S.A. 12-1771, and amendments thereto, paying a portion of the principal and interest on bonds issued by cities under authority of K.S.A. 12-1774, and amendments thereto, for the financing of redevelopment projects upon property located within the district.

(b) The tax required under subsection (a) shall be levied at a rate of 20 mills in the school year ~~2005-2006 and school year 2006-2007~~ 2007-2008 and school year 2008-2009.

(c) The proceeds from the tax levied by a district under authority of this section, except the proceeds of such tax levied for the purpose of paying a portion of the principal and interest on bonds issued by cities under authority of K.S.A. 12-1774, and amendments thereto, for the financing of redevelopment projects upon property located within the district, shall be deposited in the general fund of the district.

(d) On June 6 of each year, the amount, if any, by which a district's local effort exceeds the amount of the district's state financial aid, as determined by the state board, shall be remitted to the state treasurer. Upon receipt of any such remittance, the state treasurer shall deposit the same in the state treasury to the credit of the state school district finance fund.

(e) No district shall proceed under K.S.A. 79-1964, 79-1964a or 79-1964b, and amendments thereto.

Sec. 6. K.S.A. 2006 Supp. 79-201a is hereby amended to read as follows: 79-201a. The following described property, to the extent herein specified, shall be exempt from all property or ad valorem taxes levied under the laws of the state of Kansas:

First. All property belonging exclusively to the United States, except property which congress has expressly declared to be subject to state and local taxation.

Second. All property used exclusively by the state or any municipality or political subdivision of the state. All property owned, being acquired pursuant to a lease-purchase agreement or operated by the state or any municipality or political subdivision of the state, including property which is vacant or lying dormant, which is used or is to be used for any governmental or proprietary function and for which bonds may be issued or taxes levied to finance the same, shall be considered to be used exclusively by the state, municipality or political subdivision for the purposes of this section. The lease by a municipality or political subdivision of the state of any real property owned or being acquired pursuant to a lease-purchase agreement for the purpose of providing office space necessary for the performance of medical services by a person licensed to practice medicine and surgery or osteopathic medicine by the board of healing arts pursuant to K.S.A. 65-2801 et seq., and amendments thereto, dentistry services by a person licensed by the Kansas dental board pursuant to K.S.A. 65-1401 et seq., and amendments thereto, optometry services by a person licensed by the board of examiners in optometry pursuant to K.S.A. 65-1501 et seq., and amendments thereto, or K.S.A. 74-1501 et seq., and amendments thereto, podiatry services by a person licensed by the board of healing arts pursuant to K.S.A. 65-2001 et seq., and amendments thereto, or the practice of psychology by a person licensed by the behavioral sciences regulatory board pursuant to K.S.A. 74-5301 et seq., and amendments thereto, shall be construed to be a governmental function, and such property actually and regularly used for such purpose shall be deemed to be used exclusively for the purposes of this paragraph. The lease by a municipality or political subdivision of the state of any real property, or portion thereof, owned or being acquired pursuant to a lease-purchase agreement to any entity for the exclusive use by it for an exempt purpose, including the purpose of displaying or exhibiting personal property by a museum or historical society, if no portion of the lease payments include compensation for return on the investment in such leased property shall be deemed to be used exclusively for the purposes of this paragraph. All property leased, other than property being acquired pursuant to a lease-purchase agreement, to the state or any municipality or political subdivision of the state by any private entity shall not be considered to be used exclusively by the state or any municipality or political subdivision of the state for the purposes of this section except that the provisions of this sentence shall not apply to any such property subject to lease on the effective date of this act until the term of such lease expires but property taxes levied upon any such property prior to tax year 1989, shall not be abated or refunded. Any property constructed or purchased with the proceeds of industrial revenue bonds issued prior to July 1, 1963, as authorized by K.S.A. 12-1740 to 12-1749, or purchased with proceeds of improvement district bonds issued prior to July 1, 1963, as authorized by K.S.A. 19-2776, or with proceeds of bonds issued prior to July

(continued)

1, 1963, as authorized by K.S.A. 19-3815a and 19-3815b, or any property improved, purchased, constructed, reconstructed or repaired with the proceeds of revenue bonds issued prior to July 1, 1963, as authorized by K.S.A. 13-1238 to 13-1245, inclusive, or any property improved, reimproved, reconstructed or repaired with the proceeds of revenue bonds issued after July 1, 1963, under the authority of K.S.A. 13-1238 to 13-1245, inclusive, which had previously been improved, reconstructed or repaired with the proceeds of revenue bonds issued under such act on or before July 1, 1963, shall be exempt from taxation for so long as any of the revenue bonds issued to finance such construction, reconstruction, improvement, repair or purchase shall be outstanding and unpaid. Any property constructed or purchased with the proceeds of any revenue bonds authorized by K.S.A. 13-1238 to 13-1245, inclusive, 19-2776, 19-3815a and 19-3815b, and amendments thereto, issued on or after July 1, 1963, shall be exempt from taxation only for a period of 10 calendar years after the calendar year in which the bonds were issued. Any property, all or any portion of which is constructed or purchased with the proceeds of revenue bonds authorized by K.S.A. 12-1740 to 12-1749, inclusive, and amendments thereto, issued on or after July 1, 1963 and prior to July 1, 1981, shall be exempt from taxation only for a period of 10 calendar years after the calendar year in which the bonds were issued. Except as hereinafter provided, any property constructed or purchased wholly with the proceeds of revenue bonds issued on or after July 1, 1981, under the authority of K.S.A. 12-1740 to 12-1749, inclusive, and amendments thereto, shall be exempt from taxation only for a period of 10 calendar years after the calendar year in which the bonds were issued. Except as hereinafter provided, any property constructed or purchased in part with the proceeds of revenue bonds issued on or after July 1, 1981, under the authority of K.S.A. 12-1740 to 12-1749, inclusive, and amendments thereto, shall be exempt from taxation to the extent of the value of that portion of the property financed by the revenue bonds and only for a period of 10 calendar years after the calendar year in which the bonds were issued. The exemption of that portion of the property constructed or purchased with the proceeds of revenue bonds shall terminate upon the failure to pay all taxes levied on that portion of the property which is not exempt and the entire property shall be subject to sale in the manner prescribed by K.S.A. 79-2301 et seq., and amendments thereto. Property constructed or purchased in whole or in part with the proceeds of revenue bonds issued on or after January 1, 1995, under the authority of K.S.A. 12-1740 to 12-1749, inclusive, and amendments thereto, and used in any retail enterprise identified under the standard industrial classification codes, major groups 52 through 59, inclusive, except facilities used exclusively to house the headquarters or back office operations of such retail enterprises identified thereunder, shall not be exempt from taxation. For the purposes of the preceding provision "standard industrial classification code" means a standard industrial classification code published in the Standard Industrial Classification manual, 1987, as prepared by the statistical policy division of the office of management and budget of the office of the president of the United States. "Headquarters or back office operations" means a facility from which the enterprise is provided direction, management, administrative services, or distribution or warehousing functions in support of transactions made by the enterprise. Property purchased, constructed, reconstructed, equipped, maintained or repaired with the proceeds of industrial revenue bonds issued under the authority of K.S.A. 12-1740 et seq., and amendments thereto, which is located in a redevelopment project area established under the authority of K.S.A. 12-1770 et seq., shall not be exempt from taxation. Property purchased, acquired, constructed, reconstructed, improved, equipped, furnished, repaired, enlarged or remodeled with all or any part of the proceeds of

revenue bonds issued under authority of K.S.A. 12-1740 to 12-1749a, inclusive, and amendments thereto for any poultry confinement facility on agricultural land which is owned, acquired, obtained or leased by a corporation, as such terms are defined by K.S.A. 17-5903 and amendments thereto, shall not be exempt from such taxation. Property purchased, acquired, constructed, reconstructed, improved, equipped, furnished, repaired, enlarged or remodeled with all or any part of the proceeds of revenue bonds issued under the authority of K.S.A. 12-1740 to 12-1749a, inclusive, and amendments thereto, for a rabbit confinement facility on agricultural land which is owned, acquired, obtained or leased by a corporation, as such terms are defined by K.S.A. 17-5903 and amendments thereto, shall not be exempt from such taxation.

Third. All works, machinery and fixtures used exclusively by any rural water district or township water district for conveying or production of potable water in such rural water district or township water district, and all works, machinery and fixtures used exclusively by any entity which performed the functions of a rural water district on and after January 1, 1990, and the works, machinery and equipment of which were exempted hereunder on March 13, 1995.

Fourth. All fire engines and other implements used for the extinguishing of fires, with the buildings used exclusively for the safekeeping thereof, and for the meeting of fire companies, whether belonging to any rural fire district, township fire district, town, city or village, or to any fire company organized therein or therefor.

Fifth. All property, real and personal, owned by county fair associations organized and operating under the provisions of K.S.A. 2-125 et seq., and amendments thereto.

Sixth. Property acquired and held by any municipality under the municipal housing law (K.S.A. 17-2337 et seq.) and amendments thereto, except that such exemption shall not apply to any portion of the project used by a nondwelling facility for profit making enterprise.

Seventh. All property of a municipality, acquired or held under and for the purposes of the urban renewal law (K.S.A. 17-4742 et seq.) and amendments thereto except that such tax exemption shall terminate when the municipality sells, leases or otherwise disposes of such property in an urban renewal area to a purchaser or lessee which is not a public body entitled to tax exemption with respect to such property.

Eighth. All property acquired and held by the Kansas armory board for armory purposes under the provisions of K.S.A. 48-317, and amendments thereto.

Ninth. All property acquired and used by the Kansas turnpike authority under the authority of K.S.A. 68-2001 et seq., and amendments thereto, K.S.A. 68-2030 et seq., and amendments thereto, K.S.A. 68-2051 et seq., and amendments thereto, and K.S.A. 68-2070 et seq., and amendments thereto.

Tenth. All property acquired and used for state park purposes by the Kansas department of wildlife and parks.

Eleventh. The state office building constructed under authority of K.S.A. 75-3607 et seq., and amendments thereto, and the site upon which such building is located.

Twelfth. All buildings erected under the authority of K.S.A. 76-6a01 et seq., and amendments thereto, and all other student union buildings and student dormitories erected upon the campus of any institution mentioned in K.S.A. 76-6a01, and amendments thereto, by any other nonprofit corporation.

Thirteenth. All buildings, as the same is defined in subsection (c) of K.S.A. 76-6a13, and amendments thereto, which are erected, constructed or acquired under the authority of K.S.A. 76-6a13 et seq., and amendments thereto, and building sites acquired therefor.

Fourteenth. All that portion of the waterworks plant and system of the city of Kansas City, Missouri, now or hereafter lo-

cated within the territory of the state of Kansas pursuant to the compact and agreement adopted by K.S.A. 79-205, and amendments thereto.

Fifteenth. All property, real and personal, owned by a groundwater management district organized and operating pursuant to K.S.A. 82a-1020, and amendments thereto.

Sixteenth. All property, real and personal, owned by the joint water district organized and operating pursuant to K.S.A. 80-1616 et seq., and amendments thereto.

Seventeenth. All property, including interests less than fee ownership, acquired for the state of Kansas by the secretary of transportation or a predecessor in interest which is used in the administration, construction, maintenance or operation of the state system of highways, regardless of how or when acquired.

Eighteenth. Any building used primarily as an industrial training center for academic or vocational education programs designed for and operated under contract with private industry, and located upon a site owned, leased or being acquired by or for an area vocational school, an area vocational-technical school, a technical college, or a community college, as defined by K.S.A. 72-4412, and amendments thereto, and the site upon which any such building is located.

Nineteenth. For all taxable years commencing after December 31, 1997, all buildings of an area vocational school, an area vocational-technical school, a technical college or a community college, as defined by K.S.A. 72-4412, and amendments thereto, which are owned and operated by any such school or college as a student union or dormitory and the site upon which any such building is located.

Twentieth. For all taxable years commencing after December 31, 1997, all personal property which is contained within a dormitory that is exempt from property taxation and which is necessary for the accommodation of the students residing therein.

Twenty-First. All real property from and after the date of its transfer by the city of Olathe, Kansas, to the Kansas state university foundation, all buildings and improvements thereafter erected and located on such property, and all tangible personal property, which is held, used or operated for educational and research purposes at the Kansas state university Olathe innovation campus located in the city of Olathe, Kansas.

Except as otherwise specifically provided, the provisions of this section shall apply to all taxable years commencing after December 31, 2000.

Sec. 7. K.S.A. 2006 Supp. 79-201d is hereby amended to read as follows: 79-201d. The following described property, to the extent herein specified, shall be and is hereby exempt from all property or ad valorem taxes levied under the laws of the state of Kansas:

First. All hay and silage. The term "hay" shall include alfalfa, brome, clover, and prairie hays and all other grasses and plants which are harvested for forage. The term "silage" shall include corn, milo, sorghum and all other plants, cut, compressed and preserved by its own fermentation for fodder.

Second. All farm storage and drying equipment meeting eligibility requirements, as provided in Title 7, Chapter XIV, Subchapter B, Part 1474 of the Code of Federal Regulations and as in effect on December 31, 1977, for loans under the federal farm storage and drying equipment loan program, whether financed or not, and all used farm storage and drying equipment meeting such eligibility requirements but for the fact that the same was not purchased from the commodity credit corporation, which equipment is used for the storage or drying of haylage, silage, corn, oats, barley, grain sorghum, wheat, rye, soybeans, flaxseed, rice, dry edible beans or sunflower seed, for any eight of the 10 calendar years next following the calendar year in which such equipment is acquired or construction thereof is completed. The exemption provided for in this paragraph shall be limited to a total of eight years for each individual farm storage

and drying equipment. The provisions of this subsection shall apply to equipment acquired or the construction of which was completed during the calendar year 1977, or any year thereafter.

Third. All farm storage structures designed and predominantly used for the storage of hay, for any eight of the 10 calendar years next following the calendar year in which such farm storage structure was newly constructed or first assembled. The exemption provided for in this paragraph shall be limited to a total of eight years for each individual farm storage structure. The provisions of this paragraph shall apply to farm storage structures newly constructed or first assembled after December 31, 2004.

Fourth. All storage structures designed and predominantly used for the storage of cellulose matter or other related agriculturally derived material to be used in the production of cellulosic alcohol and coproducts, for any eight of the 10 calendar years next following the calendar year in which such storage structure was newly constructed or first assembled. The exemption provided for in this paragraph shall be limited to a total of eight years for each such individual storage structure. The provisions of this paragraph shall apply to such storage structures newly constructed or first assembled after December 31, 2006.

The provisions of this section shall apply to all taxable years commencing after December 31, ~~2004~~ 2006.

Sec. 8. K.S.A. 2006 Supp. 79-201x is hereby amended to read as follows: 79-201x. For taxable years ~~2005 and 2006~~ 2007 and 2008, the following described property, to the extent herein specified, shall be and is hereby exempt from the property tax levied pursuant to the provisions of K.S.A. 72-6431, and amendments thereto: Property used for residential purposes to the extent of \$20,000 of its appraised valuation.

Sec. 9. K.S.A. 2006 Supp. 79-306e is hereby amended to read as follows: 79-306e. (a) The value for property tax purposes of any vessel, as defined by K.S.A. 32-1102, and amendments thereto, which is acquired or sold after January 1 and prior to September 1 of any taxable year shall be equal to the value determined therefor pursuant to K.S.A. 79-503a, and amendments thereto, multiplied by: (1) In the case of a sale, a fraction the numerator of which is the number of months, or major portion thereof, such vessel was owned by the record owner thereof during the taxable year in which such vessel was sold, and the denominator of which is 12; and (2) in the case of an acquisition, a fraction the numerator of which is the number of months, or major portion thereof, remaining in the taxable year after the date of acquisition by the record owner thereof, and the denominator of which is 12.

(b) *On or after July 1, 2007*, notice of the acquisition or sale of any such vessel shall be provided by the record owner thereof to the appropriate county appraiser ~~within 30 days after~~ *on or before December 20 of the year of such acquisition or sale*. Upon receipt of such notice, and after computation of the value of any such vessel in accordance with the provision of subsection (a), a notification or revised notification of value shall be mailed to the taxpayer.

(c) Vessels acquired after September 1 of a taxable year shall not be subject to assessment and taxation for such year, except as provided by paragraph (1) of subsection (a).

(d) The provisions of this section shall apply to all taxable years commencing after December 31, 2002.

Sec. 10. K.S.A. 2006 Supp. 72-6431, 79-201a, 79-201d, 79-201x, 79-306e, 79-2978 and 79-2979 are hereby repealed.

Sec. 11. This act shall take effect and be in force from and after its publication in the Kansas register.

(Published in the Kansas Register April 26, 2007.)

SENATE BILL No. 8

AN ACT concerning motor vehicles; relating to the regulation thereof; regulating traffic; amending K.S.A. 8-15,100, 8-1911, 8-2502, 8-2503 and 8-2504 and K.S.A. 2006 Supp. 8-128, 8-1345, 8-1486, 8-2118, 20-350 and 74-7336 and repealing the existing sections; also repealing K.S.A. 8-1748 and K.S.A. 2006 Supp. 8-2118a.

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

New Section 1. (a) On and after January 1, 2008, any owner or lessee of one or more passenger vehicles, trucks of a gross weight of 20,000 pounds or less or motorcycles, who is a resident of the state of Kansas, and who submits satisfactory proof to the director of vehicles that such person is an emergency medical services attendant, as defined in K.S.A. 65-6112, and amendments thereto, upon compliance with the provisions of this section, may be issued one emergency medical services license plate for each such passenger vehicle, truck or motorcycle. Such license plates shall be issued for the same period of time as other license plates upon proper registration and payment of the regular license fee as provided in K.S.A. 8-143, and amendments thereto.

(b) Any applicant for a license plate authorized by this section may make application for such distinctive license plates, not less than 60 days prior to such applicant's renewal of registration date, on a form prescribed and furnished by the director of vehicles, and any applicant for the distinctive license plates shall furnish the director with proof as the director shall require under subsection (a). Application for the registration of a passenger vehicle, truck or motorcycle and issuance of the license plates under this section shall be made by the owner or lessee in a manner prescribed by the director of vehicles upon forms furnished by the director.

(c) No registration or distinctive license plates issued under the authority of this section shall be transferable to any other person.

(d) Renewals of registration under this section shall be made annually, upon payment of the fee prescribed in subsection (a), in the manner prescribed in subsection (b) of K.S.A. 8-132, and amendments thereto. No renewal of registration shall be made to any applicant until such applicant has filed with the director a form as provided in subsection (b). If such form is not filed, the applicant shall be required to comply with K.S.A. 8-143, and amendments thereto, and return the distinctive license plates to the county treasurer.

New Sec. 2. (a) Notwithstanding the provisions of K.S.A. 8-1908 and 8-1909, and amendments thereto, the maximum gross weight limit and axle weight limit for any vehicle or combination of vehicles equipped with idle reduction technology may be increased by a quantity necessary to compensate for the additional weight of such idle reduction technology as provided for in 23 U.S.C. 658.17. In no case shall the additional weight increase allowed by this section be greater than 400 pounds.

(b) Upon request by an appropriate law enforcement officer, the vehicle operator shall provide proof:

(1) By written certification, the weight of the idle reduction technology;

(2) by demonstration or certification, that the idle reduction technology is fully functional at all times; and

(3) that the gross weight increase is not used for any purpose other than for the use of idle reduction technology.

(c) As used in this section, "idle reduction technology" means any device or system of devices that:

(1) Is installed on a heavy-duty diesel-powered on-highway truck or truck tractor; and

(2) is designed to provide to such truck or truck tractor those services, such as heat, air conditioning or electricity, that would

otherwise require the operation of the main drive engine while the truck or truck tractor is temporarily parked or remains stationary.

(d) This section shall be part of and supplemental to the uniform act regulating traffic on highways.

New Sec. 3. (a) On and after July 1, 2007, it shall be unlawful for any person to operate a work-site utility vehicle: (1) On any interstate highway, federal highway or state highway; or (2) within the corporate limits of any city unless authorized by such city. Work-site utility vehicles may be operated incidentally upon a federal highway or state highway.

(b) No work-site utility vehicle shall be operated on any public highway, street or road unless such vehicle complies with the equipment requirements under the provisions of article 17 of chapter 8 of the Kansas Statutes Annotated.

(c) This section shall be part of and supplemental to the uniform act regulating traffic on highways.

New Sec. 4. "Work-site utility vehicle" means any motor vehicle which is not less than 48 inches in width, has an overall length, including the bumper, of not more than 135 inches, has an unladen weight, including fuel and fluids, of more than 800 pounds and is equipped with four or more low pressure tires, a steering wheel and bench or bucket-type seating allowing at least two people to sit side-by-side, and may be equipped with a bed or cargo box for hauling materials.

Sec. 5. On and after July 1, 2007, K.S.A. 2006 Supp. 8-128 is hereby amended to read as follows: 8-128. (a) The following need not be registered under this act, any:

(1) Implement of husbandry;

(2) all-terrain vehicle;

(3) *work-site utility vehicle*;

~~(4)~~ (4) road roller or road machinery temporarily operated or moved upon the highways;

~~(5)~~ (5) municipally owned fire truck;

~~(6)~~ (6) privately owned fire truck subject to a mutual aid agreement with a municipality;

~~(7)~~ (7) school bus owned and operated by a school district or a nonpublic school which has the name of the municipality, school district or nonpublic school plainly painted thereon;

~~(8)~~ (8) farm trailer used in carrying not more than 6,000 pounds owned by a person engaged in farming, which trailer is used exclusively by the owner to transport agricultural products produced by such owner or commodities purchased by the owner for use on the farm owned or rented by the owner of such trailer and the weight of any such farm trailer, plus the cargo weight of 6,000 pounds or less, shall not be considered in determining the gross weight for which the truck or truck tractor propelling the same shall be registered; or

~~(9)~~ (9) farm trailer used and designed for transporting hay or forage from a field to a storage area or from a storage area to a feedlot, which is only incidentally moved or operated upon the highways, except that this paragraph shall not apply to a farm semitrailer.

(b) Self-propelled cranes where the crane operator on a job site operates the controls of such crane from a permanent housing or module on the crane and the crane is not used for the transportation of property, except the property that is required for the operation of the crane itself and earth moving equipment which are equipped with pneumatic tires may be moved on the highways of this state from one job location to another, or to or from places of storage, delivery or repair, without complying with the provisions of the law relating to registration and display of license plates but shall comply with all the other requirements of the law relating to motor vehicles.

(c) Oil well servicing, oil well clean-out or oil well drilling machinery or equipment need not be registered under this act

but shall comply with all the other requirements of the law relating to motor vehicles.

(d) A truck permanently mounted with a hydraulic concrete pump and placing boom may be moved on the highways of this state from one job location to another, or to or from places of storage delivery or repair, without being registered under this act, but shall comply with all the other requirements of the law relating to motor vehicles. The provisions of this subsection shall not apply to ready-mix concrete trucks.

Sec. 6. On and after July 1, 2007, K.S.A. 2006 Supp. 8-1486 is hereby amended to read as follows: 8-1486. K.S.A. 8-1402a, 8-1414a, 8-1439c, 8-1458a, 8-1459a, 8-1475a, 8-1487, 8-1488, 8-1489 and 8-1490 and amendments thereto, and K.S.A. 2006 Supp. 8-1491 ~~and~~, 8-1492, and *section 4*, and amendments thereto, shall be a part of, and supplemental to, the uniform act regulating traffic on highways.

Sec. 7. On and after July 1, 2007, K.S.A. 8-15,100 is hereby amended to read as follows: 8-15,100. (a) Except as provided in subsection (b), it shall be unlawful for any person to operate an all-terrain vehicle: (1) On any interstate highway, federal highway or state highway; or (2) within the corporate limits of ~~a any city of the first class unless authorized by such city.~~

(b) Notwithstanding the provisions of subsection (a), all-terrain vehicles owned and operated by a county noxious weed department, or all-terrain vehicles owned and operated by persons contracting with a county noxious weed department or the Kansas department of transportation may be allowed to operate such all-terrain vehicles upon the right-of-way of any federal highway or state highway for the purpose of eradicating noxious weeds and such all-terrain vehicles may be operated incidentally upon such federal highway or state highway.

(c) No all-terrain vehicle shall be operated on any public highway, street or road between sunset and sunrise unless equipped with lights as required by law for motorcycles.

(d) This section shall be part of and supplemental to the uniform act regulating traffic on highways.

Sec. 8. K.S.A. 8-1911 is hereby amended to read as follows: 8-1911. (a) The secretary of transportation with respect to highways under the secretary's jurisdiction and local authorities with respect to highways under their jurisdiction, in their discretion, upon application, may issue a special permit, which term shall include an authorization number, to the owner or operator of an oversize or overweight vehicle. The special permit shall authorize the special permit holder to operate or move a vehicle or combination of vehicles which exceed the limitations of this act, on a route, or routes, designated in the special permit and in accordance with the terms and conditions of the special permit.

(b) The application for the permit shall describe the vehicle, or combination of vehicles and all loads or cargo for which the special permit is requested, the route or routes on which operation is sought and whether a single trip or annual operation is requested. One special permit may be issued for a vehicle or combination of vehicles, that are both oversize and overweight. A special permit under this section may be for a single trip or for annual operation. The special permit shall designate the route or routes that may be used and any other terms, conditions or restrictions deemed necessary. The secretary of transportation shall charge a fee for each permit or authorization number issued as provided for in subsection (f). No permit shall be required to authorize the moving or operating upon any highway of farm tractors, combines, fertilizer dispensing equipment or other farm machinery, or machinery being transported to be used for terracing or soil or water conservation work upon farms, or vehicles owned by counties, cities and other political subdivisions of the state, except that this sentence shall not: (1) Exempt trucks owned by counties, cities and other political sub-

divisions specifically designed and equipped and used exclusively for garbage, refuse or solid waste disposal operations from the maximum gross weight limitations contained in the table in K.S.A. 8-1909, and amendments thereto; or (2) authorize travel on interstate highways.

(c) A permit shall be valid only when the registration on the power unit is equal to or exceeds the total gross weight of the vehicle. When the gross weight of the vehicle exceeds the upper limit of the available registration, the maximum amount of registration must be purchased. *The provisions of this subsection shall not apply to a wrecker or tow truck, as defined in K.S.A. 66-1329, and amendments thereto, and registered in accordance with the provisions of K.S.A. 8-143, and amendments thereto.*

(d) The secretary or local authority may issue or withhold the permit at the secretary's or local authority's discretion or may limit the number of trips, or establish seasonal or other time limitations within which the vehicles described may be operated on the highways, or may otherwise limit or prescribe conditions of operations of such vehicle or combination of vehicles, when necessary to assure against undue damage to the road. The secretary or local authority may require such undertaking or other security as may be deemed necessary to compensate for any injury to any roadway or road structure.

(e) Every permit shall be carried in the vehicle or combination of vehicles to which it refers and shall be open to inspection by any police officer or authorized agent of any authority granting the permit. It shall be unlawful for any person to violate any of the terms or conditions of special permit.

(f) The secretary of transportation shall charge and collect fees as follows:

- (1) Five dollars for each single-trip permit;
- (2) twenty-five dollars for a five-year permit for vehicles authorized to move bales of hay under subsection (j) on noninterstate highways;
- (3) one hundred and twenty-five dollars for each annual permit; or
- (4) two thousand dollars per year for each qualified carrier company for special vehicle combination permits authorized under K.S.A. 8-1915, and amendments thereto, plus \$50 per year for each power unit operating under such annual permit.

No fees shall be charged for permits issued for vehicles owned by counties, cities and other political subdivisions of the state. All permit fees received under this section shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the state highway fund. The secretary may adopt rules and regulations for payment and collection of all fees. The secretary may adopt rules and regulations implementing the provisions of this section to prescribe standards for any permit program to enhance highway safety.

(g) If any local authority does not desire to exercise the powers conferred on it by this section to issue or deny permits then such a permit from the local authority shall not be required to operate any such vehicle or combination of vehicles on highways under the jurisdiction of such local authority, but in no event shall the jurisdiction of the local authority be construed as extending to any portion of any state highway, any city street designated by the secretary as a connecting link in the state highway system or any highway within the national system of interstate and defense highways, which highways and streets, for the purpose of this section, shall be under the jurisdiction of the secretary.

(h) A house trailer, manufactured home or mobile home which exceeds the width as provided in subsection (a) of K.S.A. 8-1902, and amendments thereto, may be moved on the high-

(continued)

ways of this state by obtaining a permit as provided in this section, if:

- (1) The width of such house trailer, manufactured home or mobile home does not exceed 16 ½ feet;
- (2) the driver of the vehicle pulling the house trailer, manufactured home or mobile home has a valid driver's license; and
- (3) the driver carries evidence that the housetrailer, manufactured home or mobile home, and the vehicle pulling it, are covered by motor vehicle liability insurance with limits of not less than \$100,000 for injury to any one person, and \$300,000 for injury to persons in any one accident, and \$25,000 for injury to property.

For the purposes of this subsection, the terms "manufactured home" and "mobile home" shall have the meanings ascribed to them by K.S.A. 58-4202, and amendments thereto.

(i) Upon proper application stating the description and registration of each power unit, the secretary of transportation shall issue permits for a period, from May 1 to November 15, for custom combine operators to tow custom-combine equipment on a trailer within legal dimensions or a trailer especially designed for the transportation of combines or combine equipment at the rate of \$10 per power unit. Each application shall be accompanied by information as required by the secretary. The permit shall allow custom combine operators to haul two combine headers on designated interstate highways provided:

- (1) The vehicle plus the load do not exceed 14 feet in width;
- (2) the move is completed during the period beginning 30 minutes before sunrise and ending 30 minutes after sunset; and
- (3) the vehicle plus the load are not overweight.

(j) Except as provided in paragraph (2) of subsection (d) of K.S.A. 8-1902, and amendments thereto, a vehicle loaded with bales of hay which exceeds the width as provided in subsection (a) of K.S.A. 8-1902, and amendments thereto, may be moved on any highway designated as a part of the national network of highways by obtaining a permit as provided by this section, if:

- ~~(A)~~ (1) The vehicle plus the bales of hay do not exceed 12 feet in width;
- ~~(B)~~ (2) the vehicle plus the bales of hay do not exceed the height authorized under K.S.A. 8-1904, and amendments thereto;
- ~~(C)~~ (3) the move is completed during the period beginning 30 minutes before sunrise and ending 30 minutes after sunset;
- ~~(D)~~ (4) the vehicle plus the load are not overweight; and
- ~~(E)~~ (5) the vehicle plus the load comply with the signing and marking requirements of paragraph (3) of subsection (d) of K.S.A. 8-1902, and amendments thereto.

(k) If it is determined by the secretary of transportation that a person has been granted a permit and has not complied with the applicable provisions of this section and the rules and regulations of the secretary of transportation relating thereto, the secretary may cancel the permit and may refuse to grant future permits to the individual.

Sec. 9. On and July 1, 2007, K.S.A. 2006 Supp. 8-2118 is hereby amended to read as follows: 8-2118. (a) A person charged with a traffic infraction shall, except as provided in subsection (b), appear at the place and time specified in the notice to appear. If the person enters an appearance, waives right to trial, pleads guilty or no contest, the fine shall be no greater than that specified in the uniform fine schedule in subsection (c) and court costs shall be taxed as provided by law.

(b) Prior to the time specified in the notice to appear, a person charged with a traffic infraction may enter a written appearance, waive right to trial, plead guilty or no contest and pay the fine for the violation as specified in the uniform fine schedule in subsection (c) and court costs provided by law. Payment may be made by mail or in person and may be by personal check. The traffic citation shall not have been complied with if a check is not honored for any reason, or if the fine and court

costs are not paid in full. When a person charged with a traffic infraction makes payment without executing a written waiver of right to trial and plea of guilty or no contest, the payment shall be deemed such an appearance, waiver of right to trial and plea of no contest.

(c) The following uniform fine schedule shall apply uniformly throughout the state but shall not limit the fine which may be imposed following a court appearance, except an appearance made for the purpose of pleading and payment as permitted by subsection (a). The description of offense contained in the following uniform fine schedule is for reference only and is not a legal definition.

<i>Description of Offense</i>	<i>Statute</i>	<i>Fine</i>
Refusal to submit to a preliminary breath test	8-1012	\$90
Unsafe speed for prevailing conditions	8-1557	\$60
Exceeding maximum speed limit; or speeding in zone posted by the state department of transportation; or speeding in locally posted zone	8-1558 8-1560 8-1560a 8-1560b	1-10 mph over the limit, \$30 11-20 mph over the limit, \$30 plus \$6 per mph over 10 mph over the limit; 21-30 mph over the limit, \$90 plus \$9 per mph over 20 mph over the limit; 31 and more mph over the limit, \$180 plus \$15 per mph over 30 mph over the limit;
Disobeying traffic control device	8-1507	\$60
Violating traffic control signal	8-1508	\$60
Violating pedestrian control signal	8-1509	\$30
Violating flashing traffic signals	8-1510	\$60
Violating lane-control signal	8-1511	\$60
Unauthorized sign, signal, marking or device	8-1512	\$30
Driving on left side of roadway	8-1514	\$60
Failure to keep right to pass oncoming vehicle	8-1515	\$60
Improper passing; increasing speed when passed	8-1516	\$60
Improper passing on right	8-1517	\$60
Passing on left with insufficient clearance	8-1518	\$60
Driving on left side where curve, grade, intersection railroad crossing, or obstructed view	8-1519	\$60
Driving on left in no-passing zone	8-1520	\$60
Unlawful passing of stopped emergency vehicle	8-1520a	\$60
Driving wrong direction on one-way road	8-1521	\$60
Improper driving on laned roadway	8-1522	\$60
Following too close	8-1523	\$60
Improper crossover on divided highway	8-1524	\$30
Failure to yield right-of-way at uncontrolled intersection	8-1526	\$60
Failure to yield to approaching vehicle when turning left	8-1527	\$60
Failure to yield at stop or yield sign	8-1528	\$60
Failure to yield from private road or driveway	8-1529	\$60
Failure to yield to emergency vehicle	8-1530	\$180
Failure to yield to pedestrian or vehicle working on roadway	8-1531	\$90
Failure to comply with restrictions in road construction zone	8-1531a	\$30
Disobeying pedestrian traffic control device	8-1532	\$30
Failure to yield to pedestrian in crosswalk; pedestrian suddenly entering roadway; passing vehicle stopped for pedestrian at crosswalk	8-1533	\$60

Improper pedestrian crossing	8-1534	\$30	Improper riding of bicycle on roadway	8-1590	\$30
Failure to exercise due care in regard to pedestrian	8-1535	\$30	Carrying articles on bicycle; one hand on handlebars	8-1591	\$30
Improper pedestrian movement in crosswalk	8-1536	\$30	Improper bicycle lamps, brakes or reflectors	8-1592	\$30
Improper use of roadway by pedestrian	8-1537	\$30	Improper operation of motorcycle; seats; passengers, bundles	8-1594	\$30
Soliciting ride or business on roadway	8-1538	\$30	Improper operation of motorcycle on laned roadway	8-1595	\$60
Driving through safety zone	8-1539	\$30	Motorcycle clinging to other vehicle	8-1596	\$30
Failure to yield to pedestrian on sidewalk	8-1540	\$30	Improper motorcycle handlebars or passenger equipment	8-1597	\$60
Failure of pedestrian to yield to emergency vehicle	8-1541	\$30	Motorcycle helmet and eye-protection requirements	8-1598	\$30
Failure to yield to blind pedestrian	8-1542	\$30	Unlawful riding on vehicle	8-1578a	\$60
Pedestrian disobeying bridge or railroad signal	8-1544	\$30	Unlawful operation of all-terrain vehicle	8-15,100	\$60
Improper turn or approach	8-1545	\$60	Unlawful operation of low-speed vehicle	8-15,101	\$60
Improper "U" turn	8-1546	\$60	Littering	8-15,102	\$100
Unsafe starting of stopped vehicle	8-1547	\$30	<i>Disobeying school crossing guard</i>	8-15,103	\$60
Unsafe turning or stopping, failure to give proper signal; using turn signal unlawfully	8-1548	\$60	<i>Unlawful operation of work-site utility vehicle</i>	section 3	\$60
Improper method of giving notice of intention to turn	8-1549	\$30	Equipment offenses that are not misdemeanors	8-1701	\$60
Improper hand signal	8-1550	\$30	Driving without lights when needed	8-1703	\$30
Failure to stop or obey railroad crossing signal	8-1551	\$180	Defective headlamps	8-1705	\$30
Failure to stop at railroad crossing stop sign	8-1552	\$120	Defective tail lamps	8-1706	\$30
Certain hazardous vehicles failure to stop at railroad crossing	8-1553	\$180	Defective reflector	8-1707	\$30
Improper moving of heavy equipment at railroad crossing	8-1554	\$60	Improper stop lamp or turn signal	8-1708	\$30
Vehicle emerging from alley, private roadway, building or driveway	8-1555	\$60	Improper lighting equipment on certain vehicles	8-1710	\$30
Improper passing of school bus; improper use of school bus signals	8-1556	\$300	Improper lamp color on certain vehicles	8-1711	\$30
Improper passing of church or day-care bus; improper use of signals	8-1556a	\$180	Improper mounting of reflectors and lamps on certain vehicles	8-1712	\$30
Impeding normal traffic by slow speed	8-1561	\$30	Improper visibility of reflectors and lamps on certain vehicles	8-1713	\$30
Speeding on motor-driven cycle	8-1562	\$60	No lamp or flag on projecting load	8-1715	\$60
Speeding in certain vehicles or on posted bridge	8-1563	\$30	Improper lamps on parked vehicle	8-1716	\$30
Improper stopping, standing or parking on roadway	8-1569	\$30	Improper lights, lamps, reflectors and emblems on farm tractors or slow-moving vehicles	8-1717	\$30
Parking, standing or stopping in prohibited area	8-1571	\$30	Improper lamps and equipment on implements of husbandry, road machinery or animal-drawn vehicles	8-1718	\$30
Improper parking	8-1572	\$30	Unlawful use of spot, fog, or auxiliary lamp	8-1719	\$30
Unattended vehicle	8-1573	\$30	Improper lamps or lights on emergency vehicle	8-1720	\$30
Improper backing	8-1574	\$30	Improper stop or turn signal	8-1721	\$30
Driving on sidewalk	8-1575	\$30	Improper vehicular hazard warning lamp	8-1722	\$30
Driving with view or driving mechanism obstructed	8-1576	\$30	Unauthorized additional lighting equipment	8-1723	\$30
Unsafe opening of vehicle door	8-1577	\$30	Improper multiple-beam lights	8-1724	\$30
Riding in house trailer	8-1578	\$30	Failure to dim headlights	8-1725	\$60
Improper driving in defiles, canyons, or on grades	8-1579	\$30	Improper single-beam headlights	8-1726	\$30
Coasting	8-1580	\$30	Improper speed with alternate lighting	8-1727	\$30
Following fire apparatus too closely	8-1581	\$60	Improper number of driving lamps	8-1728	\$30
Driving over fire hose	8-1582	\$30	Unauthorized lights and signals	8-1729	\$30
Putting glass, etc., on highway	8-1583	\$90	Improper school bus lighting equipment and warning devices	8-1730	\$30
Driving into intersection, crosswalk, or crossing without sufficient space on other side	8-1584	\$30	Unauthorized lights and devices on church or day-care bus	8-1730a	\$30
Improper operation of snowmobile on highway	8-1585	\$30	Improper lights on highway construction or maintenance vehicles	8-1731	\$30
Parental responsibility of child riding bicycle	8-1586	\$30	Defective brakes	8-1734	\$30
Not riding on bicycle seat; too many persons on bicycle	8-1588	\$30	Defective or improper use of horn or warning device	8-1738	\$30
Clinging to other vehicle	8-1589	\$30			

(continued)

Defective muffler	8-1739	\$30
Defective mirror	8-1740	\$30
Defective wipers; obstructed windshield or windows	8-1741	\$30
Improper tires	8-1742	\$30
Improper flares or warning devices	8-1744	\$30
Improper use of vehicular hazard warning lamps and devices	8-1745	\$30
Improper air-conditioning equipment	8-1747	\$30
TV screen visible to driver	8-1748	\$30
Improper safety belt or shoulder harness	8-1749	\$30
Improper wide-based single tires	8-1742b	\$60
Improper compression release engine braking system	8-1761	\$60
Defective motorcycle headlamp	8-1801	\$30
Defective motorcycle tail lamp	8-1802	\$30
Defective motorcycle reflector	8-1803	\$30
Defective motorcycle stop lamps and turn signals	8-1804	\$30
Defective multiple-beam lighting	8-1805	\$30
Improper road-lighting equipment on motor-driven cycles	8-1806	\$30
Defective motorcycle or motor-driven cycle brakes	8-1807	\$30
Improper performance ability of brakes	8-1808	\$30
Operating motorcycle with disapproved braking system	8-1809	\$30
Defective horn, muffler, mirrors or tires	8-1810	\$30
Unlawful statehouse parking	75-4510a	\$15
Exceeding gross weight of vehicle or combination	8-1909	Pounds Overweight up to 1000 \$25 1001 to 2000 3e per pound 2001 to 5000 5e per pound 5001 to 7500 7e per pound 7501 and over .. 10e per pound
Exceeding gross weight on any axle or tandem, triple or quad axles	8-1908	Pounds Overweight up to 1000 \$25 1001 to 2000 3e per pound 2001 to 5000 5e per pound 5001 to 7500 7e per pound 7501 and over .. 10e per pound
Failure to obtain proper registration, clearance or to have current certification	66-1324	\$272
Insufficient liability insurance for motor carriers	66-1,128 or 66-1314	\$122
Failure to obtain interstate motor fuel tax authorization	79-34,122	\$122
No authority as private or common carrier	66-1,111	\$122
Violation of motor carrier safety rules and regulations, except for violations specified in subsection (b)(2) of K.S.A. 66-1,130, and amendments thereto	66-1,129	\$100

(d) Traffic offenses classified as traffic infractions by this section shall be classified as ordinance traffic infractions by those cities adopting ordinances prohibiting the same offenses. A schedule of fines for all ordinance traffic infractions shall be established by the municipal judge in the manner prescribed by K.S.A. 12-4305, and amendments thereto. Such fines may vary from those contained in the uniform fine schedule contained in subsection (c).

(e) Fines listed in the uniform fine schedule contained in subsection (c) shall be doubled if a person is convicted of a traffic infraction, which is defined as a moving violation in accordance with rules and regulations adopted pursuant to K.S.A. 8-249, and amendments thereto, committed within any road construction zone as defined in K.S.A. 8-1458a, and amendments thereto.

(f) For a second violation of K.S.A. 8-1908 or 8-1909, and amendments thereto, within two years after a prior conviction of K.S.A. 8-1908 or 8-1909, and amendments thereto, such person, upon conviction shall be fined 1 ½ times the applicable amount from one, but not both, of the schedules listed in the uniform fine schedule contained in subsection (c). For a third violation of K.S.A. 8-1908 or 8-1909, and amendments thereto, within two years, after two prior convictions of K.S.A. 8-1908 or 8-1909, and amendments thereto, such person, upon conviction shall be fined two times the applicable amount from one, but not both, of the schedules listed in the uniform fine schedule contained in subsection (c). For a fourth and each succeeding violation of K.S.A. 8-1908 or 8-1909, and amendments thereto, within two years after three prior convictions of K.S.A. 8-1908 or 8-1909, and amendments thereto, such person, upon conviction shall be fined 2 ½ times the applicable amount from one, but not both, of the schedules listed in the uniform fine schedule contained in subsection (c).

(g) Fines listed in the uniform fine schedule contained in subsection (c) relating to exceeding the maximum speed limit, shall be doubled if a person is convicted of exceeding the maximum speed limit in a school zone authorized under subsection (a)(4) of K.S.A. 8-1560, and amendments thereto.

Sec. 10. On and after July 1, 2007, K.S.A. 8-2502 is hereby amended to read as follows: 8-2502. As used in this act, "passenger car" means a motor vehicle, manufactured or assembled after January 1, 1968, or a motor vehicle manufactured or assembled prior to 1968 which was manufactured or assembled with safety belts, with motive power designed for carrying 10 passengers or fewer, including vans, but does not include a motorcycle, a trailer or a vehicle constructed either on a truck chassis registered for a gross weight of more than 12,000 pounds or a farm truck registered for a gross weight of more than 16,000 pounds or a vehicle constructed with special features for occasional off-road operation or a motor-driven cycle.

Sec. 11. On and after July 1, 2007, K.S.A. 8-2503 is hereby amended to read as follows: 8-2503. (a) Except as provided in K.S.A. 8-1344 and 8-1345, and amendments thereto, and in subsection (b) or (c), each front seat occupant of a passenger car manufactured with safety belts in compliance with federal motor vehicle safety standard no. 208, who is 18 years of age or older, shall have a safety belt properly fastened about such person's body at all times when the vehicle passenger car is in motion.

(b) Each occupant of a passenger car manufactured with safety belts in compliance with federal motor vehicle safety standard no. 208, who is at least 14 years of age but less than 18 years of age, shall have a safety belt properly fastened about such person's body at all times when the passenger car is in motion.

(c) This section does not apply to:

(1) An occupant of a passenger car who possesses a written statement from a licensed physician that such person is unable for medical reasons to wear a safety belt system;

(2) carriers of United States mail while actually engaged in delivery and collection of mail along their specified routes;

(3) newspaper delivery persons while actually engaged in delivery of newspapers along their specified routes; or

(4) an occupant of a passenger car required to be protected by a safety restraining system under the child passenger safety act.

(d) The secretary of transportation shall initiate an educational program designed to encourage compliance with the safety belt usage provisions of this act.

(e) The secretary shall evaluate the effectiveness of this act and shall include a report of its findings in the annual evaluation report on its highway safety plan that it submits under 23 U.S.C. 402.

(f) Law enforcement officers shall not stop drivers for violations of this act subsection (a) in the absence of another vi-

olation of law. A citation for violation of ~~this act~~ subsection (a) shall not be issued without citing the violation that initially caused the officer to effect the enforcement stop.

Sec. 12. On and after July 1, 2007, K.S.A. 8-2504 is hereby amended to read as follows: 8-2504. ~~(a) (1) From and after the effective date of this act, and prior to July 1, 1987, a law enforcement officer shall issue a warning citation to anyone violating subsection (a) of K.S.A. 8-2503; and~~

~~(2) from and after July 1, 1987, persons violating subsection (a) of K.S.A. 8-2503 shall be fined not more than \$10 including court costs. (a) (1) From and after July 1, 2007, and prior to January 1, 2008, a law enforcement officer shall issue a warning citation to anyone violating subsection (b) of K.S.A. 8-2503, and amendments thereto;~~

(2) persons violating subsection (a) of K.S.A. 8-2503, and amendments thereto, shall be fined \$30 including court costs; and

(3) from and after January 1, 2008, persons violating subsection (b) of K.S.A. 8-2503, and amendments thereto, shall be fined \$60 including court costs.

(b) No court shall report violation of this act to the department of revenue.

(c) Evidence of failure of any person to use a safety belt shall not be admissible in any action for the purpose of determining any aspect of comparative negligence or mitigation of damages.

New Sec. 13. There is hereby created in the state treasury the traffic records enhancement fund. All moneys credited to the traffic records enhancement fund shall be used by the department of transportation for the purpose of enhancing and upgrading the traffic records systems in the state. All expenditures from traffic records enhancement fund shall be made in accordance with appropriation acts, upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary of transportation or the secretary's designee.

New Sec. 14. There is hereby created in the state treasury the EMS revolving fund. All moneys credited to the EMS revolving fund shall be used by the emergency medical services board to improve and enhance emergency medical services in the state. All expenditures from the EMS revolving fund shall be made in accordance with appropriation acts, upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the chairperson of the emergency medical services board or by a person or persons designated by such chairperson.

Sec. 15. On and after July 1, 2007, K.S.A. 2006 Supp. 8-1345 is hereby amended to read as follows: 8-1345. (a) It shall be unlawful for any driver to violate the provisions of K.S.A. 8-1344, and amendments thereto, and upon conviction such driver shall be punished by a fine of \$60. ~~Notwithstanding any provision of law to the contrary, of each such fine received from clerks of the district court, the state treasurer shall credit \$40 to the children's advocacy center fund established pursuant to K.S.A. 2006 Supp. 20-370, and amendments thereto.~~ The failure to provide a child safety restraining system or safety belt for more than one child in the same passenger car at the same time shall be treated as a single violation. Any conviction under the provisions of this subsection shall not be construed as a moving traffic violation for the purpose of K.S.A. 8-255, and amendments thereto.

(b) The \$60 fine provided for in subsection (a) shall be waived if the driver convicted of violating subsection (a)(1) or (a)(2) of K.S.A. 8-1344, and amendments thereto, provides proof to the court that such driver has purchased or acquired the appropriate and approved child passenger safety restraining system. At the time of issuing the citation for a violation of subsection (a)(1) or (a)(2) of K.S.A. 8-1344, and amendments thereto,

the law enforcement officer shall notify the driver of the waiver provisions of this subsection.

(c) No driver charged with violating the provisions of this act shall be convicted if such driver produces in the office of the arresting officer or in court proof that the child was 14 years of age or older at the time the violation was alleged to have occurred.

(d) Evidence of failure to secure a child in a child passenger safety restraining system or a safety belt under the provisions of K.S.A. 8-1344, and amendments thereto, shall not be admissible in any action for the purpose of determining any aspect of comparative negligence or mitigation of damages.

(e) From and after the effective date of this act, and prior to July 1, 2007, a law enforcement officer shall issue a warning citation to anyone violating subsection (a)(2) of K.S.A. 8-1344, and amendments thereto.

Sec. 16. On and after July 1, 2007, K.S.A. 2006 Supp. 20-350 is hereby amended to read as follows: 20-350. (a) Except for fines and penalties authorized to be paid to counties pursuant to K.S.A. 19-101e, and amendments thereto, and subsection (b), and amendments thereto, all moneys received by the clerk of the district court from the payment of fines, penalties and forfeitures shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the state general fund, except as provided in K.S.A. 74-7336, and amendments thereto, ~~or K.S.A. 8-1345, and amendments thereto.~~

(b) Except as provided by K.S.A. 2006 Supp. 20-368, and amendments thereto, all moneys received by the clerk of the district court from the payment of bail forfeitures shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury and shall credit equal portions of such remittance to the indigents' defense services fund and the state general fund.

(c) The chief judge may invest any moneys on deposit in the district court account if the moneys are not immediately required for the purposes for which they were collected or received. Such moneys may be invested in: (1) Time deposits, open account or certificates of deposit, for periods not to exceed six months, or savings deposits, in commercial banks located in the county, except that amounts invested which are not insured by the United States government shall be secured in the manner and amounts provided by K.S.A. 9-1402, and amendments thereto; (2) United States treasury bills or notes with maturities not to exceed six months; or (3) savings and loan associations located in the county. No investment of more than the amount insured by the federal deposit insurance corporation shall be made in any one savings and loan association. Interest received from the investment of moneys pursuant to this subsection shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the state general fund.

(d) Upon application of a party to an action in which such party claims ownership of moneys held by the district court, the chief judge may invest such moneys in the same manner as provided by subsection (c). Interest received from the investment of moneys pursuant to this subsection shall become the property of the person found to be the owner of the moneys.

Sec. 17. On and after July 1, 2007, K.S.A. 2006 Supp. 74-7336 is hereby amended to read as follows: 74-7336. (a) Of the re-

(continued)

mittances of fines, penalties and forfeitures received from clerks of the district court, at least monthly, the state treasurer shall credit:

- (1) 11.99% to the crime victims compensation fund;;
(2) 2.45% to the crime victims assistance fund;;
(3) 2.01% to the community alcoholism and intoxication programs fund;;
(4) 2.01% to the department of corrections alcohol and drug abuse treatment fund and;
(5) 0.17% to the boating fee fund. The remainder of the remittances shall be credited to the state general fund;
(6) 0.12% to the children's advocacy center fund;
(7) 2.50% to the EMS revolving fund;
(8) 2.50% to the trauma fund;

- (9) 2.50% to the traffic records enhancement fund; and
(10) the remainder of the remittances to the state general fund.

(b) The county treasurer shall deposit grant moneys as provided in subsection (a), from the crime victims assistance fund, to the credit of a special fund created for use by the county or district attorney in establishing and maintaining programs to aid witnesses and victims of crime.

Sec. 18. K.S.A. 8-1911 is hereby repealed.

Sec. 19. On and after July 1, 2007, K.S.A. 8-15,100, 8-1748, 8-2502, 8-2503 and 8-2504 and K.S.A. 2006 Supp. 8-128, 8-1345, 8-1486, 8-2118, 8-2118a, 20-350 and 74-7336 are hereby repealed.

Sec. 20. 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

Table with 3 columns: Reg. No., Action, Register. Lists regulations 1-2-46 through 1-9-26 with their respective actions and register references.

AGENCY 3: KANSAS STATE TREASURER

Table with 3 columns: Reg. No., Action, Register. Lists regulations 3-4-1 through 3-4-7 with their respective actions and register references.

AGENCY 4: DEPARTMENT OF AGRICULTURE

Table with 3 columns: Reg. No., Action, Register. Lists regulations 4-7-213 through 4-15-9 with their respective actions and register references.

Table with 3 columns: Reg. No., Action, Register. Lists regulations 4-16-1a through 4-19-1 with their respective actions and register references.

AGENCY 5: DEPARTMENT OF AGRICULTURE—DIVISION OF WATER RESOURCES

Table with 3 columns: Reg. No., Action, Register. Lists regulation 5-24-10 with its action and register reference.

AGENCY 7: SECRETARY OF STATE

Table with 3 columns: Reg. No., Action, Register. Lists regulations 7-17-22 through 7-44-7 with their respective actions and register references.

AGENCY 9: ANIMAL HEALTH DEPARTMENT

Table with 3 columns: Reg. No., Action, Register. Lists regulations 9-32-1 through 9-32-8 with their respective actions and register references.

AGENCY 10: KANSAS BUREAU OF INVESTIGATION

Table with 3 columns: Reg. No., Action, Register. Lists regulations 10-20-1 through 10-20-14 with their respective actions and register references.

AGENCY 11: STATE CONSERVATION COMMISSION

Table with 3 columns: Reg. No., Action, Register. Lists regulations 11-3-1 through 11-4-16 with their respective actions and register references.

AGENCY 16: ATTORNEY GENERAL

Table with 3 columns: Reg. No., Action, Register. Lists regulations 16-11-1 through 16-11-8 with their respective actions and register references.

AGENCY 22: STATE FIRE MARSHAL

Table with 3 columns: Reg. No., Action, Register. Lists regulations 22-8-2 through 22-8-17 with their respective actions and register references.

AGENCY 28: DEPARTMENT OF HEALTH AND ENVIRONMENT

Table with 3 columns: Reg. No., Action, Register. Lists regulations 28-1-2 through 28-46-26 with their respective actions and register references.

28-46-26a	New	V. 26, p. 215
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		
through		
28-51-116	Amended	V. 25, p. 1449, 1450
28-73-1		
through		
28-73-7	New	V. 25, p. 307-311

AGENCY 30: SOCIAL AND REHABILITATION SERVICES

Reg. No.	Action	Register
30-4-64	Amended	V. 25, p. 1636
30-4-90	Amended	V. 25, p. 786
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
30-31-2	Revoked	V. 25, p. 1800
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
30-63-22	Amended	V. 25, p. 1693
30-64-24	Amended	V. 25, p. 1693

AGENCY 40: KANSAS INSURANCE DEPARTMENT

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40-2-20	Amended	V. 26, p. 101
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
40-7-25	Amended	V. 26, p. 488

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
49-45-3	Amended	V. 25, p. 1494
49-45-4	Amended	V. 25, p. 1494
49-45-4a	Amended	V. 25, p. 1494
49-45-4b	New	V. 25, p. 1494
49-45-5	Amended	V. 25, p. 1494
49-45-6	Amended	V. 25, p. 1494
49-45-7	Amended	V. 25, p. 1494
49-45-8	Amended	V. 25, p. 1494
49-45-9	Amended	V. 25, p. 1495
49-45-20	Amended	V. 25, p. 1495
49-45-21		
through		
49-45-26	Revoked	V. 25, p. 1495
49-45-28	Amended	V. 25, p. 1495
49-45-29	Amended	V. 25, p. 1495
49-45-30	Revoked	V. 25, p. 1495
49-45-31	Amended	V. 25, p. 1495
49-45-32	Amended	V. 25, p. 1495
49-45-34	Amended	V. 25, p. 1495
49-45-35	New	V. 25, p. 1495
49-45-37	New	V. 25, p. 1495
49-45-38	New	V. 25, p. 1495
49-45a-1	Amended	V. 25, p. 1495
49-47-2	Amended	V. 25, p. 1496
49-49-1	Amended	V. 25, p. 25
49-49-1a	Amended	V. 25, p. 25
49-50-3	Amended	V. 25, p. 1496
49-50-7	Amended	V. 25, p. 1497
49-50-9	Amended	V. 25, p. 1497
49-50-10	Amended	V. 25, p. 1498
49-50-13	Amended	V. 25, p. 1498
49-50-17	Amended	V. 25, p. 1498
49-50-19	Amended	V. 25, p. 1498
49-50-22	Amended	V. 25, p. 1499
49-50-23	New	V. 25, p. 1499
49-50-24	New	V. 25, p. 1499
49-51-3a	Amended	V. 25, p. 1499
49-51-6	Amended	V. 25, p. 1499
49-51-11	Amended	V. 25, p. 1500
49-51-12	Amended	V. 25, p. 1501
49-52-6	Amended	V. 25, p. 1501
49-52-10	Amended	V. 25, p. 1502
49-52-14	Amended	V. 25, p. 1502
49-52-17	Amended	V. 25, p. 1502
49-52-18	New	V. 25, p. 1502
49-52-19	New	V. 25, p. 1502

AGENCY 50: DEPARTMENT OF LABOR— DIVISION OF EMPLOYMENT

Reg. No.	Action	Register
50-3-2a	New	V. 25, p. 1493

AGENCY 60: BOARD OF NURSING

Reg. No.	Action	Register
60-4-101	Amended	V. 26, p. 446
60-7-106	Amended	V. 26, p. 447
60-8-101	Amended	V. 26, p. 448
60-11-119	Amended	V. 26, p. 448
60-17-102	Amended	V. 26, p. 448
60-17-103	Amended	V. 26, p. 449
60-17-104	Amended	V. 26, p. 449
60-17-105	Amended	V. 26, p. 450
60-17-107	Amended	V. 26, p. 450
60-17-108	Amended	V. 26, p. 451
60-17-110	Amended	V. 26, p. 451

AGENCY 63: BOARD OF MORTUARY ARTS

Reg. No.	Action	Register
63-1-1	Amended	V. 26, p. 126
63-5-1	Amended	V. 26, p. 126

AGENCY 66: BOARD OF TECHNICAL PROFESSIONS

Reg. No.	Action	Register
66-6-4	Amended	V. 25, p. 1801
66-8-4	Amended	V. 25, p. 44
66-8-8	Amended	V. 25, p. 1802
66-10-1	Amended	V. 25, p. 44
66-10-9	Amended	V. 25, p. 1802
66-10-10a	Amended	V. 25, p. 1802
66-10-11	Amended	V. 25, p. 44
66-10-12	Amended	V. 25, p. 45
66-10-14	Amended	V. 25, p. 45
66-11-2	Amended	V. 25, p. 1802
66-11-5	Amended	V. 25, p. 45

AGENCY 67: BOARD OF EXAMINERS IN THE FITTING AND DISPENSING OF HEARING INSTRUMENTS

Reg. No.	Action	Register
67-3-5	New (T)	V. 26, p. 202

AGENCY 68: BOARD OF PHARMACY

Reg. No.	Action	Register
68-1-1b	Amended	V. 25, p. 1401
68-1-1d	Amended	V. 25, p. 1401
68-1-1f	Amended	V. 25, p. 1401
68-1-1g	New	V. 25, p. 1401
68-2-22	Amended	V. 25, p. 661
68-5-16	Amended	V. 26, p. 488
68-11-1	Amended	V. 25, p. 1401
68-16-1		
through		
68-16-9	New	V. 25, p. 1637-1639
68-20-1	Amended	V. 26, p. 488

AGENCY 71: KANSAS DENTAL BOARD

Reg. No.	Action	Register
71-8-1		
through		
71-8-9	New	V. 25, p. 99, 100

AGENCY 74: BOARD OF ACCOUNTANCY

Reg. No.	Action	Register
74-4-1a	Amended	V. 26, p. 126
74-4-7	Amended	V. 25, p. 610
74-4-8	Amended	V. 25, p. 610
74-5-2	Amended	V. 26, p. 127
74-5-101	Amended	V. 26, p. 127
74-5-102	Amended	V. 25, p. 612
73-5-105	Revoked	V. 26, p. 127
74-5-202	Amended	V. 26, p. 127
74-5-203	Amended	V. 25, p. 613
74-5-403	Amended	V. 26, p. 128
74-5-408	New	V. 26, p. 128
74-11-6	Amended	V. 26, p. 128
74-11-7	Amended	V. 25, p. 614

AGENCY 81: OFFICE OF THE SECURITIES COMMISSIONER

Reg. No.	Action	Register
81-1-1	Amended	V. 26, p. 20
81-2-1	Amended	V. 25, p. 1057
81-3-1	Amended	V. 25, p. 1058
81-3-2	Amended	V. 25, p. 1059
81-3-5	Amended	V. 25, p. 1059
81-3-6	New	V. 25, p. 1060
81-3-7	New	V. 25, p. 1064
81-4-1	Amended	V. 26, p. 21
81-4-2	Amended	V. 26, p. 22
81-5-3	Amended	V. 26, p. 22
81-5-4	Revoked	V. 26, p. 22
81-5-5	Revoked	V. 26, p. 23
81-5-6	Amended	V. 26, p. 23
81-5-7	Amended	V. 26, p. 24
81-5-8	Amended	V. 26, p. 24
81-5-10	Amended	V. 26, p. 24
81-5-11	Amended	V. 26, p. 25

(continued)

81-5-12	Amended	V. 26, p. 25
81-5-13	Amended	V. 26, p. 26
81-5-14	Amended	V. 26, p. 27
81-5-16		
through		
81-5-20	New	V. 26, p. 28-30
81-6-1	Amended	V. 26, p. 30
81-7-1	Amended	V. 26, p. 30
81-7-2	Amended	V. 26, p. 31
81-7-3	New	V. 26, p. 31
81-10-1	Amended	V. 26, p. 32
81-14-1	Amended	V. 25, p. 1065
81-14-2	Amended	V. 25, p. 1066
81-14-3	Revoked	V. 25, p. 1066
81-14-4	Amended	V. 25, p. 1066
81-14-5	Amended	V. 25, p. 1071
81-14-6	Amended	V. 25, p. 1075
81-14-7	Amended	V. 25, p. 1076
81-14-8	Revoked	V. 25, p. 1076
81-14-9	New	V. 25, p. 1076
81-14-10	New	V. 25, p. 1079

AGENCY 82: STATE CORPORATION COMMISSION

Reg. No.	Action	Register
82-3-101	Amended	V. 25, p. 1750
82-3-206	Amended	V. 25, p. 1754
82-3-305	Amended	V. 25, p. 1754
82-3-307	Amended	V. 25, p. 1754
82-4-3a	Amended (T)	V. 25, p. 378
82-4-3a	Amended	V. 25, p. 844
82-14-1		
through		
82-14-5	New	V. 26, p. 16-19
82-15-1	New (T)	V. 25, p. 984, 1019
82-15-1	New	V. 25, p. 1363

AGENCY 88: BOARD OF REGENTS

Reg. No.	Action	Register
88-3-8	Amended	V. 25, p. 1057
88-15-1	Revoked	V. 25, p. 1403
88-15-2	Revoked	V. 25, p. 1403
88-16-1	Revoked	V. 25, p. 1404
88-16-1b	Revoked	V. 25, p. 1404
88-16-2	Revoked	V. 25, p. 1404
88-16-5	Revoked	V. 25, p. 1404
88-16-5b	Revoked	V. 25, p. 1404
88-16-6	Revoked	V. 25, p. 1404
88-16-8	Revoked	V. 25, p. 1404
88-23-1	Revoked	V. 25, p. 1404
88-23-2	Revoked	V. 25, p. 1404
88-23-2a	Revoked	V. 25, p. 1404
88-23-3a	Revoked	V. 25, p. 1404
88-23-4	Revoked	V. 25, p. 1404
88-23-5	Revoked	V. 25, p. 1404
88-23-6	Revoked	V. 25, p. 1404
88-23-7	Revoked	V. 25, p. 1404
88-28-1		
through		
88-28-6	New	V. 25, p. 1404-1410
88-28-7	New	V. 25, p. 1451
88-28-8	New	V. 25, p. 1411
88-29-1		
through		
88-29-19	New	V. 26, p. 216-229

AGENCY 91: DEPARTMENT OF EDUCATION

Reg. No.	Action	Register
91-1-201	Amended	V. 25, p. 1098
91-1-202	Amended	V. 25, p. 1099
91-1-205	Amended	V. 25, p. 1101

AGENCY 92: DEPARTMENT OF REVENUE

Reg. No.	Action	Register
92-12-4	Revoked	V. 25, p. 252
92-12-4a	New	V. 25, p. 252
92-12-5	Revoked	V. 25, p. 254
92-12-120	New	V. 25, p. 254
92-12-121	New	V. 25, p. 254
92-12-130	New	V. 25, p. 254
92-13-9	Amended	V. 25, p. 1568
92-19-16a	Amended	V. 26, p. 408
92-19-16b	New	V. 26, p. 409

92-19-22a	Amended	V. 25, p. 254
92-19-55a	Revoked	V. 26, p. 409
92-19-81	Amended	V. 26, p. 409
92-21-7	Revoked	V. 26, p. 409
92-21-8	Revoked	V. 26, p. 409
92-21-10	Revoked	V. 26, p. 409
92-21-14	Amended	V. 26, p. 409
92-21-16	Revoked	V. 26, p. 409
92-21-17	Revoked	V. 26, p. 409
92-51-41	Amended	V. 25, p. 255
92-51-41a	New	V. 25, p. 255

AGENCY 93: DEPARTMENT OF REVENUE—DIVISION OF PROPERTY VALUATION

Reg. No.	Action	Register
93-7-1	New	V. 26, p. 14
93-7-2	New	V. 26, p. 14
93-7-3	New	V. 26, p. 14
93-8-1	New	V. 26, p. 14
93-8-2	New	V. 26, p. 14
93-8-3	New	V. 26, p. 14

AGENCY 97: KANSAS COMMISSION ON VETERANS' AFFAIRS

Reg. No.	Action	Register
97-4-1		
through		
97-4-8	New	V. 25, p. 1596, 1597
97-6-1	New	V. 26, p. 484
97-6-2	New	V. 26, p. 485
97-6-4		
through		
97-6-11	New	V. 26, p. 485-488

AGENCY 100: BOARD OF HEALING ARTS

Reg. No.	Action	Register
100-15-5	Amended	V. 26, p. 384
100-15-6	Amended	V. 26, p. 385
100-25-1		
through		
100-25-5	New	V. 25, p. 213-216
100-26-1	Amended	V. 25, p. 217
100-26-2	New	V. 25, p. 217
100-26-3	New	V. 25, p. 217
100-27-1	Amended	V. 25, p. 1206
100-29-1	Amended	V. 25, p. 639
100-29-2	Amended	V. 25, p. 890
100-29-3	Amended	V. 25, p. 640
100-29-4	Amended	V. 25, p. 890
100-29-5	Revoked	V. 25, p. 640
100-29-6	Amended	V. 25, p. 640
100-29-8	Amended	V. 25, p. 640
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
111-6-27	New	V. 26, p. 259
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. 26, p. 410
115-4-4a	Amended	V. 26, p. 411
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. 26, p. 281
129-5-88	New	V. 25, p. 1830
129-5-108	New	V. 25, p. 1571
129-5-118	New	V. 25, p. 665
129-5-118b	New	V. 25, p. 665
129-6-38	New	V. 25, p. 1030
129-6-77	New	V. 25, p. 847
129-6-151	New	V. 25, p. 848
129-6-152	New	V. 25, p. 848
129-7-65	New	V. 25, p. 848
129-14-22	New	V. 25, p. 1030
129-14-27	New	V. 25, p. 849
129-14-51	New	V. 25, p. 849
129-14-52	New	V. 25, p. 849

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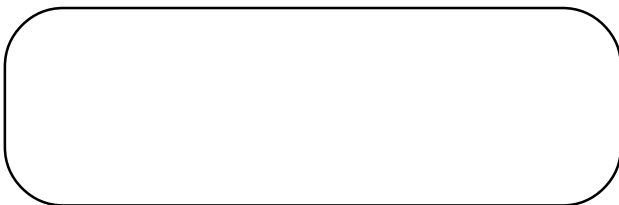
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